



**AGENDA  
REGULAR MEETING**

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

**WEDNESDAY, NOVEMBER 9, 2016  
PRESENTATIONS – 6:00 P.M.  
REGULAR SESSION - 7:00 P.M.**

**PLEDGE OF ALLEGIANCE AND ROLL CALL – 6:00 P.M.**

**ADOPTION OF AGENDA**

**PRESENTATION**

- Halloween Decorating Contest Winners
- Veterans Day Presentation
- Annual Town Employee Recognition

**PUBLIC COMMENTS – 7:00 P.M.**

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 October 12, 2016 Regular Meeting.
2. Motion to Accept the Minutes from the October 26, 2016 Special Meeting.
3. Motion to Approve Report of Checks Paid for October 2016.
4. Motion Approving the 2017-2019 Strategic Plan as Presented by Staff.
5. Motion to Adopt a Resolution Amending Subchapter 4.02 and Adding a New Subchapter 4.04 of the Colma Administrative Code, Relating to Investments, Check Signature and Banking Transfer Policies.
6. Motion to Adopt a Resolution Supporting an Application for OBAG 2 (One Bay Area Grant) for Local Streets and Roads (LSR) Prevention Program.
7. Motion to Adopt a Resolution Authorizing the City Manager to Execute the Program Supplement Agreement with California Department of Transportation for the Systemic Safety Analysis Report Program (SSARP).
8. Motion to Adopt a Resolution Amending a Condition of Approval to the Tentative Subdivision Map Approval for Creating Nine Single Family Residential Lots Located At 442-468 B Street Pursuant to CEQA Guideline 15332.

9. Motion to Adopt a Resolution Rejecting All Bids Received for Phase V (Infill and Sitework) of the Colma Town Hall Renovation Project and Electing by a Four-Fifths Vote of the Council to Perform the Work by Force Account.

## **PUBLIC HEARING**

### **10. 1670 – 1692 MISSION ROAD, VETERANS VILLAGE PROJECT**

- a. *Consider:* Motion to Adopt a Resolution Certifying the Final Environmental Impact Report and Adopting Findings, a Statement of Overriding Considerations, and the Mitigation Monitoring and Reporting Program, All Pursuant to the California Environmental Quality Act, for a 66-Unit Affordable Housing Project at 1670-1692 Mission Road (“Veteran’s Village Affordable Housing Project”).
- b. *Consider:* Motion to Introduce an Ordinance Adopting an Amended Zoning Map and Approving a Planned Development Zone for 1670-1692 Mission Road (Rezoning Property From C/DR To PD/DR), and Waive a Further Reading of the Ordinance.
- c. *Consider:* Motion to Adopt a Resolution Conditionally Approving Planned Development (PD) Conditional Use Permit, Design Review, Sign Permit and Tree Removal Permit for a 66-Unit Affordable Housing Project at 1670-1692 Mission Road.

### **11. TEMPORARY USE PERMIT – 2001 HILLSIDE BOULEVARD**

Consider: Motion to Adopt a Resolution Approving a Temporary Use Permit for Two (2) Automobile Dealership Vehicle Inventory Storage Areas at 2001 Hillside Boulevard (APN: 011-440-010 & 011-440-020) Pursuant to CEQA Guideline 15304(e).

### **12. RECREATIONAL MARIJUANA ORDINANCE**

- a. *Consider:* Motion to Introduce an Ordinance Amending Colma Municipal Code Sections 5.01.080 and 5.03.350 and Adding Section 5.03.355, to Regulate the Personal, Medical, and Commercial Use of Marijuana, and Waive a Further Reading of the Ordinance.
- b. *Consider:* Motion to Adopt an Urgency Ordinance Amending Colma Municipal Code Sections 5.01.080 and 5.03.350 and Adding Section 5.03.355, to Regulate the Personal, Medical, and Commercial Use of Marijuana.

## **COUNCIL CALENDARING**

### **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](mailto: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](mailto: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, October 12, 2016**

Closed Session – 6:00 p.m.

Regular Session – 7:00 p.m.

**CALL TO ORDER**

Mayor Diana Colvin called the Regular Session of the Regular Meeting of the City Council to order at 7:01 p.m.

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

Staff Present – City Manager Sean Rabé, City Attorney Christopher Diaz, Chief of Police Kirk Stratton, Recreation Services Director Brian Dossey, Director of Public Works Brad Donohue, and City Clerk Caitlin Corley were in attendance.

**REPORT FROM CLOSED SESSION**

Mayor Colvin stated, “No action was taken at the Closed Session this evening.”

**ADOPTION OF THE AGENDA**

Mayor Colvin asked if there were any 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 Council Member Gonzalez and carried by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Diana Colvin, Mayor	✓				
Helen Fisicaro	✓				
Raquel “Rae” Gonzalez	✓				
Joseph Silva	✓				
Joanne F. del Rosario	✓				
	5	0			

**PRESENTATIONS**

City Manager Sean Rabé presented the Beacon Awards that Colma received for the Town’s commitment to sustainability and thanked the Sustainability Committee for their hard work.

**PUBLIC COMMENTS**

Mayor Colvin 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**

- 2. Motion to Accept the Minutes from the September 28, 2016 Regular Meeting.
- 3. Motion to Approve Report of Checks Paid for September 2016.
- 4. Motion to Adopt an Ordinance Amending Colma Municipal Code Section 1.03.105, Regarding the City Treasurer’s Duties (second reading).
- 5. Motion to Accept Informational Report on Recreation Department Programs, Activities, Events and Trips for the Third Quarter of 2016.

**Action:** Council Member Silva moved to approve the Consent Calendar items #2-5; 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	
Diana Colvin, Mayor	✓				
Helen Fiscaro	✓				
Raquel "Rae" Gonzalez	✓				
Joseph Silva	✓				
Joanne F. del Rosario	✓				
	5	0			

**NEW BUSINESS**

**6. SURPLUS LAND POLICY**

City Planner Michael Laughlin presented the staff report. Mayor Colvin opened the public comment period at 7:13 p.m. and seeing no one come forward to speak, she closed the public comment section Council discussion followed.

**Action:** Vice Mayor Fiscaro moved to Adopt a Resolution Adopting a New Council Policy Regarding Surplus Land, Pursuant to AB 2135; the motion was seconded by Council Member Gonzalez and carried by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Diana Colvin, Mayor	✓				
Helen Fiscaro	✓				
Raquel "Rae" Gonzalez	✓				
Joseph Silva	✓				
Joanne F. del Rosario	✓				
	5	0			



## **COUNCIL CALENDARING**

The next Regular City Council Meetings will be Wednesday, October 26, 2016 at 4:30 p.m. and Wednesday, November 9, 2016 at 6:00 p.m.

## **REPORTS**

Diana Colvin

Peninsula Italian American Social Club Columbus Day Event, 10/8

Helen Fisicaro

Peninsula Italian American Social Club Columbus Day Event, 10/8  
Ross Ribbon Cutting, 10/8

Raquel "Rae" Gonzalez

Success Summit, 9/23

City Manager Sean Rabé reported on the following topics:

- Gave an update on the League of California Cities Annual Conference that he attended on Wednesday, October 5 – Friday, October 7, 2016.

## **ADJOURNMENT**

The meeting was adjourned by Mayor Colvin at 7:18 p.m. and closed in memory of Thomas Minshew, Superintendent of Jefferson Union High School District and Chamber of Commerce Board Member.

Respectfully submitted,

Caitlin Corley  
City Clerk



**MINUTES  
SPECIAL MEETING**

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

**Wednesday, October 26, 2016**

4:30 p.m.

**CALL TO ORDER**

Mayor Diana Colvin called the Special Meeting of the City Council to order at 4:39 p.m.

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

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

**ADOPTION OF THE AGENDA**

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

**Action:** Council Member Gonzalez moved to adopt the agenda; 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	
Diana Colvin, Mayor	✓				
Helen Fisicaro	✓				
Raquel “Rae” Gonzalez	✓				
Joseph Silva	✓				
Joanne F. del Rosario	✓				
	5	0			

**CONSENT CALENDAR**

**Action:** Council Member del Rosario moved to approve the Consent Calendar item #1; the motion was seconded by Council Member Silva and carried by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Diana Colvin, Mayor	✓				
Helen Fiscaro	✓				
Raquel "Rae" Gonzalez	✓				
Joseph Silva	✓				
Joanne F. del Rosario	✓				
	5	0			

1. Motion to Adopt a Resolution Designating Certain Products, Brands or Services Pursuant to Public Code Contract Code Section 3400.

## NEW BUSINESS

2. **2014-2016 STRATEGIC PLAN UPDATE**

City Manager Sean Rabé presented the staff report. Mayor Colvin opened the public comment period at 5:56 p.m. and seeing no one come forward to speak, she closed public comment period. Council discussion followed.

**Action:** Vice Mayor Fiscaro moved to Accept Update to the 2014-16 Town of Colma Strategic Plan; the motion was seconded by Council Member Gonzalez and carried by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Diana Colvin, Mayor	✓				
Helen Fiscaro	✓				
Raquel "Rae" Gonzalez	✓				
Joseph Silva	✓				
Joanne F. del Rosario	✓				
	5	0			

The Mayor called for a brief recess at 5:57 p.m. The meeting resumed at 6:09 p.m. Council Member del Rosario had to leave the meeting and did not return to the dais.

3. **2017-2019 STRATEGIC PLAN WORKSHOP**

City Manager Sean Rabé presented the staff report. Mayor Colvin opened the public comment period at 8:07 p.m. Residents Pat Hatfield and Maureen O'Connor made comments. The Mayor closed the public comment period at 8:15 p.m. Council discussion followed.

This was a study session item; no action was taken at this meeting.

## COUNCIL CALENDARING

The next Regular City Council Meeting will be Wednesday, November 9, 2016 at 7:00 p.m.

## **ADJOURNMENT AND CLOSE IN MEMORY**

The meeting was adjourned by Mayor Colvin at 8:23 p.m. and closed in memory of Alicia Peña Bulos, prominent Filipino-American community leader; and Lester Vaccari, former owner of Flowerland Florist.

Respectfully submitted,

Caitlin Corley  
City Clerk



Final Check List  
Town of Colma

apChkLst  
10/04/2016 10:51:58AM

Bank : first FIRST NATIONAL BANK OF DALY

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
44622	10/4/2016	00005	ABGV24231-16C	5/31/2016	MAY 2016 PROPERTY DAMAC	905.68	905.68
44623	10/4/2016	00057	8402837232	8/12/2016	FIRST AID SUPPLIES 427 F S	322.41	
			8402801632	7/15/2016	PW FIRST AID SUPPLIES	212.84	
			8402760206	6/10/2016	FIRST AID SUPPLIES	187.42	
			8402874059	9/9/2016	ULTRA ONE P/F LATEX-XL 60	165.57	
			8402874075	9/9/2016	FIRST AID SUPPLIES	130.88	1,019.12
44624	10/4/2016	00071	07/30/16 - 08/26,	9/22/2016	CSG	128,379.33	128,379.33
44625	10/4/2016	00093	CITY OF SOUTH SAN FRANCISCO	9/16/2016	TRAFFIC SIGNAL MAINTENANCE	754.40	754.40
44626	10/4/2016	00140	FIRST NAT BANK OF NO CA	09/20/16	CREDIT CARD PURCHASE	1,276.56	
			09/20/16 Corley	9/20/2016	CREDIT CARD CHARGE	1,269.83	
			09/20/16 Gogan	9/20/2016	CREDIT CARD PURCHASE	1,003.96	
			09/20/16 Stratton	9/20/2016	CREDIT CARD PURCHASE	802.84	
			09/20/16 Pfothen	9/20/2016	CREDIT CARD CHARGE	444.05	
			09/20/16 Rabe	9/20/2016	CREDIT CARD CHARGE	432.86	
			09/20/16 Dossey	9/20/2016	CREDIT CARD CHARGE	278.38	5,508.48
44627	10/4/2016	00226	LIM, CINDY ELLEN	9/27/16	09/27/16 SAM'S CLUB HALLOI	155.46	155.46
44628	10/4/2016	00254	METRO MOBILE COMMUNICA	10/1/2016	MAINTENANCE CONTRACT	602.00	602.00
44629	10/4/2016	00307	PACIFIC GAS & ELECTRIC	09/21/2016	092128195-2 1520 HILLSIDE	2,111.12	
			092128195-2	9/20/2016	09248309814-8 601 F ST.	242.67	
			9248309814-8	9/20/2016	0567147369-1 JSB S/O SERRA	113.11	
			0567147369-1	9/23/2016	2039987372-6 OPPOSITE 507	12.27	
			2039987372-6	9/19/2016	9956638930-2 NEXT TO 540 B	10.59	2,489.76
			9956638930-2	9/19/2016	#2838522 POSTAGE & FOLDII	274.68	274.68
			1001791352	9/10/2016	VISION SERVICE PLAN	1,079.30	1,079.30
44630	10/4/2016	00311	PITNEY BOWES INC.	October 2016	09/30/16 PETTY CASH REIMB	131.31	131.31
44631	10/4/2016	00432	VISION SERVICE PLAN	9/29/2016	09/30/16 ARREST CONTROL	20.41	20.41
44632	10/4/2016	00563	PETTY CASH	9/30/2016	09.26.16 DEPOSIT REFUND	50.00	50.00
44633	10/4/2016	00685	MERCADO, SONNY	10/31/2016	PMT #6 SEPT 7-16, 2016 CON	2,895.42	
44634	10/4/2016	00779	CASTRO, ESTHER	9/26/2016	PMT #5 AUGUST 12-26, 2016	1,689.05	
44635	10/4/2016	01001	SIGNET TESTING LABS, INC.	4416	SERVER HARDWARE REFRE	24,692.48	
			4352	9/9/2016	VSPHERE HIGH AVAILABILITY	5,293.00	29,985.48
44636	10/4/2016	01030	STEPFORD, INC.	9/13/2016	8155 20 022 0097051 Internet	286.20	
44637	10/4/2016	01037	COMCAST CABLE	9/13/2016	HIGH SPEED INTERNET 427	236.20	522.40
44638	10/4/2016	01076	API CONSULTING	9/25-10/24 427	RECORDS MANAGEMENT	4,020.00	4,020.00
			16-08	9/27/2016			

Bank : first FIRST NATIONAL BANK OF DALY (Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
44639	10/4/2016	01113	SAN DIEGO POLICE EQUIPME24553	9/15/2016	AMMUNITION: FED-P45HST2-I	445.39	445.39
44640	10/4/2016	01340	NAVIA BENEFIT SOLUTIONS 10061967	9/30/2016	SECTION 125 PARTICIPANT F	75.00	75.00
44641	10/4/2016	01370	VERIZON WIRELESS SERVICE972032859	9/15/2016	CELL PHONE SERVICE	1,276.63	1,276.63
44642	10/4/2016	01445	VIZ, ZENAIDA 2000605.003	9/26/2016	09.26.16 DEPOSIT REFUND	300.00	300.00
44643	10/4/2016	01511	GONZALEZ, JOSE 2000602.003	9/23/2016	09/23/16 DEPOSIT REFUND	300.00	300.00
44644	10/4/2016	01557	CITY OF FOSTER CITY 10457	9/29/2016	CALOPPS JOB POSTING: POI	500.00	500.00
44645	10/4/2016	01687	UNITED SITE SERVICES OF 114-4441856	9/13/2016	STANDARD AND REGULAR SI	128.01	128.01
44646	10/4/2016	01800	VITALE, JAMES 09/30/16 Mileage	10/3/2016	09/30/16 ARREST CONTROL 1	20.41	20.41
44647	10/4/2016	01919	COLLICUTT ENERGY SERVICE45808	9/12/2016	SEMI-ANNUAL MAINTENANCE	500.00	500.00
44648	10/4/2016	01995	CELESTE, MIKE L. 16-1001	9/30/2016	CARDROOM BACKGROUND	550.00	550.00
44649	10/4/2016	02179	HUB INTERNATIONAL OF CA Sept 2016	10/1/2016	INSURANCE EVENTS	512.16	512.16
44650	10/4/2016	02198	BAYSIDE PRINTED PRODUCT 104700	9/28/2016	RECREATION GUIDE	444.01	444.01
44651	10/4/2016	02274	FRANK AND GROSSMAN LANI40446692	9/21/2016	STERLING PARK: (60) 1 GAL.	6,165.00	6,165.00
44652	10/4/2016	02337	TASER INTERNATIONAL, INC. S11452530	9/21/2016	INSTALL 4 5-GALLON AGAPAI	240.00	240.00
44653	10/4/2016	02542	TYCO INTEGRATED SECURIT27232287	9/16/2016	50 G-CARTRIDGE - 25" HYBRI	1,562.72	1,562.72
44654	10/4/2016	02730	THE RATCLIFF ARCHITECTS 8395	9/17/2016	FIRE SYSTEM AT SR. HOUSIN	389.13	389.13
44655	10/4/2016	02793	DITO'S MOTORS 14793	9/3/2016	COLMA TOWN HALL RENOVA	23,785.75	23,785.75
44656	10/4/2016	02799	WAVE 01225003	9/30/2016	#7 REPLACE COOLING FAN A	662.53	662.53
44657	10/4/2016	02886	READY REFRESH BY NESTLE0610034299321	9/23/2016	RIMS INTERNET W/SSF	400.00	400.00
44658	10/4/2016	02919	MENDOZA, ERNESTINA 2000608.003	9/29/2016	BOTTLED WATER SERVICE	36.77	36.77
44659	10/4/2016	02946	VELASQUEZ, AMANDA Sept 27-28, 2016	9/26/2016	09.26.16 DEPOSIT REFUND	150.00	150.00
44660	10/4/2016	02949	WELLS FARGO VENDOR FINA97553410	9/26/2016	09.26.16 DEPOSIT REFUND	50.00	50.00
44661	10/4/2016	02968	CONCORD IRON WORKS, INC1641-2	10/9/3020	SEPT 27-28, 2016 MILEAGE R	40.82	40.82
				9/20/2016	ADMIN COPY MACHINE	1,557.85	1,557.85
				9/19/2016	PMT #2 WORK COMPLETED	77,242.60	77,242.60
<b>b total for FIRST NATIONAL BANK OF DALY CITY:</b>						<b>297,817.06</b>	



40 checks in this report.

Grand Total All Checks: 297,817.06

Bank : first FIRST NATIONAL BANK OF DALY

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
44662	10/11/2016	00112	190952	10/5/2016	PD ACCOUNT #140503	741.00	741.00
44663	10/11/2016	00140	09/20/2016 Morc	9/20/2016	CREDIT CARD CHARGE	2,845.57	
			09/20/16 Tapia	9/20/2016	CREDIT CARD CHARGE	1,940.72	4,786.29
44664	10/11/2016	00181	21341	10/1/2016	LABOR RELATIONS CONSUL	1,324.00	1,324.00
44665	10/11/2016	00256	10/4/16 Mileage	10/3/2016	10/04/16 MILEAGE REIMBURS	20.41	20.41
44666	10/11/2016	00500	SMC CONTROLLERS OFFICE	10/3/2016	ALLOCATION OF PARKING PE	1,244.70	1,244.70
44667	10/11/2016	00693	DEGUJA, PRISCILLA	10/3/2016	10/03/16 WITHDRAWAL REFU	18.00	18.00
44668	10/11/2016	00830	STAPLES ADVANTAGE	9/24/2016	CD-R & DV-R SPINDLES, DES	324.78	
			8041265653	10/1/2016	HP85A BLACK TONER, CLORI	95.67	420.45
44669	10/11/2016	00877	BELMONT POLICE DEPARTME	10/5/2016	10/04/16 PSP TRAINING REIM	285.82	285.82
44670	10/11/2016	01030	STEFFORD, INC.	9/20/2016	PD FIREWALL UPGRADE: 1 S	7,624.56	
			1601949	9/20/2016	MONTHLY SERVICE CONTRA	5,380.00	
			1602006	9/20/2016	COLMA EOC: HP PROBOOK 4	1,272.39	14,276.95
44671	10/11/2016	01037	COMCAST CABLE	9/26/2016	COMCAST CABLE TV	13,377.71	
			October 2016	9/26/2016	INTERNET 1198 & 1199 EL CA	241.20	13,618.91
44672	10/11/2016	01107	THE ONE HUNDRED CLUB OF	10/02/16-11/01/16	11/03/16 K. STRATTON FOUNI	55.00	55.00
44673	10/11/2016	01184	PENINSULA UNIFORMS & EQ	10/6/2016	MOTOR PANTS & SAFETY BC	817.36	817.36
44674	10/11/2016	01355	THE BANK OF NEW YORK ME	9/14/2016	TRUSTEE FEE 09.24.2016 TO	1,400.00	1,400.00
44675	10/11/2016	01601	DELA CRUZ, MARIA THERESA	9/27/2016	10/03/16 DEPOSIT REFUND	325.00	325.00
44676	10/11/2016	01629	R. J. RICCIARDI INC	10/3/2016	AUDIT SERVICES	1,016.25	1,016.25
44677	10/11/2016	02082	VINCE'S OFFICE SUPPLY, INC	9/30/2016	OFFICE SUPPLIES	383.83	383.83
44678	10/11/2016	02130	MANGIBIN, ONOFRE ALAGAR	9/29/2016	09/29/16 WINCHESTER MYST	68.00	68.00
44679	10/11/2016	02144	DOMINIC A. DE LUCCA DBA	10/3/2016	TAE KWON DO	800.00	800.00
44680	10/11/2016	02153	NAVARRO, BEGONA	10/3/2016	10.04.16 DEPOSIT REFUND	150.00	
			2000617.003	10/4/2016	10.04.16 DEPOSIT REFUND	125.00	275.00
			2000618.003	10/4/2016	10.04.16 DEPOSIT REFUND	125.00	
44681	10/11/2016	02173	THE RADAR SHOP	10/3/2016	RECERTIFIED 7 RADAR UNIT	729.00	729.00
44682	10/11/2016	02216	RAMOS OIL CO. INC.	9/10/2016	PD GASOLINE PURCHASES 1	1,247.59	
			785728	9/10/2016	PD GASOLINE PURCHASES 1	1,247.59	
			790539	9/30/2016	PD GASOLINE PURCHASES 2	1,161.38	
			787301	9/20/2016	PD GASOLINE PURCHASES 1	920.06	
			785854	9/10/2016	ADMIN GASOLINE PURCHASI	23.84	3,352.87
44683	10/11/2016	02258	KIM, SEUNG NAM	Sept 10-Oct 1, 2	GOLF LESSONS	560.00	560.00
44684	10/11/2016	02408	DUDLEY PERKINS COMPANY	354797	2005 FLHP-1 POLICE: 50 POIN	1,832.11	1,832.11
44685	10/11/2016	02447	BASTO, BENJAMIN	2000613.003	10/03/16 DEPOSIT REFUND	300.00	300.00
44686	10/11/2016	02666	MORPHOTRUST USA, INC.	108941	10/01/16-09/30/17 ANNUAL MA	2,694.00	2,694.00

Bank : first FIRST NATIONAL BANK OF DALY (Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
44687	10/11/2016	02701	09/30/16 Mileage	10/3/2016	09/30/16 MILEAGE REIMBURSE	20.41	20.41
44688	10/11/2016	02743	Oct 2016	10/11/2016	INTERNET ACCESS 128070	699.85	699.85
44689	10/11/2016	02795	9/30 & 10/04 Milk	10/11/2016	9/30 & 10/04 MILEAGE REIMB	40.82	40.82
44690	10/11/2016	02840	2016-1004TC	10/4/2016	CLASSES	95.00	95.00
44691	10/11/2016	02857	Sept 12-16, 2016	10/4/2016	SEPT 12-16, 2016 CLERKS TR	482.38	482.38
44692	10/11/2016	02985	2000616.003	10/4/2016	10.04.16 DEPOSIT REFUND	300.00	300.00
<b>Sub total for FIRST NATIONAL BANK OF DALY CITY:</b>						<b>52,983.41</b>	

31 checks in this report.

Grand Total All Checks: 52,983.41

Bank : first FIRST NATIONAL BANK OF DALY

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
44693	10/14/2016	00068	10142016 B	10/14/2016	COLMA PEACE OFFICERS: P/	652.14	652.14
44694	10/14/2016	00631	10142016 B	10/14/2016	PERS - BUYBACK: PAYMENT	24,155.90	
			10142016 B	10/14/2016	PERS MISC NON-TAX: PAYME	10,014.08	
			10142016 M	10/14/2016	PERS MISC NON-TAX: PAYME	625.15	34,795.13
44695	10/14/2016	01340	10142016 B	10/14/2016	FLEX 125 PLAN: PAYMENT	362.31	362.31
44696	10/14/2016	01360	10142016 B	10/14/2016	ICMA CONTRIBUTION: PAYME	3,167.00	
			10142016 M	10/14/2016	ICMA CONTRIBUTION: PAYME	650.00	3,817.00
44697	10/14/2016	01375	10142016 B	10/14/2016	NATIONWIDE: PAYMENT	6,200.00	
			10142016 M	10/14/2016	NATIONWIDE: PAYMENT	750.00	6,950.00
44698	10/14/2016	02377	10142016 B	10/14/2016	WAGE GARNISHMENT: PAYM	553.84	553.84
93411	10/14/2016	00521	10142016 M	10/14/2016	FEDERAL TAX: PAYMENT	908.40	908.40
93413	10/14/2016	00130	10142016 B	10/14/2016	CALIFORNIA STATE TAX: PAY	8,281.43	8,281.43
93414	10/14/2016	00521	10142016 B	10/14/2016	FEDERAL TAX: PAYMENT	43,974.42	43,974.42

b total for FIRST NATIONAL BANK OF DALY CITY: 100,294.67

9 checks in this report.

Grand Total All Checks:

100,294.67

## Bank : first FIRST NATIONAL BANK OF DALY

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
44699	10/17/2016	00013	ANDY'S WHEELS & TIRES	9/30/2016	TIRE SERVICE	880.02	880.02
44700	10/17/2016	00020	ASSOCIATED SERVICES INC	10/1/2016	FLAVIA SUPPLIES PD	96.00	96.00
44701	10/17/2016	00038	BROADMOOR LUMBER & PLY	9/28/2016	PW PURCHASES	42.64	42.64
44702	10/17/2016	00044	BROADMOOR TOW	9/30/2016	TOW AND TIRE CHANGE	25.00	25.00
44703	10/17/2016	00051	CALIFORNIA WATER SERVICE	9/28/2016	WATER BILL	7,583.71	7,583.71
44704	10/17/2016	00057	CINTAS CORPORATION #2	10/12/2016	CLEANING SERVICE	1,505.82	1,505.82
44705	10/17/2016	00111	DEPARTMENT OF CONSERVA	10/13/2016	SMIP FEES	189.17	189.17
44706	10/17/2016	00174	HOME DEPOT CREDIT SERVI	10/30/2016	AUG 30-SEPT 28, 2016PW PU	713.94	713.94
44707	10/17/2016	00211	KELLY-MOORE PAINTS	9/30/2016	PAINT AND SUPPLIES	147.78	147.78
44708	10/17/2016	00307	PACIFIC GAS & ELECTRIC	10/4/2016	PG&E	6,192.75	6,192.75
44709	10/17/2016	00388	SONITROL	10/1/2016	427 F ST. MONTHLY MONITOI	113.00	113.00
44710	10/17/2016	00411	TURBO DATA SYSTEMS	9/30/2016	CITATION PROCESSING	221.75	221.75
44711	10/17/2016	00414	TERMINEX INTERNATIONAL	10/14/2016	PEST CONTROL	429.00	429.00
44712	10/17/2016	00574	KETTLE CREEK CORPORATIC	10/14/2016	601 F St.	59.00	488.00
44713	10/17/2016	01001	SIGNET TESTING LABS, INC.	9/8/2016	6 PAIR OF "BOTTLES & CANS	551.66	551.66
44714	10/17/2016	01076	API CONSULTING	10/7/2016	PMT #7 SEPT 19 & 23, 2016 TI	330.00	330.00
44715	10/17/2016	01101	TERRYBERRY COMPANY LLC	8/26/2016	RECORDS MANAGEMENT	4,900.00	4,900.00
44716	10/17/2016	01308	EEL RIVER FUELS, INC.	9/15/2016	EMPLOYEE RECOGNITION G	666.47	666.47
44717	10/17/2016	01399	WESTLAKE TOUCHLESS CAR	10/10/2016	PW GAS PURCHASES	162.58	162.58
44718	10/17/2016	01450	SAN MATEO LAWN MOWER	10/1/2016	PD CAR WASH	10.95	10.95
44719	10/17/2016	01565	BAY CONTRACT MAINTENAN	9/26/2016	2 HARNES	43.66	43.66
44720	10/17/2016	01569	DARLING INTERNATIONAL	10/10/2016	JANITORIAL SERVICES	8,038.84	9,131.70
44721	10/17/2016	02118	BAY AREA NEWS GROUP	10/10/2016	PAPER PRODUCTS	1,092.86	9,131.70
44722	10/17/2016	02244	CALIFORNIA BUILDING STAN	10/4/2016	TRAP SERVICE CHARGE	79.71	79.71
44723	10/17/2016	02274	FRANK AND GROSSMAN LANI	9/30/2016	SEPT 2-8, 2016 AFFORDABLE	272.50	272.50
44724	10/17/2016	02499	GE CAPITAL INFORMATION	10/13/2016	BSASRF FEES	41.00	41.00
44725	10/17/2016	02546	BAXTER'S FRAME WORKS	10/1/2016	LANDSCAPE MAINTENANCE	10,200.00	12,860.00
44726	10/17/2016	02762	CORNERSTONE EARTH GROU	9/30/2016	REPLACE EXISTING IRRIGAT	2,660.00	12,860.00
44727	10/17/2016	02864	MOBILE MODULAR MANAGEM	10/7/2016	PD COPY MACHINE RENTAL	810.78	1,413.34
				10/5/2016	REC COPY MACHINE RENTAL	602.56	1,413.34
				10/4/2016	2016 CHIEF'S AWARD PRESE	131.45	131.45
				9/23/2016	AUGUST 23-29, 2016 STAFF	3,536.20	3,536.20
				9/20/2016	24 X 60 HCD OFFICE RENTAL	721.36	3,536.20
				9/14/2016	8 X 20 OFFICE HCD, RAMP RI	439.38	1,160.74

Bank : first FIRST NATIONAL BANK OF DALY (Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
44728	10/17/2016	02938	09/30/16 Mileage	10/12/2016	09/30/16 MILEAGE REIMBURS	20.40	20.40
44729	10/17/2016	02986	2000020.004	10/11/2016	10.11.16 DEPOSIT REFUND	50.00	50.00
<p style="text-align: right;">b total for FIRST NATIONAL BANK OF DALY CITY:</p>						53,561.94	



31 checks in this report.

Grand Total All Checks:

53,561.94

Bank : first FIRST NATIONAL BANK OF DALY

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
44730	10/24/2016	00020	ASSOCIATED SERVICES INC 116102470	10/11/2016	4 SPRING WATER 5 GAL	25.00	25.00
44731	10/24/2016	00057	CINTAS CORPORATION #2 8402910661	10/7/2016	PW FIRST AID SUPPLIES	28.87	28.87
44732	10/24/2016	00093	CITY OF SOUTH SAN FRANCISCO 516591	10/12/2016	DISPATCH SERVICES	8,902.13	8,902.13
44733	10/24/2016	00282	CALIFORNIA PUBLIC EMPLOY 2143	10/15/2016	MEDICAL INSURANCE	51,727.21	51,727.21
44734	10/24/2016	00334	S.B.R.P.S.T.C. 102133	10/14/2016	DEC 19-20, 2016 PERISHABLE	250.00	250.00
44735	10/24/2016	00357	SIERRA DISPLAY, INC. 20881	8/25/2016	2016 HOLIDAY SEASON FIRS	5,838.00	5,838.00
44736	10/24/2016	00394	TENNANT 914149534	10/11/2016	SENTINEL POWER SWEEPER	947.00	947.00
44737	10/24/2016	00412	TELECOMMUNICATIONS ENG 44513	10/11/2016	LITTER VACUUM MATLV4300	357.00	1,304.00
44738	10/24/2016	00500	SMC CONTROLLERS OFFICE FY 2016-2017 L 914149533	10/10/2016	Facilities Mgmt & Maintenance	1,328.00	1,328.00
44739	10/24/2016	00534	SMC INFORMATION SERVICE 1YCL11609	10/13/2016	FY 2016-2017 LAFCO	1,268.00	1,268.00
44740	10/24/2016	00955	DIVISION OF THE STATE April - June 2016	10/13/2016	MICRO CHANNEL & LINES	880.00	880.00
44741	10/24/2016	01033	CCJWSA July - Sept 2016	10/24/2016	DISABILITY ACCESS & EDUC	17.10	19.20
44742	10/24/2016	01036	MANAGED HEALTH NETWORK 3200084483	10/24/2016	DISABILITY ACCESS & EDUC	2.10	75.00
44743	10/24/2016	01037	COMCAST CABLE 10/11-11/10 601	11/1/2016	2016 MEMBERSHIP DUES: A	99.20	99.20
44744	10/24/2016	01113	SAN DIEGO POLICE EQUIP ME 624908	10/7/2016	EMPLOYEE ASSISTANCE PRG	106.20	106.20
44745	10/24/2016	01183	BEST BEST & KRIEGER LLP 781300	10/7/2016	HIGH-SPEED INTERNET 601 I	777.96	777.96
44746	10/24/2016	01308	EEL RIVER FUELS, INC, 781301	10/10/2016	4 FED-AE223J-CF 223 55 GR I	17,245.06	17,632.86
44747	10/24/2016	01367	DUO DANCE ACADEMY Sept 2016	10/10/2016	CITY ATTORNEY SERVICES	387.80	280.18
44748	10/24/2016	01414	VERANO HOMEOWNERS ASS 11	10/25/2016	CITY ATTORNEY SPECIAL SE	280.18	640.00
44749	10/24/2016	02082	VINCE'S OFFICE SUPPLY, INC 1386578	10/17/2016	PW GAS PURCHASES	640.00	300.00
44750	10/24/2016	02224	STANDARD INSURANCE COM Nov 2016	10/17/2016	DANCE CLASSES	300.00	46.64
44751	10/24/2016	02386	VIBO MUSIC SCHOOL June 29-Oct 9, 2	10/17/2016	2 APPOINTMENT BOOKS ANI	225.50	225.50
44752	10/24/2016	02407	PARKER, MARILYN 2000623.003	10/17/2016	LIFE INSURANCE	1,896.00	1,896.00
44753	10/24/2016	02463	HARPER, EDWIN 2000622.003	10/17/2016	MUSIC LESSONS	15.00	15.00
44754	10/24/2016	02510	REGIONAL GOVERNMENT SE 6359	10/17/2016	10/17/16 HOLIDAY PARTY WIJ	10.00	10.00
44755	10/24/2016	02709	GONZALEZ, CELESTE 2000621.003	10/17/2016	10/17/16 HOLIDAY PARTY WIJ	6,026.00	6,026.00
44756	10/24/2016	02762	CORNERSTONE EARTH GRO 19481	10/17/2016	CONTRACT FINANCE SERVIC	150.00	150.00
44757	10/24/2016	02793	DITO'S MOTORS 14835	10/7/2016	PMT #7 SEPT 10-30, 2016 SUF	6,714.10	6,714.10
44758	10/24/2016	02827	CORODATA SHREDDING, INC 2833399	10/6/2016	#7 REPLACE BLOWER MOTO	196.20	279.15
			RS2826221	10/14/2016	#1 REPLACE SERPENTINE BI	82.95	99.41
				9/30/2016	STORAGE, PICKUP/DELIVER	99.41	95.60
				8/31/2016	STORAGE, PICKUP/DELIVER	95.60	195.01

Bank : first FIRST NATIONAL BANK OF DALY (Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
44759	10/24/2016	02827	CORODATA SHREDDING, INC.DN1136644	9/30/2016	SHREDDING SERVICE PD	39.00	39.00
44760	10/24/2016	02849	U.S. BANK PARS ACCOUNT, 6 Nov 2016 OPEB	10/24/2016	OPEB CONTRIBUTION	91,633.00	91,633.00
44761	10/24/2016	02880	IMAGEWORKS MANUFACTUR069972	10/11/2016	275 EA. "GUEST PARKING PE	1,386.81	1,386.81
44762	10/24/2016	02946	VELASQUEZ, AMANDA Oct 10 & 14, 201	10/17/2016	OCT 10 & 14, 2016 MILEAGE F	214.92	214.92
44763	10/24/2016	02970	PRODUCTIVE PRINTING & GF31232	10/16/2016	100 EA: BLUE STATUS CARD\$	81.75	81.75
44764	10/24/2016	02987	WASHINGTON, JAZELLE 2000569.003	8/23/2016	08/23/16 DEPOSIT REFUND	50.00	50.00

b total for FIRST NATIONAL BANK OF DALY CITY: 200,444.69

35 checks in this report.

Grand Total All Checks: 200,444.69

Bank : first FIRST NATIONAL BANK OF DALY

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
44765	10/28/2016	00047	10282016 B	10/28/2016	CLEA: PAYMENT	294.00	294.00
44766	10/28/2016	00068	10282016 B	10/28/2016	COLMA PEACE OFFICERS: P/	652.14	652.14
44767	10/28/2016	00282	10282016 B	10/28/2016	CALIFORNIA PUBLIC EMPLOY	57,289.02	57,289.02
44768	10/28/2016	00631	10282016 B	10/28/2016	P.E.R.S. PERS - BUYBACK: PAYMENT	23,834.75	33,880.76
			10282016 B	10/28/2016	PERS MISC NON-TAX: PAYME	10,046.01	362.31
44769	10/28/2016	01340	10282016 B	10/28/2016	NAVIA BENEFIT SOLUTIONS FLEX 125 PLAN: PAYMENT	362.31	3,167.00
44770	10/28/2016	01360	10282016 B	10/28/2016	VANTAGE TRANSFER AGENT: ICMA CONTRIBUTION: PAYME	3,167.00	6,200.00
44771	10/28/2016	01375	10282016 B	10/28/2016	NATIONWIDE RETIREMENT S: NATIONWIDE: PAYMENT	6,200.00	332.70
44772	10/28/2016	02224	10282016 B	10/28/2016	STANDARD INSURANCE COM: LIFE INSURANCE: PAYMENT	332.70	553.84
44773	10/28/2016	02377	10282016 B	10/28/2016	CALIFORNIA STATE DISBURS: WAGE GARNISHMENT: PAYM	553.84	7,529.79
93415	10/28/2016	00130	10282016 B	10/28/2016	EMPLOYMENT DEVELOPMEN: CALIFORNIA STATE TAX: PAY	7,529.79	38,858.61
93416	10/28/2016	00521	10282016 B	10/28/2016	UNITED STATES TREASURY: FEDERAL TAX: PAYMENT	38,858.61	149,120.17

b total for FIRST NATIONAL BANK OF DALY CITY: 149,120.17

11 checks in this report.

Grand Total All Checks:

149,120.17

## Bank : first FIRST NATIONAL BANK OF DALY

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
44774	10/31/2016	00004	AT&T	10/13/2016	C3A1210TS01 09/13/16-10/12/	1,508.32	1,508.32
44775	10/31/2016	00051	CALIFORNIA WATER SERVICE6544607057	10/18/2016	6544607057 1767 HILLSIDE BI	637.13	
			1727052702	10/13/2016	1727052702 JSB ACROSS FR	222.98	
44776	10/31/2016	00071	CSG CONSULTANTS, INC.	08/27/16 - 09/30,	10/25/2016 CSG	138,367.88	138,367.88
44777	10/31/2016	00110	DEPARTMENT OF TRANSPORTS	170144	10/12/2016 SIGNALS & LIGHTING	993.08	993.08
44778	10/31/2016	00116	DALY CITY COLMA CHAMBER	FY 2016-17	Grar 10/12/2016 FY 2016-17 COUNCIL APPROV	40,000.00	40,000.00
44779	10/31/2016	00117	DELTA DENTAL OF CALIFORNIA	BE001893277	11/1/2016 DENTAL INSURANCE	12,421.20	12,421.20
44780	10/31/2016	00169	JENKINS, HEIDI	1446	10/27/2016 JULY - OCTOBER 2016 PLANT	520.00	520.00
44781	10/31/2016	00201	JEFFERSON UNION HIGH SCIF	FY 2016-17	Grar 10/12/2016 FY 2016-17 COUNCIL APPROV	3,000.00	3,000.00
44782	10/31/2016	00215	FEDEX OFFICE AND PRINT	5-586-27109	10/21/2016 SHIPPING FEES	26.29	26.29
44783	10/31/2016	00300	COMMUNITY GATEPATH	FY 2016-17	Grar 10/12/2016 FY 2016-17 COUNCIL APPROV	5,000.00	5,000.00
44784	10/31/2016	00307	PACIFIC GAS & ELECTRIC	10/19/16	10/19/2016 PG&E	2,303.98	
				10/13/2016	10/13/2016 PG&E	76.69	
				10/18/2016	10/18/2016 PG&E	20.76	2,401.43
44785	10/31/2016	00375	VALLERGA, STEPHENA.	July -Sept 2016	10/27/2016 RETIREE MEDICAL PREMIUM	124.98	124.98
44786	10/31/2016	00391	SUSTAINABLE SAN MATEO C	(FY 2016-17	Grar 10/12/2016 FY 2016-17 COUNCIL APPROV	3,000.00	3,000.00
44787	10/31/2016	00394	TENNANT	914158131	10/14/2016 SWEEPER/SCRUBBER, RIDEI	564.00	564.00
44788	10/31/2016	00432	VISION SERVICE PLAN	Nov 2016	10/20/2016 VISION SERVICE PLAN	1,029.10	1,029.10
44789	10/31/2016	00456	NORTH PENINSULA FOOD	PAFY 2016-17	Grar 10/12/2016 FY 2016-17 COUNCIL APPROV	12,500.00	12,500.00
44790	10/31/2016	00623	ARAMARK	Sept 2016	9/30/2016 UNIFORM SERVICE	412.00	412.00
44791	10/31/2016	00654	SITIKE COUNSELING	CENTEFFFY 2016-17	Grar 10/12/2016 FY 2016-17 COUNCIL APPROV	6,000.00	6,000.00
44792	10/31/2016	01037	COMCAST CABLE	10/27-11/26	XFI 10/17/2016 8155 20 022 0002770 1520 HIL	10.20	10.20
44793	10/31/2016	01076	API CONSULTING	16-09 Colma	10/23/2016 RECORDS MANAGEMENT	4,200.00	4,200.00
44794	10/31/2016	01239	CITY OF PACIFICA	10/21/16 Meeting	10/31/2016 10/21/16 COUNCIL OF CITIES	50.00	50.00
44795	10/31/2016	01549	BURNS, LORI	Sept 27-Oct 19	F 10/25/2016 9/27/16 & 10/05/16 SNACK REI	43.23	43.23
44796	10/31/2016	01687	UNITED SITE SERVICES OF	114-4554074	10/12/2016 STANDARD AND REGULAR SI	128.01	128.01
44797	10/31/2016	01706	PADILLA, MICHAELA	2000626.003	10/24/2016 10.24.16 DEPOSIT REFUND	50.00	50.00
44798	10/31/2016	02179	HUB INTERNATIONAL OF CA	Oct 2016 Insur	10/31/2016 INSURANCE EVENTS	256.08	
				Oct 2016	10/24/2016 INSURANCE EVENTS	129.07	
44799	10/31/2016	02182	DALY CITY KUMON CENTER	September 2016	10/31/2016 TUTORING	5,570.00	5,570.00
44800	10/31/2016	02198	BAYSIDE PRINTED PRODUCT	105033	10/28/2016 RECREATION GUIDE	257.97	257.97
44801	10/31/2016	02274	FRANK AND GROSSMAN LANI	40446744	10/17/2016 COLMA CREEK CLEANUP: TR	10,080.00	10,080.00
44802	10/31/2016	02303	MALDONADO, VICTOR	2000625.003	10/24/2016 10.24.16 DEPOSIT REFUND	300.00	300.00
44803	10/31/2016	02389	MORALES, VERONICA	2000624.003	10/24/2016 10.24.16 DEPOSIT REFUND	300.00	300.00

Bank : first FIRST NATIONAL BANK OF DALY (Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
44804	10/31/2016	02453		10/12/2016	DALY CITY PUBLIC LIBRARY FY 2016-17 Grar	2,000.00	2,000.00
44805	10/31/2016	02491		10/12/2016	DALY CITY YOUTH HEALTH CIFY 2016-17 Grar	5,000.00	5,000.00
44806	10/31/2016	02637		10/17/2016	Z.A.P. MANUFACTURING INC. 45530	373.35	373.35
44807	10/31/2016	02730		10/31/2016	THE RATCLIFF ARCHITECTS Second Amendr	253,340.00	
				10/31/2016	THIRD AMENDMENT TO AGRI	60,955.00	314,295.00
44808	10/31/2016	02742		10/28/2016	WOO, CASSANDRA Third Amendm	1,000.00	
				10/28/2016	SPRING 2016 TUITION REIME	14.28	1,014.28
44809	10/31/2016	02787		10/28/2016	09/09/16 Mileage	250.00	250.00
44810	10/31/2016	02788		10/18/2016	AECO SYSTEMS, INC. 50973	384.00	384.00
44811	10/31/2016	02793		10/27/2016	LUNA-SEVILLA, MARGARET-RAUG 29-Oct 26 Z	3,888.52	
				10/21/2016	DITO'S MOTORS 14907	92.84	3,981.36
				10/21/2016	#5 REPLACE TRANSMISSION	26.77	26.77
44812	10/31/2016	02886		10/20/2016	READY REFRESH BY NESTLE06J0034299321	4,000.00	4,000.00
44813	10/31/2016	02888		10/12/2016	WEST BAY ALANO CLUB FY 2016-17 Grar	175.00	4,175.00
44814	10/31/2016	02929		10/27/2016	GARCIA, EVA 2000628.003	1,607.96	1,607.96
44815	10/31/2016	02949		10/21/2016	WELLS FARGO VENDOR FINA9721068	1,500.00	1,500.00
44816	10/31/2016	02967		10/25/2016	GOVINVEST INC. 1076	8,443.60	8,443.60
44817	10/31/2016	02968		10/20/2016	CONCORD IRON WORKS, INC 1641-3	15,000.00	15,000.00
44818	10/31/2016	02988		10/27/2016	DALY CITY PENINSULA FY 2016-17 Grar	3,000.00	3,000.00
44819	10/31/2016	02989		10/12/2016	LIFEMOVES FY 2016-17 Grar		

b total for FIRST NATIONAL BANK OF DALY CITY: 611,154.27



46 checks in this report.

Grand Total All Checks:

611,154.27





# STAFF REPORT

TO: Mayor and Members of the City Council  
 FROM: Sean Rabé, City Manager  
 MEETING DATE: November 9, 2016  
 SUBJECT: 2017-19 Strategic Plan Approval

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## RECOMMENDATION

Staff recommends that the City Council adopt:

MOTION APPROVING THE 2017-2019 STRATEGIC PLAN AS PRESENTED BY STAFF.

## EXECUTIVE SUMMARY

The attached Strategic Plan document reflects the prioritization of proposed programs as determined by the City Council at the October 26, 2016 Strategic Planning Study Session.

## FISCAL IMPACT

There is no direct fiscal impact associated with this action. Each individual program in the Strategic Plan will have a fiscal impact, however. Some of these programs are already in progress and, as such, are already budgeted.

## BACKGROUND

As the Council will recall, the Council and Staff held a special Strategic Planning study session on October 26, 2016. Staff presented various programs to the Council during the study session, with Council selecting its top priorities at the end of the meeting. The attached document reflects staff's understanding of those discussions.

## ANALYSIS

The October 26th study session focused on development of the 2017-19 Strategic Plan, which included goals and programs in five priority areas: Significant Mandates, Town Operations, Economic Development, Financial Planning, and Quality of Life.

### Priority Areas

Staff recommended focusing on the same Priority Areas as in the 2014-16 Strategic Plan.

### Goals

As the Council knows, Economic Development continues to be of highest priority for the Town. Because of this, staff recommended and the Council agreed that the goal in the priority area of economic development should be to implement three programs that were recommended in the Economic Development Plan.

The Council also agreed that the goal in the area of financial planning should be to continue to ensure the Town's *long-term* financial health and stability.

## Programs

The final portion of the October 26th study session was to select three programs to be implemented in the next two years for each priority area. As noted during the meeting, these will not be the only programs undertaken by the Town – the Town will certainly undertake other programs as well. The purpose of identifying the top priority programs is simply to keep everyone focused on the most important programs that the Council wishes to accomplish during the planning period. Thus, where there are questions whether to allocate staff time or Town resources between programs, the choice will be to favor the programs that are in the Strategic Plan that meet the Council’s goals. A summary of the Goals and Priority Programs is presented below, with a more detailed worksheet attached.

### 2017-2019 Strategic Plan Goals and Priority Programs

Area:	Significant Mandates	Town Operations	Economic Development	Financial Planning	Quality of Life
<b>Goals:</b>	<i>Ensure compliance with the law</i>	<i>Ensure friendly, efficient and timely delivery of services</i>	<i>Implement three programs from the Economic Development Plan</i>	<i>Ensure long-term financial health</i>	<i>Make our Town safe, clean and attractive</i>
<b>Programs:</b>	Update General Plan	Complete Town Hall Renovation	Prepare Auto Row improvements and Master Plan	Prepare plan to address unfunded liabilities	Offer more community-based programs
	Implement Federal/State/ Local Mandates	Increase the Use of Technology to Enhance Customer Services	Commit resources to developing a hotel business	Study Feasibility of Establishing Lighting District	Continue police department outreach to residents and youths
	Implement Climate Action Plan	Body Camera Implementation for Police Department	Commit resources to support expansion or relocation of businesses	Study Feasibility of Sewer Enterprise Fund	Increase Access to Residents/ Businesses for Quality of Life Programs

## **Council Adopted Values**

Approving the Strategic Plan is a *responsible* action because it provides a framework of priorities for Staff to follow. The goals and programs of the Strategic Plan considers the Town's long-term financial stability and promotes innovation and vision for the Town's operations as well.

## **Sustainability Impact**

Several components of the Strategic Plan directly further the Town's Climate Action Plan and sustainability efforts.

## **Alternatives**

The Council could modify the Strategic Plan during the meeting and direct staff to return with a modified Plan for adoption at a subsequent meeting.

## **CONCLUSION**

Staff recommends the Council approve a motion adopting the 2017-2019 Strategic Plan, as presented by Staff.

## **ATTACHMENTS**

- A. Strategic Plan Worksheet



## 2017-19 STRATEGIC PLAN

### Value Statement

Treat all persons, claims and transaction in a fair and equitable manner.

Make responsible decisions by taking the long-range consequences into consideration.

Base decisions on, and relate to each other with honesty, integrity and respect.

Be innovative in improving the quality of life in our business and residential communities.

### Goals and Priority Programs

Area:	Significant Mandates	Town Operations	Economic Development	Financial Planning	Quality of Life
<b>Goals:</b>	<i>Ensure compliance with the law</i>	<i>Ensure friendly, efficient and timely delivery of services</i>	<i>Implement three programs from the Economic Development Plan</i>	<i>Ensure long-term financial health</i>	<i>Make our Town safe, clean and attractive</i>
<b>Programs:</b>	Update General Plan	Complete Town Hall Renovation	Prepare Auto Row improvements and Master Plan	Prepare plan to address unfunded liabilities	Offer more community-based programs
	Implement Federal/State/Local Mandates	Increase the Use of Technology to Enhance Customer Services	Commit resources to developing a hotel business	Study Feasibility of Establishing Lighting District	Continue police department outreach to residents and youths
	Implement Climate Action Plan	Body Camera Implementation for Police Department	Commit resources to support expansion or relocation of businesses	Study Feasibility of Sewer Enterprise Fund	Increase Access to Residents/Businesses for Quality of Life Programs

## DETAILED PROGRAM DESCRIPTIONS

*Priority Programs are shown with an Asterisk \**

### **Significant Mandates**

#### *Update General Plan\**

Description: The Planning Department is continuing work on updating the General Plan and plans to complete the following during the timeframe of this strategic plan:

- Safety Element update that is consistent with the Local Hazard Mitigation Plan.
- Land Use Element update incorporating the Urban Design Study.
- Circulation Element update.
- Noise Element update.
- Open Space and Conservation Element update.
- Hiring of consultant and draft of Program Environmental Impact Report (PEIR).

#### *Implement Local/State/Federal Mandates\**

Description: The programs listed in this section are required under either local, state or federal mandates.

- American with Disabilities Act (ADA) Implementation Plan: The seven year ADA Self Evaluation and Transition Plan that was adopted by City Council in November 2010 will conclude with the completion of the Town Hall renovation project in the fall 2017. Over the next two years staff will continue to monitor and evaluate programs, facilities, streets, and sidewalks ensuring compliance under the ADA. The following actions are planned during the timeframe of this strategic plan:
  - Prepare ADA Self Evaluation & Transition Plan update to City Council
  - Prepare barrier removal plan for section(s) of Mission Road improving accessibility
  - Conduct ADA Customer Service Training
- Local Hazard Mitigation Plan (LHMP): The Planning Department and other Town Departments will work with San Mateo County to implement action items identified in the LHMP. The following actions are planned during the timeframe of this strategic plan:
  - Develop a full Continuity of Operations (COOP) for Town government.
  - Coordinate and assist in the development of COOP plans for the Town's cemeteries.
  - Establish a public/private partnership program between the Town of Colma and the private owners of identified critical facilities, including the Town's cemeteries and large retailers.



- Develop a Debris Management Plan in coordination with jurisdictional partners.
- Identify and equip an alternative EOC location in case of primary EOC disruption or destruction.
- Develop an outreach campaign for encouraging Colma residents and daily commuters into Colma to sign up for reverse 911 notifications on their cell phones.
- Develop a standing Master Services Agreement with the Colma Fire Protection District to formalize the existing administrative and technical services relationships.
- Continue to support the county actions in the LHMP.
- California Drought Response: The following actions are planned during the timeframe of this strategic plan:
  - Continue to look for ways to reduce municipal water use by updating irrigation systems and selective removal of turf from Town-owned facilities (lawn areas at police station and Creekside villas).
  - Continue to offer water rebates to residents (up to \$2,000 total budgeted in each fiscal year).
  - Continue to work with Colma cemeteries and the Resource Conservation District (RCD) to implement recommendations or the water audits prepared for cemeteries and to look for grant funding opportunities to make improvements.
  - Continue to work with Daly City, Cal Water and the SFPUC on the recycled water system currently under study.
  - Review alternative landscaping and land use schemes for the Town's center line medians that meet drought conditions that still have aesthetic value to the community at large.

*Implement Town's Climate Action Plan\**

Description: AB32 and newly adopted SB 32 established statewide greenhouse gas (GHG) reduction targets. The Town's Climate Action Plan (CAP) contains programs and policies that will facilitate Colma's achieving reduction targets and improve the quality of life for those who live, work and visit Colma. During the timeframe of this strategic plan staff will:

- Study feasibility of transitioning to a paperless office and implementation of a centralized purchasing system to decrease waste
- Continue to promote to residents free or low cost programs and rebates that increase energy efficiency, conserve water or promote alternative transportation.

- Continue to promote to businesses free or low cost programs that increase energy efficiency, conserve water, divert solid wastes, or support alternative transportation for employees.
- Continue to look for opportunities to reduce municipal GHG emissions and reduce waste.
- Continue to participate in the Mayor's Water Conservation Challenge.
- Continue involvement with San Mateo County Energy watch and continue to follow regional and state trends and regulations.
- Continue to work with Republic Services, residents and businesses to increase diversion rates.
- Continue Colma Creek clean-up, Town-wide clean-up and garage sale.
- Continue Section 132 pre-tax transportation cost program.
- Continue hosting break station for Bike to Work day.

## **Town Operations**

### *Renovate Town Hall\**

Description: The Town Hall Renovation Project has been broken down into six phases. Four of the six phases are either completed or will be completed by the end of 2016. The status of the final two phases of construction are:

- Complete Infill Package and Site Work, Phase V
  - Bid opening - October 25, 2016
  - Award of Contract – City Council Meeting, November 9, 2016
  - Notice to Proceed with Phase V, January, 2017
  - Substantial completion – Fall of 2017
  - Completion of Parking lot work - Once the facility can be occupied, the contractor will be authorized to move ahead with removing the Annex mobile units and complete the landscaping and upper parking lot features. This work is scheduled to take 45 to 60 days.
- Furnish Furniture, Fixtures and Equipment, (Phase VI)
  - Staff is currently review furniture options for the Town Hall Facility and City Council Chamber.
  - Solicit office furniture vendors via Request for Proposal, (RFP), to bid on supplying and install furniture for the Town Hall Facility and City Council Chamber.
  - Award Phase VI contract to office furniture vendor at the City Council Meeting in March of 2017.
  - Substantial Completion of Phase Fall of 2017

### *Increase the Use of Technology to Enhance Customer Services\**

Description: The goal is to take advantage of opportunities to improve services through the use of technology. Representative action items include the following:

- Continue to improve the Town website to allow (1) forms to be completed and submitted on-line (2) better analytics (3) Greater searching ability.
- Implement credit card payment option on-line, in Public Works and potentially the Police Department.
- Analyze and plan for implementation of GIS system

### *Plan for and Implement Body Cameras in Police Department\**

Description: In response to the Grand Jury report titled, “Body Worn Cameras, The Reel Truth,” the Colma Police Department is developing a BWC policy that will be consistent with Atherton PD’s policy on BWC. The Colma Police Department POA has already voted on the draft BWC policy. Currently the Colma Police Department is researching the video storage needs of a BWC system and costs associated with storage, taking into consideration retention rules in accordance with the established records retention schedule (Government Code § 34090.6). Research also needs to be conducted into software programs that would automatically save and delete evidentiary recordings in accordance with law, judicial proceedings, citizen complaints, civil suits and other retention schedules.

The Grand Jury recommended that the councils of those cities/towns that have not adopted body-worn cameras direct their respective chiefs of police to develop an appropriate body-worn camera implementation plan and advise the public of their plan by November 30, 2016.

### *Implement the Town’s Urban Forest Management program.*

Description: The Urban Forest Management program is an ABAG PLAN Best Management Practice aimed at reducing the risks of injury and damages from falling trees. The program requires that the Town first identify and inventory all trees within Town limits and then to regularly inspect and maintain the Town’s trees. In the upcoming fiscal year, the Town should retain a consultant to inventory and assess the overall health of all Town-owned trees.

## **Economic Development**

### *Prepare Auto Row Master Plan\**

Description: Conduct feasibility study in 2016/17 for the beautification of Auto Row, and a more complete implementation of infrastructure improvements. A Master Plan for Auto Row will provide a more cohesive economic engine than simply providing beautification projects here and there along Auto Row. City Council approved the expenditure to perform a detailed study of the Serramonte area in June 2015. This study will serve as the

first step of the Master Plan and will provide a wider picture of Serramonte Boulevard regarding economic development, public safety, environmental issues, aesthetic upgrades, and an urban design to tie into the potential of the proposed Town Center. The study will also review the potential of Collins Avenue and how it relates to Serramonte Boulevard.

*Commit resources to developing a hotel business\**

Description: Identify potential sites and willing landowners for business travelers hotel; conduct feasibility study; adopt transit occupancy tax and submit to voters.

- A transient occupancy tax must be approved by the voters at a general municipal election. The Town holds its general municipal elections in November of every even-numbered year. Council should put a measure adopting a TOT ordinance on the November 2018 ballot.

*Commit resources to planning for expansion or relocation of businesses\**

Description: Continue reaching out to local businesses and potential business to offer assistance when and where appropriate.

- Partner with key businesses to identify potential sites for expansion or relocation.
- Adopt General Plan and update local regulations to accommodate economic development (if necessary), including modification of Town regulations to accommodate Town Center (Urban Design) plan
- Enter into a contract this year with HdL to produce an economic profile for the Town that will be used to help attract businesses to Colma
- Continue working with the Town's shopping centers to address infrastructure needs

**Financial Health**

*Establish plan to address Town unfunded liabilities \**

Description: Review, evaluate and recommend plan to address the Town's unfunded liabilities (PERS, OPEB).

*Analyze potential landscape/lighting district\**

Description: Establishing a landscape/lighting district could reduce the General Fund's exposure to costs associated with streetscape lighting costs. During FY 2017/18 staff will analyze whether or not District is recommended and will bring that recommendation to Council.

### *Identify and Address Other Threats to Town's long-term fiscal health\**

Description: Continue evaluation of long-term funding of staff and evaluate the pros and cons of creating enterprise funds. This program includes the ongoing discussion with the Town's wastewater treatment providers regarding Colma's contracts with each entity.

### **Quality of Life**

#### *Offer more community-based programs*

Description: Examples include partnering with the cemeteries for Movies in the Cemetery" night, or cultural events (i.e. Dia De Los Muertos - Day of the Dead or the Chiang Mai Festival.) Staff will also look to host an event on the new Town Hall Plaza where the area is opened up to pedestrians on a weekend and has different vendors, music, and entertainers on hand selling goods, services, etc.

- New events with cemeteries or on plaza at Town Hall
- Recreation facility upgrades (Sterling Park Play Structure)
- Dog Park upgrades (removal of gravel and replace with decomposed granite, mulch, etc., picnic table with shade)
- Examine and plan for more recreational opportunities for the Town's teen population
- Examine feasibility and plan for a bicycle rodeo

#### *Continue police department outreach to residents and youths*

Description: Continue to increase Police Department visibility throughout the residential and business communities through various programs:

- Emergency preparedness trainings (Are You Ready; EOC Exercises)
- Address parking issues in the Sterling Park neighborhood
- Establish and maintain bicycle patrols in the residential and business areas
- Continue to have officers walk neighborhoods and business communities
- Crime education and police department transparency via social media





# STAFF REPORT

TO: Mayor and Members of the City Council  
 FROM: Sean Rabé, City Manager  
 Paul S. Rankin, Contract Finance Director  
 MEETING DATE: November 9, 2016  
 SUBJECT: Town Investment Policy Update

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## RECOMMENDATION

Staff recommends that the City Council adopt:

RESOLUTION AMENDING SUBCHAPTER 4.02 AND ADDING A NEW SUBCHAPTER 4.04 OF THE COLMA ADMINISTRATIVE CODE, RELATING TO INVESTMENTS, CHECK SIGNATURE AND BANKING TRANSFER POLICIES

## EXECUTIVE SUMMARY

As a best practice it is appropriate to periodically review administrative policies. The current investment policy was last revised in 2013. The best practice is to review the policy annually and if amendments are recommended they should be adopted by an action of the City Council. Staff drafted a revised and restated policy modeled after State Guidelines, adjusted to reflect the typical types of investments regularly used by the Town of Colma. The scope of the edits made it easier to restate the entire policy instead of highlighting each change. The section of the policy related to check signatures and transfers are being removed from the Investment Policy and placed in a separate section of the Administrative Code.

## FISCAL IMPACT

Adoption of the policy does not directly impact the finances of the Town.

## ANALYSIS

The Investment Policy defines the types of investments that are authorized for Town monies. This is influenced by State Law which has specific requirements and limitations for the investment of public funds. By establishing a local investment policy the agency is able to tailor the provisions to the local agency and conditions. Staff also relied on a 2016 publication from the California Debt and Investment Advisory Commission titled, "Local Agency Investment Guidelines." Because of the comprehensive nature and reordering of sections in the policy a redline comparison was not produced. However the current policy is included as an attachment.

The policy establishes the objectives for the Town investment portfolio including the delegation of authority and types of authorized investments. The City Council in an action taken earlier this year designated the City Manager as the public official to fulfill the requirements in the Government Code delegated to the City Treasurer. California Government Code Section 53607 stipulates that the authority to invest funds can only be delegated for a one year period. Hence it will be appropriate to annually renew the delegation unless a change in the practice is desired by the City Council. The policy has a provision for an annual review, which can be incorporated with the delegation of authority to invest funds.

The authorized list of investments largely follows the types of instruments allowed under State Law. Consistent with the current policy these are organized in two tiers. Certain investments can be initiated by the Treasurer without further review by the City Council. These include bank deposits, term certificates of deposit, U. S. Treasury Bills and Notes, deposits in the San Mateo County Investment Pool (SMIP), and the State Treasurer Local Agency Investment Fund (LAIF). If the Town Treasurer recommends in the future placing investments in other types of securities including; U.S. Government Agency Notes, Commercial Paper, and other authorized notes, the Treasurer would need to first obtain the approval of the City Council. State law limits all term investments to no more than 5 years without a separate approval process.

The requirement for reporting has been amended to provide a semi-annual report to the City Council. This will provide a periodic opportunity for the City Council to be made aware of the status of the portfolio, without creating an extensive administrative burden. Included in the semi-annual report will be the disclosure of investment transactions (Additions and Withdrawals) reported for each month during the six month period covered by the report.

The current Investment Policy contains language related to the transfer of funds. Since this authorization is applicable to transactions beyond investments it is recommended that these provisions be placed in a separate subchapter entitled "4.04 AUTHORIZED SIGNATURES FOR PAYMENTS AND BANK TRANSFERS." For the purposes of required two signatures on checks the updated policy clarifies that one signature is an elected official (Mayor or Vice Mayor) and the other is an appointed Staff Member (City Manager or Chief of Police). The language in this policy was also updated to reflect the use of electronic payments for certain obligations.

### **Reasons For the Recommended Action**

This will keep the Investment Policy consistent with current standards and operating practices.

### **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.



## **CONCLUSION**

Staff is requesting that the City Council adopt the Resolution.

## **ATTACHMENTS**

- A. Resolution
- B. Current Town of Colma Administrative Code Section 4.02 – Investment Policy



**RESOLUTION NO. 2016-##  
OF THE CITY COUNCIL OF THE TOWN OF COLMA**

**RESOLUTION AMENDING SUBCHAPTER 4.02 AND ADDING A NEW SUBCHAPTER 4.04 OF  
THE COLMA ADMINISTRATIVE CODE, RELATING TO INVESTMENT, SIGNATURE, AND  
BANKING TRANSFER POLICIES**

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

**1. Background**

- (a) Within the current Town of Colma Administrative Code is an Investment Policy last updated July 11, 2013 by action of the City Council;
- (b) It is prudent for the City Council to annually review the Investment Policy for any potential changes as well as the annual delegation of the authority to place investments with the City Treasurer;
- (c) A comprehensive update of the current investment policy will result in the adoption and restatement of the Investment Policy in subchapter 4.02.
- (d) California Government Code (CGC) 53607 provides that the delegation of the Treasurer and appointed Deputy Treasurer, shall be for no more than a one-year period.
- (e) In order to segregate City Council actions associated with Investments from the authorization to sign checks and complete banking transfers a new section is being added to the Administrative Code in subchapter 4.04.

**2. Findings**

- (a) *Confirmation of Delegation Of Authority To Invest.* As provided for in CGC Section 53607 the City Council delegates the authority to invest funds of the Town to the Treasurer and/or any duly appointed Deputy Treasurer for a one year period, to be reconfirmed with each annual review of the Investment policy, unless said delegation is revoked.

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**ARTICLE 1. CAC SECTION 4.02 AMENDED.**

Subchapter 4.02 is hereby amended in its entirety to read as follows:

**CHAPTER FOUR: ORGANIZATION, FUNCTIONS AND GENERAL PROVISIONS**

**SUBCHAPTER 4.02: Investment Policy**

**Division 1: General Principles**

**4.02.010 Policy Statement and Purpose**

It is the policy of the Town of Colma to invest public funds in a manner which will provide safety, liquidity and yield through a diversified investment portfolio suitable for management by the Town Staff. At all times the policy shall adhere to daily cash flow requirements and conforming to all State

statutes (California Government Code (California Government Code) §53600, et seq.) governing the investment of public funds.

#### **4.02.020 Scope**

This Investment Policy applies to all invested financial assets of the Town of Colma, unless specifically exempted or covered by other investment criteria, such as in a bond or trust covenant or indenture. These funds are accounted for in the Town Annual Audited Financial Statements, and include the General Fund, Special Revenue Funds, Capital Project Funds, and Internal Service Funds.

Except for cash held in separate restricted funds, the Town will pool cash balances from all funds for investment in order to more effectively manage cash resources held by the Town. Investment income will be allocated to the Town's Funds based upon their respective cash balances and in accordance with Generally Accepted Accounting Principles (GAAP).

#### **4.02.030 Objectives/Performance Standards**

The overall program shall be designed and managed with a degree of professionalism worthy of the public trust. The primary objectives, in order of priority, of the Town's investment activities shall be:

- A) *Safety*: Safety of principal is the foremost objective of the investment program. The Town's investments shall be undertaken in a manner that seeks to safeguard the principal of the funds under its control by maintaining an appropriate risk level.
- B) *Liquidity*: The Town's investment portfolio will remain sufficiently liquid to enable the Town to meet its reasonably anticipated cash flow requirements.
- C) *Yield*: Yield should become a consideration only after the basic requirements of safety and liquidity have been met. The Town seeks to attain market average rate of return on its investments throughout economic cycles, consistent with constraints imposed by its safety objectives and cash flow considerations.
- D) *Diversification*: The investment portfolio will be diversified to avoid incurring unreasonable and avoidable risks regarding specific security types or individual financial institutions. This shall also conform with applicable sections of the Government Code. To attain this objective, the Town will initially diversify its investments by investing funds with suitable public agency pools which can provide a variety of securities and financial institutions meeting this requirement for diversification.
- E) *Hold To Maturity*: The Town intends to hold its investments to maturity in order to maximize its return on its investments and minimize its exposure to potential losses resulting from temporary declines in the market values of its investments. However, if a decline in the market value of a security is deemed by Staff to be permanent, the security may be sold early to minimize the loss of principal. Although there may be opportunities to resell

securities, this type of regular trading is not recommended.

- F) *Benchmark*: Based on a passive investment strategy and a portfolio consisting of primarily bank deposits and public agency investment pools, the Treasurer may use as a comparison yield benchmark portfolios of similar average investment maturity, e.g. 90 Day United States Treasury Bill, 6 Month United States Treasury Bill, or the State Treasurer Local Agency Investment Fund (LAIF). In the event the Council authorizes investments in other securities as provided for in Section 4.02.070(A)(B), the Treasurer shall identify whether an alternative benchmark shall be presented to the City Council for approval.

## **Division 2: Operations**

### **4.02.040 Delegation of Authority and Internal Controls**

- A) As authorized in Government Code Section 53607, the City Council delegates the authority to invest funds of the Town to the Treasurer and/or any duly appointed Deputy Treasurer. The Treasurer and any duly appointed Deputy Town Treasurer shall make all investment decisions and transactions in accordance with State law and this investment policy. The City Manager is designated as the City Treasurer, in accordance with a Resolution adopted by the City Council. The City Treasurer has designated the Chief of Police and Administrative Services Director as Deputy Town Treasurer's for the purpose of carrying out investment transactions, at such times as the Treasurer is unavailable.
- B) Pursuant to California Government Code Section 53607, the delegation of the Treasurer and appointed Deputy Treasurer, shall be for a one-year period or until the delegation of authority is revoked or expires. In accordance with the law, the City Council may renew the authority each year as part of an annual review of this policy.
- C) The Treasurer shall oversee the implementation of internal controls to regulate investment and banking activities and establish procedures for the operation of the investment program.
- D) The Town recognizes that in a diversified portfolio, occasional measured losses may be inevitable and must be considered within the context of the overall portfolio's return and the cash flow requirements of the Town. Authorized individuals acting in accordance with written procedures and the investment policy and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.
- E) The Town may choose to engage the services of one or more external investment managers to assist in the management of the Town's investment portfolio in a manner consistent with the Town's objectives. A separate approval action by the City Council shall be taken at a public meeting prior to the use of an external manager. Once approved said external manager may be granted discretion to purchase and sell investment securities in accordance

with this investment policy. Such managers must be registered under the Investment Advisors Act of 1940, and operate in accordance with applicable laws and regulations.

- F) Periodically as deemed appropriate by the City Manager and/or the City Council an independent analysis by an external auditor shall be conducted to review internal controls, account activity and compliance with policies and procedures.

#### **4.02.050 Prudence**

- A) Pursuant to California Government Code Section 53600.3, all persons authorized to make investment decisions on behalf of the City are trustees and therefore fiduciaries subject to the prudent investor standard: "When investing, reinvesting, purchasing, acquiring, exchanging, selling, or managing public funds, a trustee shall act with care, skill, prudence, and diligence under the circumstances then prevailing, including, but not limited to, the general economic conditions and the anticipated needs of the agency, that a prudent person acting in a like capacity and familiarity with those matters would use in the conduct of funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs of the agency." For local agency funds invested in the county treasury, the county treasurer serves as a fiduciary and is subject to the prudent investor standard.

#### **4.02.060 Authorized and Suitable Investments**

This policy restricts the Town to only invest in the security types below, which do not exceed the authorized investments found in California Government Code sections 53601 and 53651:

- A) **U. S. Government** United States Treasury Bills, Notes, and Bonds backed by the full faith and credit of the United States Government are pledged for the payment of principal and interest. There is no limitation as to the percentage of the portfolio that may be invested in this category. The maximum maturity of these securities is five years.
- B) **U.S. Government Sponsored Enterprise Debt (GSEs) (known as Agencies)** Obligations, participations, or other instruments of, or issued by, a federal agency or U. S. Government sponsored enterprise. Such agencies include, but are not limited to: Federal National Mortgage Association (FNMA); Federal Home Loan Bank (FHLB); Government National Mortgage Association (GNMA); Community Development Corporation (CDC), Small Business Association (SBA), Tennessee Valley Authority (TVA) and Federal Home Loan Mortgage Corporation (FHLMC). The Town shall limit to no more than 20% of the portfolio that may be invested in this category. The maximum maturity for agency securities is five years.
- C) **Bankers Acceptances (BAs)** Bankers' acceptances, otherwise known as bills of exchange or time drafts, that are drawn on and accepted by a commercial bank. Bankers' acceptances must be secured by the irrevocable primary obligation of the accepting domestic bank. Purchasers are limited to issuers whose short-term debt is rated "A-1" or higher, or the equivalent, by a Nationally Recognized Statistical - Rating Organization (NRSRO). Bankers' acceptances cannot exceed a maturity of 180 days. A maximum of 20 percent of the portfolio may be invested in this category. The amount invested in bankers' acceptances with any one financial institution in combination with any other debt from that financial institution shall not exceed 20 percent of the portfolio.

D) **Commercial Paper** Unsecured promissory notes issued to finance short term credit needs. The entity that issues the commercial paper shall meet all of the following conditions in either paragraph (1) or paragraph (2):  
(1) The entity meets the following criteria: (i) Is organized and operating in the United States as a general corporation. (ii) Has total assets in excess of five hundred million dollars (\$500,000,000). (iii) Has debt other than commercial paper, if any, that is rated "A" or higher by a nationally recognized statistical-rating organization.

(2) The entity meets the following criteria: (i) Is organized within the United States as a special purpose corporation, trust, or limited liability company. (ii) Has program wide credit enhancements including, but not limited to, over collateralization, letters of credit, or surety bond. (iii) Has commercial paper that is rated "A-1" or higher, or the equivalent, by a nationally recognized statistical-rating organization.

Eligible commercial paper shall have a maximum maturity of 270 days or less and not represent more than 10 percent of the outstanding paper of an issuing corporation. A maximum of 15 percent of the portfolio may be invested in this category. The amount invested in commercial paper of any one issuer in combination with any other debt from that issuer shall not exceed 10 percent of the portfolio.

E) **Negotiable Certificates of Deposit (NCDs)** Investments issued by a nationally or state chartered bank, a savings association or a federal association, a state or federal credit union, or by a state-licensed branch of a foreign bank. Allowable NCDs are issued by a nationally or state chartered bank or savings and loan association, or by a state licensed branch of a foreign bank. Negotiable certificates of deposit (NCDs) Purchases are limited to institutions which have long-term debt rated "A" or better and/or have short-term debt rated at least "A-1" or higher, or the equivalent by a NRSRO. A maximum of 20 percent of the portfolio may be invested in this category. The amount invested in NCDs with any one financial institution in combination with any other debt from that financial institution shall not exceed 15 percent of the portfolio. The maximum maturity of these securities is five years.

F) **Time Certificates of Deposit (TCDs)** Funds placed with commercial banks and savings and loans. The amount on deposit shall not exceed the shareholder's equity in the financial institution. To be eligible for purchase, the financial institution must have received a minimum overall satisfactory rating for meeting the credit needs of California Communities in its most recent evaluation, as provided Government Code Section 53635.2. TCDs are required to be collateralized as specified under Government Code Section 53630 et. seq. The Treasurer, at his discretion, may waive the collateralization requirements for any portion that is covered by federal (FDIC) insurance. The Town shall have a signed agreement with the depository per Government Code Section 53649. There is no limitation as to the percentage of the portfolio that may be invested in this category. The maximum maturity of these securities may not exceed five (5) years.

G) **Local Agency Investment Fund (LAIF)** LAIF was created in the California State Treasury by California Government Code section 16429. LAIF holds local government funds in trust in a state investment pool in order to provide safety, liquidity and the

benefits of the investment pool yield for local government entities invested in LAIF. The Town may invest up to the maximum as permitted by LAIF.

- H) **San Mateo County Investment Pool (SMCIP)** The San Mateo County Treasurer accepts voluntary deposits from agencies not mandated to utilize its treasury services. The Fund may impose withdrawal and / or deposit limits, which will be considered as part of the overall Town portfolio.
- I) **Money Market Funds**. Shares of beneficial interest issued by diversified management companies that are money market funds registered with the Securities and Exchange Commission under the Investment Company Act of 1940 (15 U.S.C. Sec. 80a-I and following). The company shall have met either of the following criteria: (A) Attained the highest ranking or the highest letter and numerical rating provided by not less than two NRSROs. (B) Retained an investment adviser registered or exempt from registration with the Securities and Exchange Commission with not less than five years' experience managing money market mutual funds with assets under management in excess of five hundred million dollars (\$500,000,000). A maximum of 20 percent of the portfolio may be invested in this category with a maximum of 10 percent exposure to any one fund. For due diligence, the Treasurer shall maintain access to a copy of the current Prospectus for any mutual fund in which the Town has funds invested.
- J) **Medium Term Notes (MTNs)** Medium term notes as defined in California Government Code Section 53601(k) are unsecured, corporate and depository institution debt obligations. Allowable medium term notes must be issued by corporations organized and operating within the United States (U.S.) or by depository institutions licensed by the U.S. or any state and operating within the U.S. MTNs must be rated "A" or better by Moody's or Standard and Poor's. A maximum of 15 percent of the City's portfolio may be invested in this category and a maximum of 5 percent with any one issuer. The maximum maturity of these securities is five years.

**4.020.70 Summary of Investment Parameters and Additional Limits**

<b>Investment Type</b>	<b>Portfolio Limits</b>	<b>Maximum Maturity</b>
US Treasury Bills, Notes & Bonds	None	5 Years
US Government Sponsored Agencies*	No more than 20%	5 Years
Bankers Acceptances*	No more than 20%	180 Days
Commercial Paper*	No more than 15%	270 Days
Negotiable CD's*	No more than 20%	5 Years
Time Certificates of Deposit	None	5 Years
LAIF	Program limits max deposit to \$65 million	N/A
San Mateo County Investment Pool (SMCIP)	No Max- Minimum program deposit \$250,000	N/A
Money Market Funds*	No more than 20%	N/A
Medium Term Notes*	No more than 15%	5 Years

The investment types denoted with a "\*" in the Table above, have further limitations under this policy as follows:



A) Prior to investing in these types require a separate authorization by a majority of the City Council prior to the purchase.

B) If authorized, the aggregate of these investment types shall not exceed 40% of the total portfolio.

#### **4.02.080 Authorized Investments for Bond and Other Debt Proceeds**

Bond and other debt proceeds shall be invested in securities permitted by the applicable financing documents. If the documents are silent as to the permitted investments, proceeds will be invested in securities permitted by this Policy. Notwithstanding the provisions of Policy, the percentage or dollar portfolio limitations listed in elsewhere in this Policy do not apply to proceeds from a debt issuance. In addition to the securities listed in Section 4.02.070 above, proceeds may be invested in structured investment products if approved by the Treasurer.

#### **4.02.090 Unauthorized Investments**

A) Any investment in a security not specifically listed as an Authorized and Suitable Investment above, but otherwise permitted by the Government Code, is prohibited without the prior approval of the City Council.

B) Section 53601.6 of the Government Code specifically disallows investments in invoice floaters, range notes, or interest- only strips that are derived from a pool of mortgages.

C) No direct investment shall be made in repurchase agreements, although it is recognized that they may be a component of a diversified professionally managed pool that is included in the portfolio.

D) As specified in California Government Code Section 53601, the investment of funds that mature in excess of five years are not generally allowed. Placement of such investments can only occur if the City Council expressly authorize the investment as part of a specific program; and the transaction cannot occur until three months have lapsed from the date of authorization is granted.

#### **4.02.100 Safekeeping and Custody**

If purchases of securities are authorized as described in section 4.02.070(A)(B), then all security transactions entered into by the Town shall be conducted on a delivery versus payment (DVP) basis as evidenced by safekeeping receipts in the Town's name. The investment securities of the Town shall be held by a third-party custodian according to established safekeeping procedures, as established by the Town Treasurer.

#### **4.02.110 Ethics and Avoidance of Conflict of Interest**

A) All participants in the investment process shall act as custodians of public funds. Investment officials shall recognize that the investment portfolio is subject to public review and evaluation. The overall program shall be designed and managed with a degree of professionalism that is worthy of public trust.

B) In a diversified portfolio it must be recognized that occasional measured losses are inevitable, and must be considered in the context of the overall portfolio's investment return, provided that adequate diversification has been implemented.

C) Elected officials and employees of the Town involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial decisions under the Political Reform Act and Government Code Section 1090 et seq. Elected officials and employees shall disclose to the City Manager any material interests in financial institutions that conduct business with the Town, and they shall further disclose any personal investment position or financial asset that could be related to the performance of the Town's investment program.

D) Elected officials and employees shall subordinate their personal investment transactions to those of the Town particularly with regard to the time of purchases and sales.

E) Any firm proposing to provide any type of investment service to the Town shall acknowledge their familiarity with the provisions of the Political Reform Act, Government Code Section 81000 et seq. and the provisions limiting contractual conflicts of interest under Government Code Section 1090 et seq. Any firm proposing to provide any type of investment service to the City shall also acknowledge their familiarity with and agree to abide by any Federal or State law, regulation, rule or policy pertaining to or limiting campaign contributions by such firms, their employees, spouses or agents.

F) All persons, firms, broker/ dealers, financial institutions and advisors providing investment services or bond issue assistance shall disclose to the Treasurer all fee sharing, fee-splitting and commission arrangements with other entities or persons prior to the Town agreeing to buy an investment or issue bonds.

#### **4.02.120 Authorized Financial Dealers and Institutions**

If authorized to purchase securities as described in 4.02.070(A)(B), the Treasurer shall direct Staff to create and maintain a list of approved security broker/dealers selected for credit worthiness who are authorized to provide investment services in the State of California as authorized by California Government Code Section 53601.5. These may include primary dealers or such dealers that qualify under Securities and Exchange Commission (SEC) Rule 15C3-1 (uniform net capital rule) and that meet the standards used in evaluating broker/dealers and banks in the Town's Request for Information form. No public deposit shall be made except in a qualified public depository as established under State Statute.

All financial institutions and broker/dealers who desire to become qualified bidders for investment transactions must complete the Request for Information form, provide written certification of having read and agreed to abide by the Town's Investment Policy and depository contracts and provide the following information:

- Audited financial statements, proof of State registration and trading resolution.
- Proof of National Association of Securities Dealers (NASD) certification.

The Town Treasurer, or designees, shall consider the credit worthiness of institutions. The following guidelines are recommended:

- Institution to be located in California, with total assets of at least \$100 million.
- Net worth of at least 3% of assets and profitable in most recent financial statement.
- Foreclosure/delinquencies at or below 2% of assets and in business for 5 years.
- Meet federal regulatory capital requirements.

A competitive bid process will be used to place investment purchases based upon investment offerings provided by the Town's list of authorized investment brokers. An annual review of the financial condition and registrations of qualified bidders may be conducted by the Town Treasurer or designee. As part of any review performed, a current audited financial statement will be obtained for those financial institutions and brokers/dealers subject to review.

The first \$250,000 of any monies deposited with a bank or credit union must be guaranteed by the Federal Deposit Insurance Corporation (FDIC), the Federal Savings and Loan Insurance Corporation (FSLIC) or the National Credit Union Share Insurance Fund (NCUSIF). Banks, savings and loan associations, and credit unions must be able to collateralize any deposits over \$250,000 (see Section 4.02.150).

#### **4.02.130     Collateralization**

Bank Deposits: Under provisions of the Government Code, California banks and savings and loan associations are required to secure the Town's deposits by pledging government securities as collateral.

Certificates of Deposit (non-Negotiable): The City Treasurer, at his/her discretion may waive the collateral requirement for deposits up to the maximum dollar amount which are covered by the Federal Deposit Insurance Corporation.

Collateral pledged with a U. S. Treasury Bill or Note must be at least 110% of the face value of the investment. Collateral pledged with first mortgages must be at least 150% of the face value of the investment. The right of collateral substitution may be granted by the Town.

Collateral will always be held by an independent third party with whom the financial institution has a current custodial agreement. These parties are limited to only those trust companies and trust departments, or the Federal Home Loan Bank of San Francisco, which have been approved by the California State Superintendent of Banks. [California Government Code Section 53656(b)]

#### **4.02.140     Review and Reporting on Investments**

The Treasurer shall prepare a report to the City Council not less than semi-annually which, will be made available each year within 60 days following December 31st and June 30th. The semi-annual report shall be presented at a subsequent regularly scheduled City Council Meeting. The report shall inclusive a monthly listing of investment transactions. At a minimum the report shall include the following information based on the type of investments held in the portfolio:

- A) Report Contents when Portfolio is Limited to Bank and Public Agency Investment Pool Accounts:
  - a. Report the beginning and ending balance by quarter;
  - b. Provide a separate breakdown of the quarterly balance based on the Investment Pool (LAIF, SMCIF, etc).
  - c. Provide net Deposits and Withdrawals for the period
  - d. Identify total interest for the quarter.
  - e. Provide the interest rates earned including a cumulative weighted average.
  
- B) Additional Report Contents When Portfolio Includes Securities Authorized Under Section 4.02.070 of this Policy:
  - a. Type of Investment
  - b. Issuer
  - c. Purchase Date
  - d. Date of Maturity (Call Date if Applicable)
  - e. Par and dollar amount invested
  - f. Effective interest rate
  - g. Current Market Value as of the date of the report
  - h. A list of investment transactions.
  - i. A statement of compliance with the investment policy
  - j. Portfolio earnings rate.

The report shall state compliance of the portfolio with the Town’s investment policy, or the manner in which the portfolio is not in compliance.

The report shall include a statement denoting the ability of the Town to meet its expenditure requirements for the next six months, or provide an explanation as to why sufficient money shall, or may, not be available.

**4.02.150 Policy History and Annual Review**

This policy and procedure amends and restates Section 4.02 of the Administrative Code previously adopted February 2014. This revised policy was adopted on November 9, 2016 by formal action of the City Council at its regular meeting via Resolution No. 16- ##. This policy is reviewed annually.

**Division 3: Miscellaneous**

**4.02.160 Investment Policy Glossary**

**AGENCIES:** Federal agency securities and/or Government-sponsored enterprises.

**ASKED:** The price at which securities are offered.

**BANKERS’ ACCEPTANCE (BA):** A draft or bill or exchange accepted by a bank or trust company. The accepting institution guarantees payment of the bill, as well as the issuer.

**BASIS POINT:** One basis point is one hundredth of one percent (.01%)

**BENCHMARK:** A comparative base for measuring the performance or risk tolerance of the investment portfolio. A benchmark should represent a close correlation to the level of risk and the average duration of the portfolio's investments.

**BID:** The price offered by a buyer of securities. (When you are selling securities, you ask for a bid.) See Offer.

**BOOK ENTRY:** The system maintained by the Federal Reserve, by which most money market securities are delivered to an investor's custodial bank. The Federal Reserve maintains a computerized record of the ownership of these securities and records any changes in ownership corresponding to payments made over the Federal Reserve wire (delivery versus payment).

**BOOK VALUE:** The value at which a debt security is shown on the holder's balance sheet. Book value is acquisition cost less amortization of any premium or discount.

**BROKER:** A broker assists in the buying and selling of investments together for a commission.

**CALLABLE BOND:** A bond issue in which all or a part of its outstanding principal amount may be redeemed before maturity by the issuer under specified conditions

**CALL PRICE:** The price at which an issuer may redeem a bond before maturity

**CERTIFICATE OF DEPOSIT (CD):** A time deposit with a specific maturity evidenced by a Certificate. Large-denomination CDs are typically negotiable.

**COLLATERAL:** Securities, evidence of deposit or other property, which a borrower pledges to secure repayment of a loan. Also refers to securities pledged by a bank to secure deposits of public monies.

**COMMERCIAL PAPER:** Unsecured promissory notes issued to finance short term credit needs.

**COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR):** The official annual report for the Town. It also includes supporting schedules necessary to demonstrate compliance with finance-related legal and contractual provisions, extensive introductory material, and a detailed Statistical Section.

**COUPON:** (a) The annual rate of interest that a bond's issuer promises to pay the bondholder on the bond's face value and (b) A certificate attached to a bond evidencing interest due on a payment date.

**DEALER:** A dealer, as opposed to a broker, acts as a principal in all transactions, buying and selling for his own account.

**DEBENTURE:** A bond secured only by the general credit of the issuer.

**DELIVERY VERSUS PAYMENT:** There are two methods of delivery of securities: delivery versus

payment and delivery versus receipt. Delivery versus payment is delivery of securities with an exchange of money for the securities. Delivery versus receipt is delivery of securities with an exchange of a signed receipt for the securities.

**DERIVATIVES:** (1) Financial instruments whose return profile is linked to, or derived from, the movement of one or more underlying index or security, and may include a leveraging factor, or (2) financial contracts based upon notional amounts whose value is derived from an underlying index or security (interest rates, foreign exchange rates, equities or commodities).

**DISCOUNT:** The difference between the cost price of a security and its maturity when quoted at lower than face value. A security selling below original offering price shortly after sale also is considered to be at a discount.

**DISCOUNT SECURITIES:** Non-interest bearing money market instruments that are issued at a discount and redeemed at maturity for full face value, *e.g.*, U.S. Treasury Bills.

**DIVERSIFICATION:** Dividing investment funds among a variety of securities offering independent returns.

**FEDERAL CREDIT AGENCIES:** Agencies of the Federal government set up to supply credit to various classes of institutions and individuals, *e.g.*, banks, small business firms, students, farmers, farm cooperatives, and exporters.

**FEDERAL DEPOSIT INSURANCE CORPORATION (FDIC):** A federal agency that insures bank deposits, up to \$250,000 per deposit.

**FEDERAL FUNDS RATE:** The rate of interest at which Fed funds are traded. This rate is currently pegged by the Federal Reserve through open-market operations.

**FEDERAL HOME LOAN BANKS (FHLB):** Government sponsored wholesale banks (currently 12 regional banks), which lend funds and provide correspondent banking services to member commercial banks, thrift institutions, credit unions and insurance companies. The mission of the FHLBs is to liquefy the housing related assets of its members who must purchase stock in their district Bank.

**FEDERAL HOME LOAN MORTGAGE CORPORATION (FHLMC or Freddie Mac):** United States government sponsored corporation.

**FEDERAL NATIONAL MORTGAGE ASSOCIATION (FNMA):** FNMA, like GNMA was chartered under the Federal National Mortgage Association Act in 1938. FNMA is a federal corporation working under the auspices of the Department of Housing and Urban Development (HUD). It is the largest single provider of residential mortgage funds in the United States. Fannie Mae, as the corporation is called, is a private stockholder-owned corporation. The corporation's purchases include a variety of adjustable mortgages and second loans, in addition to fixed-rate mortgages. FNMA's securities are also highly liquid and are widely accepted. FNMA assumes and guarantees that all security holders will receive timely payment of principal and interest.

**FEDERAL OPEN MARKET COMMITTEE (FOMC):** Consists of seven members of the Federal

Reserve Board and five of the twelve Federal Reserve Bank Presidents. The President of the New York Federal Reserve Bank is a permanent member, while the other Presidents serve on a rotating basis. The Committee periodically meets to set Federal Reserve guidelines regarding purchases and sales of Government Securities in the open market as a means of influencing the volume of bank credit and money.

**FEDERAL RESERVE SYSTEM:** The central bank of the United States created by Congress and consisting of a seven member Board of Governors in Washington, D.C., 12 regional banks and about 5,700 commercial banks that are members of the system.

**GOVERNMENT NATIONAL MORTGAGE ASSOCIATION (GNMA or Ginnie Mae):** Securities influencing the volume of bank credit guaranteed by GNMA and issued by mortgage bankers, commercial banks, savings and loan associations, and other institutions. Security holder is protected by full faith and credit of the U.S. Government. Ginnie Mae securities are backed by the FHA, VA or FMHA mortgages. The term "pass-throughs" is often used to describe Ginnie Maes.

**LIQUIDITY:** A liquid asset is one that can be converted easily and rapidly into cash without a substantial loss of value. In the money market, a security is said to be liquid if the spread between bid and asked prices is narrow and reasonable size can be done at those quotes.

**LOCAL AGENCY INVESTMENT POOL (LAIF):** The aggregate of all funds from political subdivisions that are placed in the custody of the State Treasurer for investment and reinvestment.

**MARKET VALUE:** The price at which a security is trading and could presumably be purchased or sold on a specific date.

**MASTER REPURCHASE AGREEMENT:** A written contract covering all future transactions between the parties to repurchase—reverse repurchase agreements that establishes each party's rights in the transactions. A master agreement will often specify, among other things, the right of the buyer-lender to liquidate the underlying securities in the event of default by the seller borrower.

**MATURITY:** The date upon which the principal or stated value of an investment becomes due and payable.

**MONEY MARKET:** The market in which short-term debt instruments (bills, commercial paper, bankers' acceptances, etc.) are issued and traded. Rule 2a-7 of the Investment Company Act applies to Money Market Funds, which mandates these funds to maintain certain standards, including a 13 month maturity limit and a 90 day average maturity on investments, to help maintain a constant net asset value of \$1.00.

**NATIONAL ASSOCIATION OF SECURITIES DEALERS (NASD):** A self-regulatory organization (SRO) of brokers and dealers in the over the counter securities business. Its regulatory mandate includes authority over firms that distribute mutual fund shares as well as other securities.

**NATIONALLY RECOGNIZED STATISTICAL RATING ORGANIZATIONS (NSROs):** Credit

rating agencies whose ratings are permitted to be used for regulatory purposes such as those imposed by the Securities and Exchange Commission.

**NEGOTIABLE CERTIFICATE OF DEPOSIT (NCD):** A large denomination certificate of deposit which can be sold in the open market prior to maturity.

**OFFER:** The price asked by a seller of securities. (When you are buying securities, you ask for an offer.) See Asked and Bid.

**OPEN MARKET OPERATIONS:** Purchases and sales of government and certain other securities in the open market by the New York Federal Reserve Bank as directed by the FOMC in order to influence the volume of money and credit in the economy. Purchases inject reserves into the bank system and stimulate growth of money and credit; sales have the opposite effect. Open market operations are the Federal Reserve's most important and most flexible monetary policy tool.

**PORTFOLIO:** Collection of securities held by an investor.

**PREMIUM:** The amount by which the price paid for a security exceeds the security's par value.

**PRIMARY DEALER:** A group of government securities dealers who submit daily reports of market activity and positions and monthly financial statements to the Federal Reserve Bank of New York and are subject to its informal oversight. Primary dealers include the Securities and Exchange Commission (SEC), registered securities broker-dealers, banks, and a few unregulated firms.

**PRINCIPAL:** The face value or par value of a debt instrument, or the amount of capital invested in a given security.

**QUALIFIED PUBLIC DEPOSITORIES:** A financial institution which does not claim exemption from the payment of any sales or compensating use or ad valorem taxes under the laws of this state, which has segregated for the benefit of the commission eligible collateral having a value of not less than its maximum liability and which has been approved by the Public Deposit Protection Commission to hold public deposits.

**RATE OF RETURN:** The yield obtainable on a security based on its purchase price or its current market price. This may be the amortized yield to maturity, on a bond it is the current income return.

**REPURCHASE AGREEMENT (RP OR REPO):** A holder of securities sells these securities to an investor with an agreement to repurchase them at a fixed price on a fixed date. The security "buyer" in effect lends the "seller" money for the period of the agreement, and the terms of the agreement are structured to compensate him for this. Dealers use RP extensively to finance their positions. Exception: When the Federal Reserve is said to be doing RP, it is lending money that is increasing bank reserves.

**SAFEKEEPING:** A service to customers rendered by banks for a fee whereby securities and



valuables of all types and descriptions are held in the bank's vaults for protection.

**SECONDARY MARKET:** A market made for the purchase and sale of outstanding issues following the initial distribution.

**SECURITIES & EXCHANGE COMMISSION:** Agency created by Congress to protect investors in securities transactions by administering securities legislation.

**SETTLEMENT DATE:** The date on which a trade is cleared by delivery of securities against funds.

**STRUCTURED NOTES:** Notes issued by Government Sponsored Enterprises (FHLB, FNMA, FHLB, etc.) and Corporations, which have imbedded options (e.g., call features, step-up coupons, floating rate coupons, derivative-based returns) into their debt structure. Their market performance is impacted by the fluctuation of interest rates, the volatility of the imbedded options and shifts in the shape of the yield curve.

**TREASURY BILLS:** A non-interest bearing discount security issued by the U.S. Treasury to finance the national debt. Most bills are issued to mature in three months, six months, or one year.

**TREASURY BONDS:** Long-term coupon-bearing U.S. Treasury securities issued as direct obligations of the U.S. Government and having initial maturities of more than 10 years.

**TREASURY NOTES:** Medium-term coupon-bearing U.S. Treasury securities issued as direct obligations of the U.S. Government and having initial maturities from two to 10 years.

**UNIFORM NET CAPITAL RULE:** Securities and Exchange Commission requirement that member firms as well as nonmember broker-dealers in securities maintain a maximum ratio of indebtedness to liquid capital of 15 to 1; also called net capital rule and net capital ratio. Indebtedness covers all money owed to a firm, including margin loans and commitments to purchase securities, one reason new public issues are spread among members of underwriting syndicates. Liquid capital includes cash and assets easily converted into cash.

**WEIGHTED AVERAGE MATURITY (WAM):** The average maturity of all the securities that comprise a portfolio that is typically expressed in days or years

**YIELD (Yield to Maturity or Yield to Call):** The rate of annual income return on an investment, expressed as a percentage. (a) income yield is obtained by dividing the current dollar income by the current market price for the security. (b) net yield or yield to maturity or call is the current income yield minus any premium above par or plus any discount from par in purchase price, with the adjustment spread over the period from the date of purchase to the date of maturity or call of the bond.

**YIELD CURVE:** The yield on bonds, notes or bills of the same type and credit risk at a specific date for maturities up to thirty years.

**ZERO COUPON SECURITY:** A security that is issued at a discount and makes no periodic interest payments. The rate of return consists of a gradual accretion of the principal of the security and is payable at par upon maturity.

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**ARTICLE 2. CAC SECTION 4.04 ADDED**

Subchapter 4.04 is hereby added to the Town of Colma Administrative Code to read:

**SUBCHAPTER 4.04: Bank Signature, Transfer Authority, Internal Control**

**4.04.010 Check-Signing Authority**

All checks on the Town's depository accounts (Payroll and Accounts Payable) shall require two signatures. One signature shall be the Mayor or Vice Mayor; and the second signature shall be either the City Manager, or the Chief of Police.

As authorized the process of applying signatures may be an electronic process, provided there are internal controls in place which control the review and approval of payments prior to the release of the checks.

**4.04.020 Transfer Authority**

Town Funds may be invested in a public agency pool as authorized by the adopted Investment Policy. Transfers from these accounts to City Operating Accounts (Accounts Payable and Payroll) are typically administrative in nature and arranged based on cash flow needs to meet payment obligations.

Two of the following officials may transfer funds to or from an investment account: City Manager, Police Chief, Mayor and Vice-Mayor.

For recurring transfers for electronic payment of Town obligations such as Automated Clearing House – ACH Debits to City Bank Accounts, the initial set-up of the Transfer shall require two signatures, however, on-going payments may be initiated and completed administratively. Transactions completed in this manner shall still be reported to the City Council the same as a “Check Transaction.”

Records of all transfers shall be retained in the Town Financial Records and reconciled with statements on a regular basis.

**4.04.030 Internal Controls**

(a) The City Manager is responsible for establishing and maintaining an internal control structure designed to ensure that the assets of the Town of Colma are protected from loss, theft or misuse. Details of the internal controls system shall be documented and shall be reviewed and updated annually. The internal control structure shall be designed to provide reasonable assurance that these objectives are met. The concept of reasonable assurance recognizes that the cost of a control should not exceed the benefits likely to be derived and

the valuation of costs and benefits requires estimates and judgments by management.

- (b) The internal controls structure shall address the following points:
- (1) Control of collusion
  - (2) Separation of transaction authority from accounting and recordkeeping
  - (3) Clear delegation of authority to subordinate staff members
  - (4) Confirmation of transactions for investments and wire transfers
  - (5) Dual authorization of wire transfers
  - (6) If investments are authorized outside of the public agency investment pools (LAIF and SMCIF) development of wire transfer agreement with a third-party custodian shall be established.

Accordingly, the City Manager shall establish a process to periodically conduct an independent review by an external auditor to assure compliance with policies and procedures or alternatively, compliance should be assured through the Town's annual independent audit.

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#### **ARTICLE 3. SEVERABILITY.**

Each of the provisions of this resolution is severable from all other provisions. If any article, section, subsection, paragraph, sentence, clause or phrase of this resolution is for any reason held by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

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#### **ARTICLE 4. NOT A CEQA PROJECT.**

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 general policy and procedure making.

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#### **ARTICLE 5. EFFECTIVE DATE.**

This resolution shall take effective immediately upon adoption.

### Certification of Adoption

I certify that the foregoing Resolution No. 2016-## was duly adopted at a regular meeting of the City Council of the Town of Colma held on November 9, 2016, by the following vote:

Name	Counted toward Quorum			Not Counted toward Quorum	
	Aye	No	Abstain	Present, Recused	Absent
Diana Colvin, Mayor					
Helen Fiscaro					
Raquel "Rae" Gonzalez					
Joseph Silva					
Joanne F. del Rosario					
<i>Voting Tally</i>					

Dated \_\_\_\_\_

\_\_\_\_\_   
 Diana Colvin, Mayor

Attest: \_\_\_\_\_   
 Caitlin Corley, City Clerk

## CHAPTER FOUR: ORGANIZATION, FUNCTIONS AND GENERAL PROVISIONS

### SUBCHAPTER 4.02: Investment Policy

#### Division 1: General Principles

##### 4.02.010 Purpose

The purpose of this statement is to set forth the policies guiding prudent investment of temporarily idle funds of the Town of Colma and to establish guidelines and objectives for suitable investments including: delegation of authority, prudence, monitoring and reporting, policy review, diversification, eligible securities, safekeeping, and collateralization, selection of depositories, brokers/dealers, glossary of terms, and forms utilized.

[*History:* Formerly § 1.03.010; Adopted Res 2000-75, 12/13/2000; Res 2014-07, 2/13/14]

##### 4.02.020 Funds Covered by this Policy

(a) This investment policy shall apply to all financial assets, investment activities, and debt issues of the Town of Colma (except as provided in the next paragraph) including the following fund types:

- (1) General Fund
- (2) Special Revenue Funds
- (3) Debt Service Funds
- (4) Capital Projects Funds
- (5) Internal Service Funds
- (6) Trust and Agency Funds

(b) The policy does not cover funds held by the Public Employees Retirement System, funds of the Deferred Compensation program, or any funds for which the City Council has specifically authorized an investment policy.

[*History:* Formerly § 1.03.020; Adopted Res 2000-75, 12/13/2000; Res 2014-07, 2/13/14]

##### 4.02.030 Prudent Person Rule

Each investment shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital and income to be derived.

[*History:* Formerly § 1.03.030; Adopted Res 2000-75, 12/13/2000; Res 2013-23, 7/11/13]

#### **4.02.040 Objectives**

(a) It is the objective of this policy to provide a system which will accurately monitor and forecast revenues and expenditures so that the Town can invest temporarily idle funds to the fullest extent possible, consistent with the policies stated herein. The temporarily idle funds shall be invested in accordance with provisions of California Government Code Section 53600 et. seq.

(b) The Town adheres to conservative investment philosophies including investment of all idle cash, buying and holding until maturity, preservation of principal at the risk of yield, and not "actively" trading the investment portfolio.

(c) This Policy specifically prohibits trading securities for the sole purpose of speculating on the future direction of interest rates. It further prohibits reverse repurchase agreements, use of derivative products, and/or leveraging of the portfolio.

(d) The Town shall insure the safety of invested funds by limiting credit and interest rate risks. The three primary objectives of the Town's Investment Policy are, in order of priority:

(1) *Safety.* Safety of principal is the foremost objective of the Town of Colma Investment Policy. Safety and the minimizing of risk associated with investing refers to attempts to reduce the potential for loss of principal, interest or a combination of the two. The Town insures safety of its invested idle funds and limits credit and interest rate risks by the following principals, each of which is detailed within the body of the Investment Policy:

- (A) Investing only in those instruments that are generally accepted as safe investment vehicles for local government as authorized by this Policy;
- (B) Pre-qualifying the financial institutions and limiting broker/dealer to primary dealers with order desks located in California,
- (C) Diversifying the investment portfolio as prescribed within this Policy,
- (D) Structuring the portfolio such that securities mature to meet the Town's cash requirements for ongoing operations, thereby avoiding the need to sell securities on the open market prior to their maturation,
- (E) Limiting the weighted average maturity of the portfolio to two years, and
- (F) Physically keeping the investment instrument in a safe and secure location.

(2) *Liquidity.* Liquidity is the second most important objective of the Town's Policy. Liquidity refers to the ability to convert an investment to cash promptly without loss of principal and minimal loss of interest. An instrument is considered liquid if there is a readily determined value for the instrument and the instrument can readily be converted into cash. For example, an investment in either the Local

Agency Investment Fund (LAIF) with 24-hour fund availability or an investment in securities with active secondary or resale markets, are liquid investments.

- (3) *Yield.* Yield on the Town's portfolio is last in rank among investment objectives. Investments are limited to relatively low risk securities in anticipation of earning a fair return relative to the risk being assumed. The Town's investment strategy is passive. Given this strategy, the basis used by the Town to determine whether market yield is being achieved shall be to identify a comparable benchmark to the portfolios investment duration, e.g. 90 day US Treasury Bill, 6 month US Treasury Bill, Average Federal Funds Rate or LAIF.

[*History:* Formerly § 1.03.040; Adopted Res 2000-75, 12/13/2000; Amended Res 2011-05, 3/9/2011; Res 2013-23, 7/11/13; Res 2014-07, 2/13/14]

#### **4.02.050     Diversification**

(a) Investment officials shall recognize that the investment portfolio is subject to public review and evaluation. The overall portfolio shall be designed and managed with a degree of professionalism worthy of the public trust.

(b) The Town will diversify use of investment instruments to maximize its policy objectives and avoid incurring unreasonable and avoidable. The investments will be diversified by security type, maturities of those investments, and the institution in which those investments are made.

(c) The investments shall be diversified by:

- (1) Limiting investments to avoid over-concentration in securities from a specific issuer or business sector (excluding U.S. Treasury securities or local government investment pools);
- (2) Limiting investment in securities that have higher credit risks;
- (3) Investing in securities with varying maturities; and
- (4) Continuously investing a portion of the portfolio in readily available funds such as local government investment pools (such as the California Local Agency Investment Fund), money market funds or overnight repurchase agreements to ensure that appropriate liquidity is maintained in order to meet ongoing obligations.

[*History:* Formerly § 1.03.050; Adopted Res 2000-75, 12/13/2000; Res 2007-51, 9/12/07; Res 2013-23, 7/11/13; Res 2014-07, 2/13/14]

### **Division 2: Operations**

#### **4.02.060     Delegation of Authority and Responsibilities**

(a) *City Council.* The City Council assumes direction and ultimate authority over all Town investments. The City Council shall be and is the policy-setting board for the Town of Colma. On

a quarterly basis, the City Council shall receive, review and accept the Quarterly Investment Report submitted by the City Manager.

(b) *City Treasurer.* The City Council delegates specific investment authority to the City Treasurer, as specified herein, and assigns management and monitoring responsibilities for the Town's investment program to the City Treasurer. The City Treasurer shall direct the investment of the Town funds in accordance with the Prudent Person Rule, principles of sound treasury management, all applicable laws, and this Investment Policy. Specifically, and without limiting the foregoing:

- (1) The City Treasurer may, without prior approval of the City council, invest any of the Town's funds in any Class One Investment, subject to the criteria set forth herein in section 1.03.210.
- (2) The City Treasurer may recommend that the Town invest in any Class Two Investment, and the City Council may, in its sole and absolute discretion, approve the same, subject to the criteria set forth in section 1.03.210.
- (3) City Treasurer may delegate responsibilities to professional portfolio administrators on terms and conditions approved by the City Council.

(c) *City Manager.* The City Manager shall be responsible for providing day-to-day accounting and cash management functions of the Town; taking custody of Town funds; transferring funds from or to investment vehicles approved by the City Treasurer, and submitting a Quarterly Investment Report to the City Council.

[*History:* Formerly § 1.03.110; Adopted Res 2000-75, 12/13/2000; Amended Res 2011-05, 3/9/2011; Res 2013-23, 7/11/13; 2014-07, 2/13/14]

#### **4.02.070 Ethics and Conflicts of Interest**

Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with the proper execution and management of the investment program, or that could impair their ability to make impartial decisions. Employees and officers shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of the entity.

[*History:* Formerly § 1.03.115; Adopted Res 2011-05, 3/9/2011; Res 2014-07, 2/13/14]

#### **4.02.080 Transfer Authority**

Two of the following four officials may transfer funds up to \$5,000,000 to or from an investment account: City Manager, Assistant City Manager, City Treasurer, and Mayor. Each such transfer must be reported to the City Council, in writing, within thirty days.

[*History:* Formerly § 1.03.120; Adopted Res 2000-75, 12/13/2000; Amended Res 2003-34, 6/25/2003 Res 2008-62, 11/12/2008; Res 2014-07, 2/13/14]



#### **4.02.090 Check-Signing Authority**

All checks on the Town's depository accounts shall require two signatures. Any two of the following officials may sign a check or draw funds on any Town account: Mayor, Vice-Mayor, City Manager, Assistant City Manager, City Treasurer, and Chief of Police.

[*History:* Formerly § 1.03.125; Adopted Res. 2003-34, 6/25/03; Amended Res. 2011-05, 3/9/2011; Res 2013-23, 7/11/13]

#### **4.02.100 Monitoring and Reporting**

(a) The City Manager shall review the policy on an annual basis to ensure its consistency with the overall objectives of preservation of Principal, Liquidity and Yield, its relevance to current financial and economic trends and ability to meet the cash flow operational needs of the Town. Recommended changes shall be forwarded to the City Council for their consideration at an open and public meeting on an annual basis. The City Council shall review the Investment Policy, make such changes as it deems proper and adopt it on an annual basis.

(b) The City Manager shall routinely monitor the contents of the portfolio and shall file with the City Council a Quarterly Investment Report, which shall include the following:

- (1) Type of Investment
- (2) Beginning Balances
- (3) Purchases During the Quarter
- (4) Maturities or Sales During the Quarter
- (5) Ending Balances

(c) At least annually, the City Manager shall file with the City Council an Annual Investment Report, which shall include the information required of a Quarterly Investment Report, and the following:

- (1) Maturity Date
- (2) Interest Rate
- (3) Weighted Average Yield
- (4) Face Value or Purchase Cost
- (5) Market Value
- (6) Interest Earned
- (7) Interest Earned to Maturity
- (8) Cash Flow Projection for the Following Year

- (9) Summary of Cash Invested to Total Cash Balances
- (10) Comparative Statistics by Fiscal Year
- (11) Reconciliation of Cash & Investments to General Ledger Balances
- (12) Schedule of Investments Beyond 5 (Five) Years

(d) Each time an investment transaction is made, an "Investment Transaction Record" form shall be prepared by the Accountant and approved by the City Manager or City Treasurer. Copies of the form are to be distributed to the City Manager or City Treasurer.

*[History: Formerly § 1.03.130; Adopted Res 2000-75, 12/13/2000; Amended by Res 2003-34, 6/25/03; Res 2013-23, 7/11/13; Res 2014-07, 2/13/14]*

#### **4.02.110 Internal Controls**

(a) The City Manager is responsible for establishing and maintaining an internal control structure designed to ensure that the assets of the Town of Colma are protected from loss, theft or misuse. Details of the internal controls system shall be documented in an investment procedures manual and shall be reviewed and updated annually. The internal control structure shall be designed to provide reasonable assurance that these objectives are met. The concept of reasonable assurance recognizes that the cost of a control should not exceed the benefits likely to be derived and the valuation of costs and benefits requires estimates and judgments by management.

(b) The internal controls structure shall address the following points:

- (1) Control of collusion
- (2) Separation of transaction authority from accounting and recordkeeping
- (3) Custodial safekeeping
- (4) Avoidance of physical delivery securities
- (5) Clear delegation of authority to subordinate staff members
- (6) Written confirmation of transactions for investments and wire transfers
- (7) Dual authorizations of wire transfers
- (8) Development of wire transfer agreement with the lead bank and third-party custodian

Accordingly, the City Manager shall establish a process for an annual independent review by an external auditor to assure compliance with policies and procedures or alternatively, compliance should be assured through the Town's annual independent audit.

*[History: Formerly § 1.03.135; Adopted Res 2013-23, 7/11/13; Res 2014-07, 2/13/14]*

#### **4.02.120 Compliance with State Law**

Nothing herein shall be deemed to authorize any investment that is prohibited by any provision in Government Code, Title 5, Part 1, Chapter 4, Articles 1, 2 and 2.5, beginning with section 53600 ("state investment laws). If an investment is restricted by either the state investment laws or this subchapter, then the more restrictive provision shall prevail unless the City Council authorizes such investment by resolution.

[*History:* Formerly § 1.03.135; Adopted Res 2011-05, 3/9/2011; Res 2013-23, 7/11/13]

#### **4.02.130 Authorized Financial Institutions, Depositories and Broker/Dealers**

(a) All financial institutions and broker/dealers who desire to become qualified for investment transactions must supply the following as appropriate:

- (1) Audited financial statements demonstrating compliance with state and federal capital adequacy guidelines;
- (2) Proof of National Association of Securities Dealers (NASD) certification (not applicable to Certificate of Deposit counterparties);
- (3) Proof of state registration;
- (4) Completed broker/dealer questionnaire (not applicable to Certificate of Deposit counterparties); and
- (5) Evidence of adequate insurance coverage.

(b) In selecting brokers or dealers, the City Treasurer or designated staff member shall select brokers representing primary dealers in government securities that have established offices and order desks within the State of California.

(c) Before accepting funds or engaging in investment transactions with the Town, the supervising officer at each depository and recognized securities broker shall submit a certification that the officer has reviewed, and agrees to adhere to, the investment policies and objectives in this subchapter, and further agrees to disclose potential conflicts or risks to public funds that might arise out of business transactions between the depository or the broker and the Town of Colma.

[*History:* Formerly § 1.03.140; Adopted Res 2000-75, 12/13/2000; Amended Res 2011-05, 3/9/2011; Res 2014-07, 2/13/14]

#### **4.02.140 Safekeeping**

(a) The Town shall contract with a bank or banks for the safekeeping of securities which are owned by the Town as a part of the investment portfolio. Staff shall periodically review the performance and pricing of the third-party, safekeeping agent services.

(b) All investment securities (except the collateral for certificates of deposit in banks or Savings and loan associations) purchased by the Town shall be held in third-party

safekeeping by an institution designated as primary agent. The primary agent shall issue a safekeeping receipt to the Town listing the specific instrument, rate, maturity and other pertinent information.

[*History:* Formerly § 1.03.150; Adopted Res 2000-75, 12/13/2000; Res 2014-07, 2/13/14]

**4.02.150 Collateralization**

(a) Deposit-type securities (i.e. certificates of deposit) shall be collateralized through the State of California collateral pool requirements for any amount exceeding FDIC coverage in accordance with California Government Code Section 53652 and/or 53651(m)(1). Collateral for certificates of deposit in savings and loans shall be herewith the Federal Home Loan Bank. Collateral for certificates of deposit in banks shall be held in the Town's name in the bank's trust department, (if a safekeeping agreement has been executed) or, alternatively, in the San Francisco Federal Reserve Bank.

(b) Other securities shall be collateralized by the actual security held in third party safekeeping by the primary agent.

[*History:* Formerly § 1.03.160; Adopted Res 2000-75, 12/13/2000; Res 2014-07, 2/13/14]

**4.02.160 Class One Investments & Criteria**

The following is a summary of the authorized Class One Investments and applicable limitations to each. The City Treasurer is authorized to invest in any of these instruments without prior approval of the City Council.

<i>Type</i>	<i>Issuers</i>	<i>Backing</i>	<i>Limits</i>	<i>Maximum Maturity</i>
U.S. Treasury Bills, Notes and Bonds	U.S. Treasury	U.S. Treasury	None	2 years
U.S. Government Agency instruments fully backed by the full faith and credit of the United States	Some U.S. Gov't Agencies	U.S. Treasury	50% of Portfolio	2 years
Local Agency Investment Fund	California	State Fund		On Demand
San Mateo County Pooled Investment Fund	County of San Mateo			On 30 days demand

<b>Type</b>	<b>Issuers</b>	<b>Backing</b>	<b>Limits</b>	<b>Maximum Maturity</b>
Savings Accounts, Deposit Accounts, and Certificates of Deposit up to \$100,000 with any one bank or savings & loan associations	National Banks or Savings & Loan Associations in California	FDIC Insurance	Not more than \$100,000 in any one institution; 25% of Portfolio	2 years

[History: Formerly § 1.03.170; Adopted Res 2000-75, 12/13/2000; Amended Res 2003-34, 6/25/2003; Res 2011-05, 3/9/2011; Res 2013-23, 7/11/13; Res 2014-07, 2/13/14]

[Reference: Gov't Code § 53601]

#### **4.02.170 Class Two Investments & Criteria**

The following is a summary of the authorized Class Two Investments and applicable limitations to each. The City Treasurer may not invest in any of these instruments without first obtaining prior approval of the City Council. The total of all Class Two investments may not exceed 40% of the Town's investment portfolio.

<b>Type</b>	<b>Location</b>	<b>Backing</b>	<b>Limits</b>	<b>Maximum Maturity</b>
U.S. Government Agency instruments not backed by the full faith and credit of the U.S.	Some U.S. Gov't Agencies	Agency assets	20% of Portfolio	2 years
Banker's Acceptances	National banks & reporting dealers with an A-1 rating or better in California	Accepting Bank's Assets	20% of portfolio	180 days
Certificates of Deposit over \$100,000 with banks or savings & loan associations	California	Institution collateral in the amount of 102% of amount invested	20% of portfolio	5 years
Money Market funds	Institutions rated in the highest category by Moody's Investor Services	Issuing institution	20% of portfolio	

<b>Type</b>	<b>Location</b>	<b>Backing</b>	<b>Limits</b>	<b>Maximum Maturity</b>
Commercial paper	Domestic corporations having and A-1 or P-1 rating or better	Issuing corporation's Assets	15% of portfolio	180 days
Mutual funds invested in securities and obligations authorized by law	Qualified <sup>(1)</sup> diversified management companies.	Mutual Funds' assets	20% of portfolio	
Obligations authorized by Government Code §53601	Companies (1)			

(a) The company must have attained the highest ranking by 2 of 3 largest national rating agencies, have an SEC-registered investment advisor, and had 5 years' experience in public entity investing.

[History: Formerly § 1.03.180; Adopted Res 2000-75, 12/13/2000; Amended Res 2003-34, 6/25/2003; Res 2011-05, 3/9/2011; Res 2013-23, 7/11/13; Res 2014-07, 2/13/14]

[Reference: Gov't Code § 53601]

#### **4.02.180 Maximum Maturities**

To the extent possible, the Town will attempt to match its investments with anticipated cash flow requirements. Unless authorized by the City Council the Town will not directly invest in securities maturing more than five years from the date of purchase.

[History: Formerly § 1.03.190; Res 2013-23, 7/11/13; Res 2014-07, 2/13/14]

#### **4.02.190 Indemnification of Investment Officials**

Any investment officer acting within the scope of his or her employment and exercising his or her assigned authority with due diligence and prudence and in accordance with the Town's Investment Policy, will not be held personally liable for any individual investment loss or for total portfolio losses.

[History: Formerly § 1.03.200; Res 2013-23, 7/11/13; Res 2014-07, 2/13/14]

### **Division 3: Miscellaneous**

#### **4.02.200 Glossary**

(a) *Accrued Interest.* Interest that has accumulated but has not yet been paid from the most recent interest payment date or issue date to a certain date.

(b) *Agencies.* Federal agency securities.

(c) *Banker's Acceptances.* This is a negotiable time draft (bill of exchange) with a maturity of six months or less drawn on and accepted by a commercial bank. Banker's Acceptances are usually created to finance the import and export of goods, the shipment of goods within the United State and storage of readily marketable commodities. Under State Law, cities may not invest more than 30% of idle cash in Banker's Acceptances.

(d) *Bond.* A financial obligation for which the issuer promises to pay the bondholder a specified stream of future cash flows, including periodic interest payments and a principal repayment.

(e) *Broker/Dealer.* Any person engaged in the business of effecting transactions in securities in this state for the account of others or for her/his own account. Broker/dealer also includes a person engaged in the regular business of issuing or guaranteeing options with regard to securities not of her/his own issue.

(f) *Certificate of Deposit (CDs).* This is a receipt for funds deposited in a bank or savings and loan association for a specified period of time at a specified rate of interest. The first \$100,000 of a certificate of deposit is guaranteed by the Federal Deposit Insurance Corporation (FDIC). CD's with a face value in excess of \$100,000 can be collateralized by Treasury Department Securities, which must be at least 110% of the face value of the CD's, in excess of the first \$100,000, or by first mortgage loans which must be at least 150% of the face value of the CD balance in excess of the first \$100,000.

(g) *Collateral.* Securities, evidence of deposit or pledges to secure repayment of a loan. Also refers to securities pledged by a bank to secure deposit of public monies.

(h) *Commercial Paper.* These notes are unsecured promissory notes of industrial corporations, utilities and bank holding companies- Notes are in bearer form starting at \$100,000. State law limits a Town to investments in United States corporations having assets in excess of five hundred million dollars with an "A" or higher rating. Under state law, cities may not invest more than 15% of idle cash in commercial paper.

(i) *Credit Risk.* The risk to an investor that an issuer will default in the payment of interest and/or principal on a security. One method of mitigating risk is diversifying the investments so the failure of any one issuer would not unduly impair the overall value of the City's funds.

(j) *Derivative instrument.* A security that derives its value from an underlying asset, group of assets, reference rate, or an index value. Some derivative instruments can be highly volatile and result in a loss of principal in changing interest rate environments.

(k) *Discount.* The amount by which a bond sells under its par (face) value.

(l) *Diversification.* Dividing investment funds among a variety of securities offering independent returns. A method of reducing credit risk.

(m) *Instrument* means any writing that evidences a right to the payment of a monetary obligation and is of a type that in the ordinary course of business is transferred by delivery with any necessary endorsement or assignment. An instrument includes a bond, note, warrant, or similar certificate of indebtedness.

- (n) *Interest*. The amount earned while owning a debt security, generally calculated as a percentage of the principal amount.
- (o) *Liquidity*. The ease with which investments can be converted to cash at their present market value. Liquidity is significantly affected by the number of buyers and sellers trading a given security and the number of units of the security available for trading.
- (p) *Liquidity Risk*. The risk that funds will not be available for payments of liabilities without prematurely liquidating a security at a loss.
- (q) *Local Agency Investment Fund (L.A.I.F.)*. The State of California investment pool in which money of local agencies is pooled as a method for managing and investing local funds. There is a limitation of \$15 million per agency subject to a maximum of 10 total transactions per month. The Town of Colma uses this fund when interest rates are declining as well as for short-term investments and liquidity.
- (r) *Market Risk*. Market risk is the risk that investments will change in value based on changes in general market prices.
- (s) *Market Value*. The price at which a security is trading and could presumably be purchased or sold.
- (t) *Maturity*. The date upon which the principal of a security becomes due and payable to the holder.
- (u) *Money Market*. The market in which short-term debt instruments (bills, commercial paper, bankers' acceptance, etc.) are issued and traded.
- (v) *Mutual Funds*. These are investment companies that make investments on behalf of individuals and institutions who share common financial goals. The portfolio must adhere to restrictions set forth in California Government Code Section 53601 et. al. regarding allowable investments and maturity lengths (unless further restricted by the Town's Investment Policy). The Code currently prohibits the utilization of mutual funds that invest in equity securities (i.e., corporate stocks and bonds, etc.). In effect the investor is delegating investment decisions to the fund's professional money managers. An investor buys shares of the funds, each share representing an ownership in all the funds' underlying securities. These funds are very liquid, all or part of the share can be cashed in at any time for the current value of the investment which is recalculated daily. The investors per share calculation (known as "net asset value") can be determined by daily publication in the financial section of most major newspapers.
- (w) *Offer*. The price asked by a seller of securities. (When you are buying securities, you ask for an offer).
- (x) *Option*. An option to purchase an asset is a *call*. An option to sell an asset is a *put*.
- (y) *Par*. 100% of face value of a security.
- (z) *Premium*. The amount by which the price paid for a security exceeds the security's par value.



(aa) *Reinvestment Risk*. Risk that a fixed-income investor will be unable to reinvest income proceeds from a security holding at the same rate of return currently generated.

(bb) *Repurchase Agreements (REPOS)*. This is a contractual arrangement between a financial institution, or dealer, and an investor. This agreement normally can run for one or more days. The investor puts up his funds for a certain number of days at a stated yield. In return, he takes a given block of securities as collateral. At maturity, the securities are repurchased and the funds repaid plus interest. [The Town shall not invest in REPOS.]

(cc) *Safekeeping*. A service to customers rendered by banks for a fee whereby securities and valuables of all types and descriptions are held by the bank in the customer's name.

(dd) *U.S. Government Agency Issues*. These include: 1) Issues which are unconditionally backed by the full faith and credit of the United States, 2) Issues which are conditionally backed by the full faith and credit of the United States and 3) Issues which are not backed by the full faith and credit of the United States.

- (1) Issues which are unconditionally backed by the full faith and credit of the United States include: Small Business Administration (SBA), General Services Administration (GSA).
- (2) Issues which are not backed by the full faith and credit of the United States include: Federal National Mortgage Association (FNMA), Federal Home Loan Bank (FHLB), Federal Farm Credit Bank (FFCB), Banks for Cooperation (Co-ops), Federal Lands Banks (FLB), Federal Intermediate Credit Banks (FICB).
- (3) While all the above issues are not unconditionally backed by the full faith and credit of the United States, they do in fact have *defacto* backing from the federal government, and it would be most unlikely that the government would let any of these agencies default on its obligations.

(ee) *U.S. Treasury Bills*. Commonly referred to as T-Bills, these are short-term marketable securities sold as obligations of the U.S. Government. They are offered in three month, six month, and one-year maturities. T-Bills do not accrue interest but are sold at a discount to pay face value at maturity.

(ff) *U.S. Treasury Bonds*. These are the same as U.S. Treasury Notes except they have original maturities of ten years or longer.

(gg) *U.S. Treasury Notes*. These are marketable, interest-bearing securities sold as obligations of the U.S. Government with original maturities of one to ten years. Interest is paid semi-annually.

(hh) *Weighted Average Maturity*. The remaining average maturity of all securities held in a portfolio.

(ii) *Yield*. The rate of annual income return on an investment, expressed as a percentage. Yield does not include capital gains. (a) INCOME YIELD is obtained by dividing the current dollar income by the current market price for the security. (b) NET YIELD or YIELD TO MATURITY is

the current income yield minus any premium above par or plus any discount from par in purchase price, with the adjustment spread over the period from the date of purchase to the date of maturity of the bond.

(jj) *Yield to Maturity*. The rate of income on an investment, minus any premium or plus any discount, with the adjustment spread over the period from the date of purchase to the date of maturity of the bond, expressed as a percentage.

[*History*: Formerly § 1.03.300; Adopted Res 2000-75, 12/13/2000; Amended Res 2011-05, 3/9/2011; Res 2013-23, 7/11/13; Res 2014-07, 2/13/14]



# STAFF REPORT

TO: Mayor and Members of the City Council  
 FROM: Brad Donohue, Public Works Director  
 VIA: Sean Rabé, City Manager  
 MEETING DATE: November 9, 2016  
 SUBJECT: OBAG 2 - Local Streets and Roads (LSR) Prevention Program

## RECOMMENDATION

Staff recommends that the City Council adopt the following resolution:

RESOLUTION SUPPORTING AN APPLICATION FOR OBAG 2 (ONE BAY AREA GRANT) FOR LOCAL STREETS AND ROADS (LSR) PREVENTION PROGRAM

## EXECUTIVE SUMMARY

The proposed resolution supports the Town's application for their portion of the OBAG2 LSR grant as allocated by the Metropolitan Transportation Commission (MTC). The Town, per a funding formula established by the City/County Association of Governments of San Mateo County (C/CAG), has been allocated \$100,000 OBAG 2 grant funds. The Resolution shall be submitted to C/CAG for their approval before programming the project with MTC by November 18, 2016.

The Resolution of Local Support is authorizing the filling of an application for funding assigned to MTC, committing any necessary matching funds, and stating assurance to complete the project.

Because the federal-aid administrative process is costly and time consuming, C/CAG urges jurisdictions with grants under \$250,000 to consider combining funds with other federal aid project grants.

The first step for the Town in accepting the \$100,000 grant funding from OBAG 2 for Local Streets and Roads, is to designate a project showing where the grant funding would be expensed. With the potential inclusion of the Veterans Housing facility, its close proximity to BART and the area being in a Priority Development Area (PDA), Staff believes that Mission Road and the need to improve pedestrian, bicycle, accessibility and safety features along the roadway, Mission Road is a good candidate for future grant funding, thus the use of the \$100,000 grant from OBAG 2 would be beneficial to the Town in reducing construction cost to improve the Mission Road Corridor.

## FISCAL IMPACT

The estimated cost of engineering design and construction for the improvements to Mission Road is estimated to be in the range of \$800,000. To help supplement the overall cost for the Mission Road improvements, the Town of Colma anticipates participating in the Transportation for Livable Communities (TLC) projects grant program and submitting an application by November 18, 2016. If C/CAG Board approves our use of the LSR grant funds and our TLC grant application is accepted and approved, it would decrease the estimated \$800,000 financial commitment to improve Mission Road by \$100,000.

If the TLC Grant is accepted and funded, the Town's estimated funding plan for the Mission Road Bicycle & Pedestrian Improvement project is as follows:

• Proposed CIP Allocation for FY 18-19(Local Match)	\$ 200,000
• TLC Grant	\$ 500,000
• LSR Grant	<u>\$ 100,000</u>
Estimated Project Total	\$ 800,000

## BACKGROUND AND ANALYSIS

Established in 2012, One Bay Area Grant program (OBAG) taps federal funds to maintain Metropolitan Transportation Commission's (MTC) commitments to regional transportation priorities while also advancing the Bay Area's land-use and housing goals.

On November 18, 2015, MTC adopted the funding and policy framework for the second round of the One Bay Area Grant 2 (OBAG 2) to fund projects from 2017-18 through 2021-22. The OBAG 2 program is divided into a Regional Program, managed by MTC, and County Program, managed by the nine Bay Area Congestion Management Agencies (CMAs). MTC distributes OBAG funds to each county on a formula based on MTC OBAG distribution factors; Regional Housing Need Allocation (RHNA), and Housing Production.

On May 12, 2016 the C/CAG adopted the One Bay Area Grant 2 (OBAG 2) framework that direct \$12,100,000 towards the LSR Program for the preservation of local streets and roads on the federal-aid system. Town of Colma has been allocated \$100,000 grant under the distribution formula of the LSR program funds for each jurisdiction in San Mateo County.

### Council Adopted Values

With the inclusion of several bicycle, pedestrian, safety, and ADA improvements in the Mission Road Improvements Project, the City Council has stated through their approval of the funding application, the City Council is committed and **RESPONSIBLE** in improving the accessibility and safety features on and along Mission Road for all pedestrian, bicycle and vehicular activity.

### Sustainability Impact

This resolution in support for the Mission Road Bicycle & Pedestrian Improvements - Funding Application to the C/CAG Authority is consistent with the Town's sustainability goals and Complete Streets and Green Streets Program goals.

## **ALTERNATE**

City Council could choose to not accept the LSR Grant Funding, by doing so the Town would lose the \$100,000 grant to assist with the Mission Road Improvements.

## **CONCLUSION**

Staff recommends that the City Council adopt Resolution supporting an application for OBAG 2 (One Bay Area Grant) for local streets and roads (LSR) and the Town's allocation of the grant funding.

## **ATTACHMENTS**

- A. Resolution of Local Support
- B. MTC OBAG Distribution Factors
- C. San Mateo LSR Fund Distribution



**RESOLUTION NO. 2016-\_\_**  
**OF THE CITY COUNCIL OF THE TOWN OF COLMA**

**RESOLUTION OF LOCAL SUPPORT**  
**AUTHORIZING THE FILING OF AN APPLICATION FOR FUNDING ASSIGNED TO MTC**  
**AND COMMITTING ANY NECESSARY MATCHING FUNDS AND STATING ASSURANCE**  
**TO COMPLETE THE PROJECT**

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

**1. Background and Findings.**

(a) Town of Colma (herein referred to as APPLICANT) is submitting an application to the Metropolitan Transportation Commission (MTC) for \$100,000 in funding assigned to MTC for programming discretion, which includes federal funding administered by the Federal Highway Administration (FHWA) and federal or state funding administered by the California Transportation Commission (CTC) such as Surface Transportation Block Grant Program (STP) funding, Congestion Mitigation and Air Quality Improvement Program (CMAQ) funding, Transportation Alternatives (TA) set-aside/Active Transportation Program (ATP) funding, and Regional Transportation Improvement Program (RTIP) funding (herein collectively referred to as REGIONAL DISCRETIONARY FUNDING) for the Mission Road Bicycle & Pedestrian Improvements Project (herein referred to as PROJECT) for the Local Streets and Roads (LSR) Preservation Program (herein referred to as PROGRAM); and

(b) The United States Congress from time to time enacts and amends legislation to provide funding for various transportation needs and programs, (collectively, the FEDERAL TRANSPORTATION ACT) including, but not limited to the Surface Transportation Block Grant Program (STP) (23 U.S.C. § 133), the Congestion Mitigation and Air Quality Improvement Program (CMAQ) (23 U.S.C. § 149) and the Transportation Alternatives (TA) set-aside (23 U.S.C. § 133); and

(c) State statutes, including California Streets and Highways Code §182.6, §182.7, and §2381(a)(1), and California Government Code §14527, provide various funding programs for the programming discretion of the Metropolitan Planning Organization (MPO) and the Regional Transportation Planning Agency (RTPA); and

(d) Pursuant to the FEDERAL TRANSPORTATION ACT, and any regulations promulgated thereunder, eligible project sponsors wishing to receive federal or state funds for a regionally-significant project shall submit an application first with the appropriate MPO, or RTPA, as applicable, for review and inclusion in the federal Transportation Improvement Program (TIP); and

(e) MTC is the MPO and RTPA for the nine counties of the San Francisco Bay region; and

(f) MTC has adopted a Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised) that sets out procedures governing the application and use of REGIONAL DISCRETIONARY FUNDING; and

(g) APPLICANT is an eligible sponsor for REGIONAL DISCRETIONARY FUNDING; and

(h) As part of the application for REGIONAL DISCRETIONARY FUNDING, MTC requires a resolution adopted by the responsible implementing agency stating the following:

(i) the commitment of any required matching funds; and

(ii) that the sponsor understands that the REGIONAL DISCRETIONARY FUNDING is fixed at the programmed amount, and therefore any cost increase cannot be expected to be funded with additional REGIONAL DISCRETIONARY FUNDING; and

(iii) that the PROJECT will comply with the procedures, delivery milestones and funding deadlines specified in the Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised); and

(iv) the assurance of the sponsor to complete the PROJECT as described in the application, subject to environmental clearance, and if approved, as included in MTC's federal Transportation Improvement Program (TIP); and

(v) that the PROJECT will have adequate staffing resources to deliver and complete the PROJECT within the schedule submitted with the project application; and

(vi) that the PROJECT will comply with all project-specific requirements as set forth in the PROGRAM; and

(vii) that APPLICANT has assigned, and will maintain a single point of contact for all FHWA- and CTC-funded transportation projects to coordinate within the agency and with the respective Congestion Management Agency (CMA), MTC, Caltrans, FHWA, and CTC on all communications, inquires or issues that may arise during the federal programming and delivery process for all FHWA- and CTC-funded transportation and transit projects implemented by APPLICANT; and

(i) APPLICANT is authorized to submit an application for REGIONAL DISCRETIONARY FUNDING for the PROJECT; and

(j) There is no legal impediment to APPLICANT making applications for the funds; and

(k) There is no pending or threatened litigation that might in any way adversely affect the proposed PROJECT, or the ability of APPLICANT to deliver such PROJECT; and

(l) APPLICANT authorizes its Executive Director, General Manager, or designee to execute and file an application with MTC for REGIONAL DISCRETIONARY FUNDING for the PROJECT as referenced in this resolution; and

(m) MTC requires that a copy of this resolution be transmitted to the MTC in conjunction with the filing of the application.

## **2. Order.**

(a) With the adoption of this Resolution, the APPLICANT is authorized to execute and file an application for funding for the PROJECT for REGIONAL DISCRETIONARY FUNDING under the FEDERAL TRANSPORTATION ACT or continued funding; and:



- (i) The APPLICANT will provide any required matching funds;
- (ii) APPLICANT understands that the REGIONAL DISCRETIONARY FUNDING for the project is fixed at the MTC approved programmed amount, and that any cost increases must be funded by the APPLICANT from other funds, and that APPLICANT does not expect any cost increases to be funded with additional REGIONAL DISCRETIONARY FUNDING;
- (iii) APPLICANT understands the funding deadlines associated with these funds and will comply with the provisions and requirements of the Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised) and APPLICANT has, and will retain the expertise, knowledge and resources necessary to deliver federally-funded transportation and transit projects, and has assigned, and will maintain a single point of contact for all FHWA- and CTC-funded transportation projects to coordinate within the agency and with the respective Congestion Management Agency (CMA), MTC, Caltrans, FHWA, and CTC on all communications, inquires or issues that may arise during the federal programming and delivery process for all FHWA- and CTC-funded transportation and transit projects implemented by APPLICANT;
- (iv) the PROJECT will be implemented as described in the complete application and in this resolution, subject to environmental clearance, and, if approved, for the amount approved by MTC and programmed in the federal TIP;
- (v) APPLICANT has reviewed the PROJECT and has adequate staffing resources to deliver and complete the PROJECT within the schedule submitted with the project application;
- (vi) the PROJECT will comply with the requirements as set forth in MTC programming guidelines and project selection procedures for the PROGRAM;
- (vii) in the case of a transit project, APPLICANT agrees to comply with the requirements of MTC's Transit Coordination Implementation Plan as set forth in MTC Resolution No. 3866, revised;
- (viii) in the case of a highway project, APPLICANT agrees to comply with the requirements of MTC's Traffic Operations System (TOS) Policy as set forth in MTC Resolution No. 4104;
- (ix) in the case of an RTIP project, PROJECT is included in a local congestion management plan, or is consistent with the capital improvement program adopted pursuant to MTC's funding agreement with the countywide transportation agency;
- (x) APPLICANT is an eligible sponsor of REGIONAL DISCRETIONARY FUNDING funded projects; and be it further
- (xi) APPLICANT is authorized to submit an application for REGIONAL DISCRETIONARY FUNDING for the PROJECT;
- (xii) there is no legal impediment to APPLICANT making applications for the funds;
- (xiii) there is no pending or threatened litigation that might in any way adversely affect the proposed PROJECT, or the ability of APPLICANT to deliver such PROJECT;

(xiv) APPLICANT authorize its Executive Director, General Manager, City Manager, or designee to execute and file an application with MTC for REGIONAL DISCRETIONARY FUNDING for the PROJECT as referenced in this resolution;

(xv) a copy of this resolution will be transmitted to the MTC in conjunction with the filing of the application; and

(xvi) the MTC is requested to support the application for the PROJECT described in the resolution, and if approved, to include the PROJECT in MTC's federal TIP upon submittal by the project sponsor for TIP programming.

\* \* \* \* \*

**Certification of Adoption**

I certify that the foregoing Resolution No. 2016-\_\_ was duly adopted at a regular meeting of said City Council held on \_\_\_\_\_, 2016 by the following vote:

Name	Counted toward Quorum			Not Counted toward Quorum	
	Aye	No	Abstain	Present, Recused	Absent
Diana Colvin, Mayor					
Helen Fiscaro					
Raquel Gonzalez					
Joseph Silva					
Joanne del Rosario					
Voting Tally					

Dated \_\_\_\_\_

\_\_\_\_\_  
Diana Colvin, Mayor

Attest: \_\_\_\_\_  
Caitlin Corley, City Clerk

## RHNA Formula Scores Based on MTC OBAG Distribution Factors

Scoring Criteria		Maximum Score
RHNA/ Housing Production	Jurisdiction formula based on MTC OBAG distribution factors, which is based on population, RHNA, and housing production.	1 to 5

Jurisdiction	Points
Atherton	1
Belmont	1
Brisbane	1
Burlingame	1
Colma	1
Daly City	4
East Palo Alto	2
Foster City	2
Half Moon Bay	1
Hillsborough	1
Menlo Park	2
Millbrae	1
Pacifica	2
Portola Valley	1
Redwood City	5
San Bruno	4
San Carlos	1
San Mateo	5
South San Francisco	3
Woodside	1
San Mateo County Unincorporated	3

Basis for San Mateo County Share of OBAG funding
50% 2014 Population
12% Housing 2007-2014 RHNA Very Low, Low and Moderate Income
8% Housing 2007-2014 RHNA
12% Housing 2007-2014 Housing Production
18% Housing 2007-2014 Housing Production for Very Low, Low and Moderate Income



**San Mateo C/CAG**  
**OBAG 2 Local Streets and Roads Preservation Program**

<b>Board Approved Distribution on 8/11/16</b>	
<b>CITY / COUNTY</b>	<b>(Rounded to 1,000)</b>
Atherton	<b>\$240,000</b>
Belmont	<b>\$446,000</b>
Brisbane	<b>\$131,000</b>
Burlingame	<b>\$546,000</b>
Colma*	<b>\$100,000</b>
Daly City	<b>\$1,252,000</b>
East Palo Alto	<b>\$398,000</b>
Foster City	<b>\$421,000</b>
Half Moon Bay	<b>\$193,000</b>
Hillsborough	<b>\$390,000</b>
Menlo Park	<b>\$619,000</b>
Millbrae	<b>\$370,000</b>
Pacifica	<b>\$641,000</b>
Portola Valley	<b>\$192,000</b>
Redwood City	<b>\$1,209,000</b>
San Bruno	<b>\$643,000</b>
San Carlos	<b>\$550,000</b>
San Mateo	<b>\$1,522,000</b>
South San Francisco	<b>\$982,000</b>
Woodside	<b>\$231,000</b>
SM County (Urban)	<b>\$1,024,000</b>
<b>Total</b>	<b>\$12,100,000</b>

\* Increased to minimum allowed grant size.

**Highly encourage small jurisdictions under \$250,000 to merge projects**  
**Encourage merging into any competitive call project (BPIP or TLC)**





# STAFF REPORT

TO: Mayor and Members of the City Council  
 FROM: Brad Donohue, Public Works Director  
 VIA: Sean Rabé, City Manager  
 MEETING DATE: November 9, 2016  
 SUBJECT: Systemic Safety Analysis Report Program (SSARP)

## RECOMMENDATION

Staff recommends that the City Council adopt the following resolution:

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE THE PROGRAM SUPPLEMENT AGREEMENT WITH CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR THE SYSTEMIC SAFETY ANALYSIS REPORT PROGRAM (SSARP)

## EXECUTIVE SUMMARY

The proposed Resolution supports the Town's agreement with California Department of Transportation (Caltrans) for their allocated \$250,000 grant that has been approved under the Highway Safety Improvement Program (HSIP) set-aside state funds to implement the Systemic Safety Analysis Report Program (SSARP).

The proposed Resolution would authorize the City Manager to Execute the Program Supplement Agreement No. 0090 to Administrating Agency-State Master Agreement No. 00416S with California Department of Transportation (Caltrans) for the Systemic Safety Analysis Report Program (SSARP).

The Program Supplement Agreement shall be submitted together with the Resolution to California Department of Transportation - Office of Project Implementation (MS1) within 90 days from the receipt of Caltrans letter dated October 3, 2016.

## FISCAL IMPACT

The estimated cost of Systemic Safety Analysis Report Program (SSARP) project for the Town of Colma is estimated to be in the range of \$300,000. Once the Program Supplement Agreement is executed with Caltrans, the Town will be eligible to submit invoices for reimbursement of performed works up to \$250,000.

Adoption of the subject resolution will have a positive fiscal impact on the Capital Improvement Program Budget. By obtaining grant funding from SSARP, the Town's overall share for the project will be reduced by 80%. The remaining project cost will be funded by the Town as Local Match.

The Town's estimated funding plan for the SSARP project is as follows:

• Proposed CIP Allocation for FY 18-19(Local Match)	\$ 50,000
• SSARP Grant	<u>\$ 250,000</u>
Estimated Project Total	\$ 300,000

## BACKGROUND AND ANALYSIS

\$10 million from the Highway Safety Improvement Program (HSIP) was set aside and exchanged for state funds to implement a new safety analysis program; the Systemic Safety Analysis Report Program (SSARP). The intent of the SSARP is to assist local agencies in performing collision analysis, identifying safety issues on their roadway network, and developing a list of systemic low-cost countermeasures that can be used to prepare future HSIP and other safety program applications.

The systemic analysis is a proactive safety approach that focuses on evaluating an entire roadway network using a defined set of criteria. It is a complementary technique that supplements site analysis approach and provides an expanded comprehensive approach to road safety program.

Town of Colma responded to calls for applications made by Caltrans in April 2016 and submitted an application requesting \$250,000 of state funds. After prioritization of projects, the Town's application has been selected for SSARP funds for the implementation of Preliminary Engineering phase of the Safety Analysis project effective September 14, 2016.

The project involves safety analysis study for a number of major arterials and collectors within the Town's roadway network. These corridors include El Camino Real, Junipero Serra Boulevard, Hillside Boulevard, Serramonte Boulevard, Mission Road, Collins Avenue, Colma Boulevard, Lawndale Boulevard and F Street.

The study will evaluate the existing roadway networks, configurations of intersections, traffic counts, traffic signal phasing scheme, accessibility of pedestrians and bicyclists, and the primary causes of collisions. The crash data obtained from the UC Berkeley Transportation Injury Mapping (TIMS) and the Town's Police Department Accident Reports will be analyzed. Based on the preliminary review of the crash data, the study will primarily analyze the crash types associated with the right-of-way violations, speeding and the unsafe turning movements at the intersections as well as the unsafe ingress and egress movements at the driveways along both sides of these corridors. Town will identify and propose a number of countermeasures to be implemented along these corridors and at each intersection.

The study report will include the assessment of the existing conditions, evaluation of crash data and types, identification and prioritization of countermeasures, development and selection of conceptual design alternatives and evaluation of the benefit-cost ratio calculation for each design alternative, along with compliance to the Complete Streets and Green Infrastructure policies, as well as San Mateo County Comprehensive Bicycle and Pedestrian Plan. Once a



preferred design alternative is identified for each project, a construction cost estimate will be generated, traffic management plan will be prepared and the study report will be finalized.

### **Council Adopted Values**

With the execution of the Program Supplement Agreement with the California Department of Transportation, the City Council has stated through their approval of the funding, the City Council is committed and **RESPONSIBLE** in improving the safety features on and along the major arterials and collectors within the Town's roadway network.

### **Sustainability Impact**

This resolution in support for the Systemic Safety Analysis Report Program (SSARP) for the major Town's roadway network is consistent with the Town's sustainability goals and Complete Streets Program goals.

### **ALTERNATE**

City Council could choose to not accept the SSARP Funding, by doing so the Town would lose the \$250,000 grant to assist with the SSARP project.

### **CONCLUSION**

Staff recommends that the City Council adopt Resolution supporting the execution of the Program Supplement Agreement for SSARP grant.

### **ATTACHMENTS**

- A. Resolution of Local Support
- B. Grant Award Letter dated August 26, 2016
- C. Caltrans Letter dated October 3, 2016



**RESOLUTION NO. 2016-\_\_**  
**OF THE CITY COUNCIL OF THE TOWN OF COLMA**

**RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE THE PROGRAM  
SUPPLEMENT AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF  
TRANSPORTATION FOR THE SYSTEMIC SAFETY ANALYSIS REPORT PROGRAM  
(SSARP)**

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

**1. Background.**

(a) Town of Colma, through California Department of Transportation, has applied for and received a \$250,000 state fund from the Systemic Safety Analysis Report Program (SSARP).

(b) The SSARP, Project Number: SSARPL-5264(005), will be performed for a number of major arterials and collectors within the Town's roadway network, including: El Camino Real, Junipero Serra Boulevard, Hillside Boulevard, Serramonte Boulevard, Mission Road, Collins Ave, Colma Boulevard, Lawndale Boulevard and F Street.

(c) Program Supplement Agreement needs to be executed with the California Department of Transportation before SSARP fund can be claimed for reimbursement.

(d) This resolution is necessary in order to execute the Program Supplement Agreement No. 0090 to Administrating Agency-State Master Agreement No. 00416S.

(e) The Town of Colma wishes to delegate authorization to execute the Program Supplement Agreement No. 0090.

**2. Findings**

(a) The City Council finds that the SSARP project is exempt from environmental review under the California Environmental Quality Act ("CEQA") pursuant to the Class 6 exemption for information collection (Cal. Code of Regs., tit. 14, CEQA Guideline Section 15306) because it consists of roadway safety analysis strictly for information gathering purposes that will not result in a serious or major disturbance to an environmental resource.

**3. Order**

(a) That the City Council of the Town does hereby authorize the City Manager to execute the Program Supplement Agreement No. 0090 to Administrating Agency-State Master Agreement No. 00416S between the Town of Colma and California Department of Transportation; and

(b) That a certified copy of this resolution shall be transmitted to the California Department of Transportation, Office of Project Implementation – MS1.

\* \* \* \* \*

### Certification of Adoption

I certify that the foregoing Resolution No. 2016-\_\_ was duly adopted at a regular meeting of said City Council held on November 9, 2016 by the following vote:

Name	Counted toward Quorum			Not Counted toward Quorum	
	Aye	No	Abstain	Present, Recused	Absent
Diana Colvin, Mayor					
Helen Fisicaro					
Raquel Gonzalez					
Joseph Silva					
Joanne del Rosario					
Voting Tally					

Dated \_\_\_\_\_

\_\_\_\_\_  
Diana Colvin, Mayor

Attest: \_\_\_\_\_  
Caitlin Corley, City Clerk

**DEPARTMENT OF TRANSPORTATION**

DISTRICT 4

111 GRAND AVENUE

OAKLAND, CA 94612

PHONE (510) 286-5226

FAX (510) 286-5229

www.dot.ca.gov



*Serious Drought.  
Serious drought.  
Help save water!*

August 26, 2016

Mr. Brad Donohue  
Public Works Director  
City of Colma  
1198 El Camino Real  
Colma, CA 94014

Dear Mr. Donohue:

Congratulations! The following application you submitted for the Systemic Safety Analysis Report Program (SSARP) has been selected for implementation:

<b>Program</b>	<b>Total Project Cost</b>	<b>SSARP Funds</b>	<b>Local Funds</b>
SSARP	\$300,000	\$250,000	\$50,000

The scope of the safety analysis will be performed for a number of major arterials and collectors within the Town's roadway network. These corridors include El Camino Real, Junipero Serra Boulevard, Hillside Boulevard, Serramonte Boulevard, Collins Avenue, Colma Boulevard, Lawndale Boulevard and F Street as shown on Exhibit 1.

In Phase 1 and 2, 108 applications have been received requesting \$17.6 million of state funds. After prioritization, 61 projects with a total of \$10 million of SSARP state funds were selected for implementation.

To view the complete statewide project listing, please visit the SSARP website at: <http://www.dot.ca.gov/hq/LocalPrograms/HSIP/SSARP.htm>, which also provides documents and instructions related to the next steps (funding allocation request, etc.).

Mr. Donohue  
August 26, 2016  
Page 2

If you have questions, please feel free to contact John Brewster at 510-286-6485, or at [john.brewster@dot.ca.gov](mailto:john.brewster@dot.ca.gov).

Sincerely,

A handwritten signature in blue ink, appearing to be 'John Brewster', with a large, sweeping flourish extending to the right.

*for* SYLVIA FUNG  
District Local Assistance Engineer

**DEPARTMENT OF TRANSPORTATION**

Division of Local Assistance  
 1120 N STREET  
 P.O. BOX 942874, MS# 1  
 Sacramento, CA 94274-0001  
 TTY 711  
 (916) 654-3883  
 Fax (916) 654-2408



October 3, 2016

File : 04-SM-0-CLM

SSARPL-5264(005)

El Camino Real, Junipero Serra  
 Blvd, Hillside Blvd, Serramonte  
 Blvd, Collins Ave, Colma Blvd, Lawn

Mr. Brad Donohue  
 Director of Public Works  
 City of Colma  
 1198 El Camino Real  
 Colma, CA 94014-3212

Dear Mr. Donohue:

Enclosed are two originals of the Program Supplement Agreement No. 0090 Rev. 000 to Administering Agency-State Master Agreement No. 00416S and an approved Finance Letter for the subject project. Please retain the signed Finance Letter for your records.

**Please note that federal funding will be lost if you proceed with future phase(s) of the project prior to getting the "Authorization to Proceed" with that phase.**

Please review the covenants and sign both copies of this Agreement and return both to this office, Office of Project Implementation - MS1 within 90 days from the receipt of this letter. If the signed Agreements are not received back in this office within 90 days, funds will be disencumbered and/or deobligated. Alterations should not be made to the agreement language or funding. ATTACH YOUR LOCAL AGENCY'S CERTIFIED AUTHORIZING RESOLUTION THAT CLEARLY IDENTIFIES THE PROJECT AND THE OFFICIAL AUTHORIZED TO EXECUTE THE AGREEMENT. A fully executed copy of the agreement will be returned to you upon ratification by Caltrans. No invoices for reimbursement can be processed until the agreement is fully executed.

The State budget authority supporting the encumbered funds is only available for liquidation up to specific deadlines. These deadlines are shown on the attached Finance letter as the "Reversion Date". Please ensure that your invoices are submitted at least 60 days prior to the reversion date to avoid any lapse of funds. If your agency is unable to seek reimbursement by this date you may request an extension through a Cooperative Work Agreement (CWA). A CWA is subject to the final approval of the State Department of Finance. If approved, the CWA may extend the deadline for up to two years.

Your prompt action is requested. If you have questions, please contact your District Local Assistance Engineer.

Sincerely,

WINTON EMMETT, Chief  
 Office of Project Implementation - North  
 Division of Local Assistance

Enclosure

c: DLA AE Project Files  
 (04) DLAE - Sylvia Fung

001 0'15 (M11-3)

DEPARTMENT OF TRANSPORTATION  
 DIVISION OF ACCOUNTING  
 LOCAL PROGRAM ACCOUNTING BRANCH

FINANCE LETTER

Date: 09/29/2016 EA No:  
 D\_CO\_RT: 04-SM-0-CLM  
 Project No: SSARPL-5264(005)  
 Adv Project Id: 0417000115  
 Period of Performance End Date:  
 Agreement End Date:

Attention: City of Colma

FINANCE ITEMS	PRO RATA OR LUMP SUM	TOTAL COST OF WORK	PART. COST	STATE	LOCAL
Agency Preliminary Engineering		\$300,000.00	\$300,000.00	\$250,000.00	\$50,000.00
Totals:		\$300,000.00	\$300,000.00	\$250,000.00	\$50,000.00

Participation Ratio: 100.00% This Finance Letter was created based on specific financial information provided by the responsible local agency. The following encumbrance history is prepared by Local Assistance Accounting Office and is provided here for local agency's information and action.

Signature: 

Title: HQ Sr Arear Engineer

For questions regarding finance letter, contact:

Printed Name : Peter B. Anderson

Telephone No: 916-653-8431

Remarks:

ACCOUNTING INFORMATION						Cooperative Work Agreement			
ADV. PROJECT ID	APPROP. UNIT	STATE PROG.	FED/STATE	ENCUMBRANCE AMOUNT	APPROP. YEAR	EXPENDITURE AMOUNT	REVERSION DATE	APPROVED AMOUNT	EXPIRATION DATE
0417000115	16102	2030010550		\$250,000.00	1516	\$0.00	06/30/21		
				\$250,000.00		\$250,000.00			



**PROGRAM SUPPLEMENT NO. O90**  
to  
**ADMINISTERING AGENCY-STATE AGREEMENT**  
**FOR STATE FUNDED PROJECTS NO 00416S**

**Adv Project ID**                      **Date:** September 26, 2016  
0417000115                      **Location:** 04-SM-0-CLM  
**Project Number:** SSARPL-5264(005)  
**E.A. Number:**  
**Locode:** 5264

This Program Supplement, effective \_\_\_\_\_, hereby adopts and incorporates into the Administering Agency-State Agreement No. 00416S for State Funded Projects which was entered into between the ADMINISTERING AGENCY and the STATE with an effective date of \_\_\_\_\_ and is subject to all the terms and conditions thereof. This PROGRAM SUPPLEMENT is executed in accordance with Article I of the aforementioned Master Agreement under authority of Resolution No. \_\_\_\_\_ approved by the ADMINISTERING AGENCY on \_\_\_\_\_ (See copy attached).

The ADMINISTERING AGENCY further stipulates that as a condition to the payment by the State of any funds derived from sources noted below encumbered to this project, Administering Agency accepts and will comply with the Special Covenants and remarks set forth on the following pages.

**PROJECT LOCATION:**

El Camino Real, Junipero Serra Blvd, Hillside Blvd, Serramonte Blvd, Collins Ave, Colma Blvd, Lawndale Blvd, F Street.

**TYPE OF WORK:** SSARP

Estimated Cost	State Funds		Matching Funds	
	STATE		LOCAL	OTHER
\$300,000.00	\$250,000.00		\$50,000.00	\$0.00

**CITY OF COLMA**

By \_\_\_\_\_  
Title \_\_\_\_\_  
Date \_\_\_\_\_  
Attest \_\_\_\_\_

**STATE OF CALIFORNIA**  
Department of Transportation

By \_\_\_\_\_  
Chief, Office of Project Implementation  
Division of Local Assistance  
Date \_\_\_\_\_

I hereby certify upon my personal knowledge that budgeted funds are available for this encumbrance:

**Accounting Officer** \_\_\_\_\_

**Date** 9/27/16

\$250,000.00

Chapter	Statutes	Item	Year	Program	BC	Category	Fund Source	AMOUNT



## SPECIAL COVENANTS OR REMARKS

1. All obligations of STATE under the terms of this Agreement are subject to the appropriation of resources by the Legislature and the encumbrance of funds under this Agreement. Funding and reimbursement are available only upon the passage of the State Budget Act containing these STATE funds.
2. Any State and Federal funds that may have been encumbered for this project are available for disbursement for limited periods of time. For each fund encumbrance the limited period is from the start of the fiscal year that the specific fund was appropriated within the State Budget Act to the applicable fund Reversion Date shown on the State approved project finance letter. Per Government Code Section 16304, all project funds not liquidated within these periods will revert unless an executed Cooperative Work Agreement extending these dates is requested by the ADMINISTERING AGENCY and approved by the California Department of Finance.

ADMINISTERING AGENCY should ensure that invoices are submitted to the District Local Assistance Engineer at least 75 days prior to the applicable fund Reversion Date to avoid the lapse of applicable funds. Pursuant to a directive from the State Controller's Office and the Department of Finance; in order for payment to be made, the last date the District Local Assistance Engineer can forward an invoice for payment to the Department's Local Programs Accounting Office for reimbursable work for funds that are going to revert at the end of a particular fiscal year is May 15th of the particular fiscal year. Notwithstanding the unliquidated sums of project specific State and Federal funding remaining and available to fund project work, any invoice for reimbursement involving applicable funds that is not received by the Department's Local Programs Accounting Office at least 45 days prior to the applicable fixed fund Reversion Date will not be paid. These unexpended funds will be irrevocably reverted by the Department's Division of Accounting on the applicable fund Reversion Date.

3. ADMINISTERING AGENCY agrees to comply with Office of Management and Budget (OMB) Circular A-87, Cost Principles for State and Local Governments, and 49 CFR, Part 18, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments. Notwithstanding the foregoing, ADMINISTERING AGENCY shall not be required to comply with 49 CFR, Part 18.36 (i), subsections (3), (4), (5), (6), (8), (9), (12) and (13).
4.
  1. This PROJECT is funded with State-Only funding from the Systemic Safety Analysis Report Program (SSARP). ADMINISTERING AGENCY agrees to administer PROJECT in accordance with the SSARP Guidelines under which the project was selected.
  2. The ADMINISTERING AGENCY agrees to follow all relevant State laws and requirements including the California Environmental Quality Act (CEQA).
  3. This PSA allows reimbursement of eligible PROJECT expenditures to the ADMINISTERING AGENCY for which the SSARP State funds are allocated. The effective State allocation date establishes the eligibility date for the ADMINISTERING AGENCY to start reimbursable work. Any work performed prior the effective allocation

**SPECIAL COVENANTS OR REMARKS**

date is not eligible for reimbursement from the SSARP funds.

4. ADMINISTERING AGENCY agrees that SSARP funds available for reimbursement will be limited to the amount allocated and encumbered by the STATE consistent with the scope of work in the STATE approved application. Funds encumbered may not be used for a modified scope of work after a project is awarded unless approved by the Statewide SSARP Coordinator prior to performing work.

5. ADMINISTERING AGENCY agrees to the program delivery and reporting requirements established by the SSARP Guidelines. The study and the Systemic Safety Analysis Report (SSAR) must be completed within thirty-six (36) months of the funding allocation. The Final Report of Expenditure, the final invoice and the SSAR report must be submitted to the DLAE within six (6) months of the report completion.



# STAFF REPORT

TO: Mayor and Members of the City Council  
 FROM: Michael P. Laughlin, AICP, City Planner  
 VIA: Sean Rabé, City Manager  
 MEETING DATE: November 9, 2016  
 SUBJECT: 442-468 B Street – Tealdi Subdivision

## RECOMMENDATION

Staff recommends that the City Council adopt the following resolution:

RESOLUTION AMENDING A CONDITION OF APPROVAL TO THE TENTATIVE  
 SUBDIVISION MAP APPROVAL FOR CREATING NINE SINGLE FAMILY RESIDENTIAL  
 LOTS LOCATED AT 442-468 B STREET PURSUANT TO CEQA GUIDELINE 15332

## EXECUTIVE SUMMARY

On June 22, 2016, the City Council approved the Tealdi Subdivision to subdivide the existing property into nine lots for single-family residential development. Condition "b" requires that structures on the lot be demolished prior to recordation of the final map to avoid a situation where new lot lines would pass through existing structures. The applicant's lender will not allow for the start of any work, and will not lend on the property until the map records. A covenant recorded against the property is proposed in-lieu of immediate demolition of the existing structures.

## FISCAL IMPACT

None

## ANALYSIS

As part of subdivision approvals, staff has a standard condition that requires the demolition of existing structures prior to recordation of final maps. The purpose of this requirement is two-fold. First, adding a lot line that passes through a portion of an existing structure creates a zoning code and building code violation. The building code has separation requirements from a property line for fire protection. Second, once a subdivision records, the applicant/owner is able to begin the sale of individual lots. The Town would have no control over a situation where there are multiple owners of multiple lots who cannot agree on how to use or demolish a structure traversing multiple property lines.

The applicant is in the process of moving toward final map recordation and the construction of homes. After speaking with the lender for the project, the lender has indicated that no work can begin on the property (including the required demolition) and that funding will not be granted until the final map records (the lender does not want to assume a site that is under construction). Thus, the applicant is not able to comply with the required condition of approval. To address this situation, the applicant, the applicant's attorney, staff and the City Attorney have agreed that a "hold as one" covenant will protect the Town from the creation of a zoning code/building code violation during the short period between final map recordation and the demolition of the structures.

The covenant will prevent the applicant from selling 8 of the 9 lots until the demolition is completed and would require the applicant to obtain a bond that the Town can call upon to complete the demolition in the event the applicant fails to do so. The one lot created with the existing home on it would not be subject to the covenant. This home is currently in escrow.

Staff is recommending the following amendment to condition "b" of the previously approved resolution (new language in bold underline):

b. Demolition: Prior to recording of the final map, the permittee shall obtain a demolition permit and remove any nonconforming structures **or record a covenant with the final map to hold lots as one until demolition is completed, in a form approved by the City Attorney**. Prior to issuance of demolition permit, the permittee shall conduct rodent and insect (termite) abatement to the satisfaction of staff.

### **Council Adopted Values**

The recommendation is consistent with the Council value of *fairness* because the recommended decision resolves an issue that the applicant is facing, and with the Council value of *responsibility* because the proposed application has been carefully reviewed and conditioned so that it will be consistent with General Plan and Municipal Code requirements.

### **Sustainability Impact**

The project supports sustainability by allowing for residential in-fill development close to transit.

### **Alternatives**

An alternative would be to deny the request which would require that existing structures be demolished prior to the recordation of the final map.

This alternative is not recommended since it will jeopardize the ability of the applicant or another developer from implementing the project.

### **CONCLUSION**

Staff recommends that the City Council adopt the Amended Resolution approving the change to condition "b."

### **ATTACHMENTS**

- A. Resolution 2016-XX

**RESOLUTION NO. 2016-\_\_\_  
OF THE CITY COUNCIL OF THE TOWN OF COLMA**

**RESOLUTION AMENDING A CONDITION OF APPROVAL TO THE TENTATIVE  
SUBDIVISION MAP APPROVAL FOR CREATING NINE SINGLE FAMILY RESIDENTIAL  
LOTS LOCATED AT 442-468 B STREET PURSUANT TO CEQA GUIDELINE 15332**

*Property Owner: B Street Colma LLC  
Location: 442-468 B Street  
Assessor's Parcel Number: 008-126-040*

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

**1. Background**

- (a) On June 22, 2016 The City Council conditionally approved a tentative subdivision map for property located at 442-468 B Street (Resolution 2016-31);
- (b) The applicant has requested an amendment to condition (b) to allow for the recordation of a covenant in-lieu of demolishing structures on the property prior to recordation of the final map;
- (c) A public hearing was held on this matter on November 9, 2016;
- (d) The City Council has considered the staff report and evidence presented at the public hearing.

**2. Findings.**

The City Council finds that:

*Finding Related to CEQA*

- (a) This application was reviewed pursuant to the requirements of the California Environmental Quality Act (CEQA), and staff determined that the project is considered Categorical Exempt from further environmental review under Section 15332, Class 32, because the proposed project is characterized as in-fill development.

*Finding Related to Tentative Subdivision Condition Modification*

- (b) The condition modification will not impact the health, safety and welfare of the community.

Discussion: The Subdivision approval granted by Resolution 2016-31 required demolition of structures prior to the recordation of the final map. Recordation of a Covenant, with a surety bond posted with the Town of Colma, will not impact the health, safety and welfare of the community because the timing of the demolition does not create any new impacts beyond those already considered in the original project approval.

### 3. Condition Amended

The following condition in Resolution 2016-31 is amended as follows (additions shown in bold underline):

(b) Demolition: Prior to recording of the final map the Permittee shall obtain a demolition permit and remove any nonconforming structures **or record a covenant with the final map to hold lots as one until demolition is completed, in a form approved by the City Attorney.** Prior to issuance of demolition permit, the Permittee shall conduct rodent and insect (termite) abatement to the satisfaction of staff.

### 4. Terms

(a) Permittee. As used in this 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.

### 5. General Condition

(a) *Agreement Required.* The Permittee must agree to comply with each and every term and condition 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. 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.



### Certification of Adoption

I certify that the foregoing Resolution No. 2016-## was duly adopted at a regular meeting of the City Council of the Town of Colma held on November 9, 2016, by the following vote:

Name	Counted toward Quorum			Not Counted toward Quorum	
	Aye	No	Abstain	Present, Recused	Absent
Diana Colvin, Mayor					
Helen Fiscaro					
Joanne F. del Rosario					
Joseph Silva					
Raquel Gonzalez					
<i>Voting Tally</i>					

Dated \_\_\_\_\_

Diana Colvin, 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 comply with each and every condition set forth in this resolution.

Dated: \_\_\_\_\_  
B Street Colma LLC.

[Notarization of Property Owner's signature recommended]



# STAFF REPORT

TO: Mayor and Members of the City Council  
 FROM: Brad Donohue, Director of Public Works  
 VIA: Sean Rabé, City Manager  
 MEETING DATE: November 9, 2016  
 SUBJECT: Town Hall Phase V - Reject All Bids and Authorize Force Account

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## RECOMMENDATION

Staff recommends that the City Council adopt the following resolution:

RESOLUTION REJECTING ALL BIDS RECEIVED FOR PHASE V (INFILL AND SITEWORK) OF THE COLMA TOWN HALL RENOVATION PROJECT AND ELECTING BY A FOUR-FIFTHS VOTE OF THE COUNCIL TO PERFORM THE WORK BY FORCE ACCOUNT

## EXECUTIVE SUMMARY

The proposed resolution will reject all bids received for Phase V (Infill and Sitework) of the Town Hall Renovation Project ("Project") and authorize the City Manager by force account to negotiate, award and execute a contract to complete the remodel of the historic 1941 building, complete the remaining work on the new addition to the facility and complete all sitework and landscaping features for the Town Hall Renovation Project.

## FISCAL IMPACT

The Engineer's Estimate for Phase V of the Project is in the range of \$6 million to \$6.5 million. If cost proposals stay within this range the Project will be within budget. If the cost of Phase V of the Project exceeds the Engineer's Estimate following negotiation, staff will need to come back to City Council with a proposal to amend the budget for the Town Hall Renovation Project.

## BACKGROUND

Phase V of the Project was advertised for bids on September 19, 2016. Bids were opened on October 27, 2016. Phase V of the Project includes all remaining work to complete the remodel of the historic 1941 facility, taking the building from the structural steel phase (Phase IV of the Project) to building and site work completion. Phase V of the Project would also include the removal of the Public Works, Planning and City Administration Annex buildings and complete the various landscaping and parking lot enhancements. Bidders were required to attend one of the two mandatory pre-bid meetings that were conducted on October 4<sup>th</sup> and 6<sup>th</sup>, 2016, as a condition of bidding on Phase V of the Project. Six bidders attended the pre-bid meetings. Of those six bidders that attended the pre-bid meeting, only three submitted timely bids.

The bids that were submitted were as follows: (Attachment "B")

- JUV Inc. \$ 8,530,971
- Alpha Bay Builders \$ 9,687,496
- Rodan Builders \$10,664,690

On October 28, 2016, JUV Inc., the apparent low bidder, submitted a letter to the Town (Attachment "C") requesting relief from its bid due to a clerical error affecting the amount of the bid pursuant to the Relief of Bidder statutes under Public Contract Code section 5100 *et seq.*, which left two bids on Phase V of the Project. Following review of the remaining two bids and a conference with the City Attorney, it was determined that Phase V of the Project could be more economically performed by force account, whereby the City Manager or his designee is authorized to negotiate, award and execute a contract to complete Phase V of Project. In accordance with California Public Contract Code section 22038, the Town furnished written notice to Alpha Bay Builders, as the lowest responsible bidder submitting a responsive bid, Rodan Builders and JUV Inc., of the Town's intention to reject all bids.

## **ANALYSIS**

In evaluating the bids received, staff has determined that Phase V of the Town Hall project work can be more economically performed by force account in accordance with California Public Contract Code section 22038. The Public Works Department furnished written notice to Alpha Bay Builders, the lowest responsible bidder submitting a responsive bid, Rodan Builders and JUV Inc., of the Town's intention to reject all bids on the Project and to have Phase V of the Project performed by force account.

Staff is requesting that the City Council: (i) reject all bids on Phase V of the Project; (ii) find that the Engineer's Estimate is a reasonable estimate of the cost to complete Phase V of the Project; (iii) find that Phase V of the Project can be more economically performed by force account; (iv) find that written notice was provided to Alpha Bay Builders, as the lowest responsible bidder submitting a responsive bid, Rodan Builders and JUV Inc., of the Town's intention to reject all bids and have the work performed by force account; (v) elect, by four-fifths vote of the City Council, to perform Phase V of the Project by force account in accordance with California Public Contract Code section 22038; and (vi) authorize the City Manager to negotiate, award and execute a contract for Phase V of the Project with a contractor that best serves the interests of the Town.

## **COUNCIL ADOPTED VALUES**

The City Council has taken a *responsible* approach to seeing the construction and completion of the Town Hall Facility by negotiating awarding the contract for Phase V of the Project.

## **ALTERNATIVES**

The City Council could choose to not approve the resolution rejecting all bids and electing to perform Phase V of the Project by force account. Doing so, however, is not recommended because the work was previously bid out, the responses were not favorable and it is anticipated that new bids will not yield better results.

## **CONCLUSION**

Staff recommends the City Council approve the attached resolution rejecting all bids and electing to perform Phase V of the Project by force account.

## **ATTACHMENTS:**

- A. Resolution 2016-\_\_
- B. Bid Summary Breakdown
- C. JUV Inc.- Letter of Withdrawal



**RESOLUTION NO. 2016-\_\_**  
**OF THE CITY COUNCIL OF THE TOWN OF COLMA**

**RESOLUTION REJECTING ALL BIDS RECEIVED FOR PHASE V (INFILL AND  
SITEWORK) OF THE COLMA TOWN HALL RENOVATION PROJECT AND ELECTING BY  
A FOUR-FIFTHS VOTE OF THE COUNCIL TO PERFORM THE WORK BY FORCE  
ACCOUNT**

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

**1. Background.**

- (a) On September 19, 2016, the Town advertised Phase V (Infill and Sitework) of the Town Hall Renovation Project ("Project") and received three bids.
- (b) The lowest bidder, JUV Inc., requested relief from its bid pursuant to the Relief of Bidder statutes under Public Contract Code section 5100 *et seq.*, due to a clerical error in the bid that affected the total amount of the bid.
- (c) The remaining two bids are from Alpha Bay Builders (\$9,687,496) and Rodan Builders (\$10,664,690).
- (d) The Engineer's Estimate for Phase V of the Project is between \$6,000,000 and \$6,500,000, which the Town has reevaluated and determined to be a reasonable estimate of the cost of Phase V of the Project.
- (e) The Town has reviewed the bids from Alpha Bay Builders and Rodan Builders and determined that the Project can be more economically performed by force account.
- (f) In accordance with California Public Contract Code section 22038, the Town furnished written notice to Alpha Bay Builders, as the lowest responsible bidder submitting a responsive bid, Rodan Builders and JUV Inc., of the Town's intention to reject all bids.
- (g) The Town now desires to reject all bids and have Phase V of the Project instead be done by force account, authorizing staff to negotiate a contract with a contractor that best serves the interests of the Town.

**2. Findings.**

The City Council finds that the foregoing recitals are true and correct. Upon reevaluation, the City Council finds that the Engineer's Estimate for Phase V of the Project is a reasonable estimate of the cost to complete Phase V of the Project. After reviewing the bids received on Phase V of the Project, the City Council finds that the Project can be more economically performed by force account and that written notice was furnished to Alpha Bay Builders, as the lowest responsible bidder submitting a responsive bid, Rodan Builders and JUV Inc., of the Town's intention to reject all bids.

**3. Order.**

(a) The City Council hereby rejects all bids received for Phase V of the Project.

(b) The City Council hereby declares that Phase V of the Project can be more economically performed by force account and elects, by four-fifths vote, to have Phase V of the Project done by force account in accordance with California Public Contract Code section 22038 and authorizes the City Manager or his designee to negotiate, award and execute a contract for Phase V of the Project with a contractor that best serves the interests of the Town.

**Certification of Adoption**

I certify that the foregoing Resolution No. 2016-\_\_ was duly adopted at a regular meeting of said City Council held on November 9, 2016 by the following vote:

Name	Counted toward Quorum			Not Counted toward Quorum	
	Aye	No	Abstain	Present, Recused	Absent
Diana Colvin, Mayor					
Helen Fiscaro					
Raquel Gonzalez					
Joseph Silva					
Joanne del Rosario					
Voting Tally					

Dated \_\_\_\_\_

\_\_\_\_\_  
Diana Colvin, Mayor

Attest: \_\_\_\_\_  
Caitlin Corley, City Clerk



TOWN HALL RENOVATION PROJECT, PHASE V - BID SUMMARY

BASE BID SCHEDULE 1				Bidders					
				JUV Inc.		Alpha Bay Builders, Inc		Rodan Builders	
NO.	ITEM DESCRIPTION	UNIT OF	EST.	UNIT	ITEM	UNIT	ITEM	UNIT	ITEM
		MEASURE	QTY.	PRICE	COST	PRICE	COST	PRICE	COST
1	Furnish all labor, materials, equipment, tools, transportation, and services, and to discharge all duties and obligations necessary and required to perform and complete the Project for the following LUMP SUM BID PRICE:	LS	1	\$ 8,146,665.00	\$ 8,146,665.00	\$ 9,163,376.00	\$ 9,163,376.00	\$ 9,815,000.00	\$ 9,815,000.00
2	Upfront payout for Time Critical Submittals	LS	1	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00
	Early completion of Phase 1	EA	21	\$ 1,000.00	\$ 21,000.00	\$ 1,000.00	\$ 21,000.00	\$ 1,000.00	\$ 21,000.00
3	Upfront payout for Master Schedule	EA	1	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00
<b>TOTAL BASE BID SCHEDULE 1</b>					\$ 8,182,665.00	Calculated	\$ 9,199,376.00		\$ 9,851,000.00
						Written amount error	\$ 9,209,376.00		
<b>BASE BID SCHEDULE 2</b>									
<b>Joint Trench, Utility Undergrounding</b>									
NO.	ITEM DESCRIPTION	UNIT OF	EST.	UNIT	ITEM	UNIT	ITEM	UNIT	ITEM
		MEASURE	QTY.	PRICE	COST	PRICE	COST	PRICE	COST
	Total	LS	1	\$ 348,306.00	\$ 348,306.00	\$ 478,120.00	\$ 478,120.00	\$ 813,690.00	\$ 813,690.00
<b>TOTAL BASE BID SCHEDULE 2</b>					\$ 348,306.00		\$ 478,120.00		\$ 813,690.00
<b>BIDDER'S GRAND TOTAL</b>					\$ 8,530,971.00		\$ 9,687,496.00		\$ 10,664,690.00





Contractor License # 924181

7901 OAKPORT STREET, SUITE 2700 OAKLAND, CA 94621-2060 TEL:(510) 836-1300 FAX: (510) 777-9203

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**LETTER OF BID WITHDRAWAL**

October 28, 2016

Project: Colma Town Hall Campus Renovation and addition  
Project#34003.10  
Owner: Town of Colma  
Public Works Department.

To: Mr. Brad Donohue  
Director of Public Works

Mr Donohue

We must regretfully inform you that J.U.V., Inc. has to withdraw our bid proposal for the project Town of Colma - Campus Renovation and addition (per Public Contract Code Section 5100 and Town of Colma Information for Bidders paragraph 17 Withdrawal of Bid) . We have determined that a clerical error on the part of calculation of bid total amount lead to an incorrect approximation for the cost of the project. We apologize for this oversight and appreciate your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read 'V. Chernyavskiy', is written over a faint, large watermark of the JUV INC logo.

Vladimir Chernyavskiy

CEO

---

7901 OAKPORT STREET, SUITE 2700 OAKLAND, CA 94621-2060 TEL:(510) 836-1300 FAX: (510) 777-9203





# STAFF REPORT

TO: Mayor and Members of the City Council  
 FROM: Michael P. Laughlin, City Planner  
 VIA: Sean Rabé, City Manager  
 MEETING DATE: November 9, 2016  
 SUBJECT: 1670 – 1692 Mission Road, Veterans Village Project

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## RECOMMENDATION

Staff recommends that the City Council:

Adopt:

RESOLUTION CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT AND ADOPTING FINDINGS, A STATEMENT OF OVERRIDING CONSIDERATIONS, AND THE MITIGATION MONITORING AND REPORTING PROGRAM, ALL PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, FOR A 66-UNIT AFFORDABLE HOUSING PROJECT AT 1670-1692 MISSION ROAD ("VETERAN'S VILLAGE AFFORDABLE HOUSING PROJECT")

Introduce:

ORDINANCE ADOPTING AN AMENDED ZONING MAP AND APPROVING A PLANNED DEVELOPMENT ZONE FOR 1670-1692 MISSION ROAD (REZONING PROPERTY FROM C/DR TO PD/DR)

Adopt:

RESOLUTION CONDITIONALLY APPROVING PLANNED DEVELOPMENT (PD) CONDITIONAL USE PERMIT, DESIGN REVIEW, SIGN PERMIT AND TREE REMOVAL PERMIT FOR A 66-UNIT AFFORDABLE HOUSING PROJECT AT 1670-1692 MISSION ROAD

## EXECUTIVE SUMMARY

Mercy Housing California is requesting approvals for a 66- unit affordable rental housing project for military veterans on Mission Road. The project site is a triangularly shaped property that is currently commercially zoned and is designated in the Town's Housing Element for housing, and only housing can be developed on the site unless another site is found elsewhere to develop housing as a replacement. The site is currently used for a machine shop and parking of vehicles waiting repair by two auto body shops. Three actions are required by the City Council to permit the development. The first action is to consider the environmental impacts of the project which are addressed in the environmental impact report ("EIR") prepared for the project. Due to the presence of historic structures on the site, the City Council is required to adopt findings and a Statement of Overriding Considerations to allow for the removal of four

structures as part of this action. The second action would rezone the site for the residential project as required for any multi-family project over five units in the Commercial (C) zone. Finally, the third action includes the remaining actions required to satisfy Colma Municipal Code requirements to allow for the project (Conditional Use Permit, Design Review, Sign Permit and Tree Permit).

### **FISCAL IMPACT**

Based on the analysis in the Environmental Impact Report, the new project occupants (estimated at 66-75) will cause a minor increase in the demand for Police and Recreation services which are funded through the Town's General Fund budget. While the project will increase the demand for public services, it was not found that this increased need for services will be significant enough to require the hiring of new Town employees. As an offset to the impact on recreation services, the project includes an outdoor public space that can be used by the public and employees on Mission Road, which creates a new recreation amenity that the Town is not responsible for maintaining.

The project represents an investment of more than \$30 million in the community, including more than \$400,000 in street frontage and crosswalk improvements, which may encourage further investment on Mission Road. There will likely be positive spill-over benefits of new residents and employees shopping in Colma.

### **BACKGROUND AND PROJECT DESCRIPTION**

Mercy Housing (the "Applicant") has received funding through the San Mateo County Department of Housing to pursue development of a site in Colma for Veteran's Housing. During the past year, Mercy Housing held three well attended community meetings to introduce the project to the community, obtain input and to respond to questions about the development. Mercy Housing is a national affordable housing developer, and they plan to hold and manage the facility with support services offered to residents. The Applicant plans to develop the site with a three-story apartment complex with associated features and rehabilitate an existing historic pump house building. The project site is located at 1670-1692 Mission Road, near the intersection El Camino Real and Mission Road in a commercially zoned area of the Town.

The project site is a triangle piece of property that is about 2.23 acres in size and is owned by the Archdiocese of San Francisco. Mercy Housing will have a long term land lease on the property. The property is bordered on the east with an access driveway to a BART ventilation structure. The BART tunnel is adjacent to the site, and construction of the project will maintain a structural setback from the BART tunnel. Mercy Housing will enter into an agreement with BART that will be recorded on the property to utilize the driveway for project and emergency access and some parking.

In general, this project would:

- Remove existing built features on-site including a concrete water storage reservoir and three other concrete structures which are considered historic resources;
- Rehabilitate the historic pump house building for use as a social hall/community space and/or storage;
- Remove most of the site's existing vegetation including 47 trees over 12-inches in diameter and other site vegetation;
- Construct a 66-unit, three story apartment building containing laundry, lounge and fitness facilities;
- Construct a single-story wing with offices;

- Create a small public use area at the tip of the development with interpretive exhibit; and
- Provide for on-site improvements including foundation, drainage, utility connections, minor circulation modifications, parking, and residential courtyard, landscaping, and garden spaces.

## ANALYSIS

### Environmental

The proposed 66- unit project is the development of one of the Housing Element sites previously identified in the 2009 Housing Element Mitigated Negative Declaration, adopted in 2012. This document only analyzed a 26 unit project at the site. Since the project includes more units, and because there are historic structures on the site related to Holy Cross Cemetery, it was necessary to prepare an Environmental Impact Report for the project to analyze these resources. Since the applicant will be utilizing federal funding for the project, it was also necessary to include a National Environmental Policy Act (NEPA) Environmental Assessment and analysis in the documents. The San Mateo County Department of Housing is the Lead Agency for the NEPA portion of the analysis.

The application was reviewed pursuant to the requirements of the California Environmental Quality Act (CEQA) by the preparation of an Initial Study, and it was determined that an EIR would be required for the project. Staff and an outside consultant, MIG/TRA, prepared and circulated for a 45 day comment period a Draft EIR for the entire project.

Notice of the availability of the document was provided to the State Clearinghouse (for any state agencies, such as Caltrans); local agencies; Native American tribes; utility providers; on the Town's website and posted on bulletin boards; to property owners and tenants within 300' of the project site; and to those who have been added to the interest list created from the community meetings. No comments were received on the document during the comment period. Copies of the Draft and Final EIR were provided to the City Council. The Draft and Final EIR remain available for reference for the project hearing on the Town's website (<http://colma.ca.gov/index.php/town-departments/planning/current-projects>).

Due to the relatively small size of the project and the fact that less than half of the tenants are expected to drive or have cars, the project was found to have less than significant impacts in the areas of aesthetics, agriculture, traffic, parking, noise, air quality, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, utilities and service systems, and cumulative impacts.

Below is a summary of the key issues and associated mitigation measures discussed in the Final EIR:

1. ***Nesting Birds:*** To address the potential for nesting birds in the trees proposed for removal, a survey is required if tree removal is to occur from February 1 to August 31.
2. ***Bat Survey:*** To address the potential to disturb roosting bats, a bat survey is required one week prior to removal of vegetation or buildings.
3. ***Archaeological Resources:*** Although the finding of archeological resources is not anticipated based on a report prepared, a mitigation measure is recommended which would require work stoppage and investigation if evidence is found or a resource.

4. **Historic Resources:** The site was previously used by Holy Cross for irrigation and maintenance functions and contains a pump house, above ground reservoir, a carpenter shop and two small well houses. All but the pump house are proposed to be demolished. Three mitigation measures are proposed to lessen the historic resources impact caused by the demolition to include photo documentation, salvaging of materials, and preparation of an interpretive exhibit. Since the mitigation measures will not fully mitigate the historic resources impact, the City Council is required to adopt a statement of overriding considerations. The preservation and enhancement of the pump house building, the key historic resource on the site, is a benefit to the community.

**PD Rezoning, Parking and Access**

An Amended Zoning Map and Planned Development (PD) is requested to rezone the project site from C/ DR (Commercial/ Design Review) to Planned Development/Design Review – PD/DR. PD Districts may be established in any R, C, or E Zone upon application of a property owner or owners, or upon the initiative of the City Council. A Planned Development zoning is required in the C Zone for multi-family housing of more than six units pursuant to Colma Municipal Code Section 5.03.090(c) since the C zoning only permits up to six units to be built with just a conditional use permit. Multi-family residential uses are permitted within the "PD" Zone upon issuance of a Conditional Use Permit pursuant to Section 5.03.130(b)(2). The C zoning conditionally allows "supportive housing" which includes the proposed Veteran’s Village project since support services will be provided for residents. The attached PD Ordinance includes development standards for the site that are similar to standard zoning requirements for the C zone but tailored to the proposed development.

Since this is a Planned Development, the City Council has flexibility to adjust development standards to address site configuration and location. The table below shows the proposed project development standards:

<b>Standard:</b>	<b>Project:</b>
Front Setback	9'-8"; less for existing pump house
Rear Setback	18'; less for existing pump house
Left Setback	100'-11.25"
Right Setback	Approx. 300' from pump house to property tip
Height	36' – 4"; 38'-4" for elevators
Parking	1 space per 1-bedunit, 2 spaces for each 2-bed unit, 67 required, 69 total provided (includes 4- ADA)

The applicant has formally requested to use State Government Code 65915(p)(1) which allows for a parking standard for affordable housing at a rate of 1 space for every one bedroom unit and two parking spaces for each 2-bedroom unit. Based on this type of project, this parking standard will likely far exceed demand, and it is anticipated that there will be more than 20



vacant parking spaces on the site at most times. Two existing Veteran’s housing projects were surveyed in September 2016 for the number of residents who have vehicles:

<b>Project Name</b>	<b>Location</b>	<b># units</b>	<b>#parking spaces</b>	<b>#cars of residents</b>
El Monte Veterans Village	El Monte	41	40	20
Mather Phase I Veteran’s Village	Sacramento County	50	38	20

Since many Veterans are coming out of homelessness, are older or are on a fixed income, it is anticipated that no more than half of the residents will have a car, based on parking counts taken at two comparable facilities. This means that more than 30 spaces are available for visiting support staff (typically no more than 2-3 vehicles at any given time) plus visitors (typically no more than five at any given time), with a sizeable surplus remaining. Based on this information, the project should not have spillover parking impacts onto Mission Road.

Parking for the project will occur in the main parking lot which is accessed from Mission Road. This lot has 34 spaces. The remaining 35 spaces will be provided on the BART access road. The applicant is working with BART on “Reciprocal Use Agreement” that will be recorded at the close of escrow on Mercy Housing’s land lease from the Archdiocese. The agreement gives Mercy Housing the right to use and access the access road for parking for the project, as shown in the project plans. Primary emergency vehicle access is provided by a loop driveway that is created through the BART driveway and connecting to the project parking lot to the north. The agreement will also allow BART to encroach onto Mercy Housing’s property for emergency and maintenance operations.

**Affordable Housing and General Plan Density Compliance**

The Town of Colma Inclusionary and Affordable Housing Ordinance currently requires the provision of affordable units (20% of total number of units) or payment of an inclusionary housing fee if units are not provided. Since 65 units in the project will be 100% affordable for a period of at least 45 years (with the remaining unit used only for a resident manager), the project exceeds ordinance requirements for the number of units provided as affordable. Specifically, Mercy Housing will be entering into a series of affordability covenants for the units during the funding process.

The project site is designated in the Land Use Element of the General Plan as a residential “Scattered Site” which allows for 22 units per acre. The site size is 2.23 acres, which allows for 49 units. Since the project is 100% affordable, the applicant is entitled to an automatic 35% density bonus, pursuant to Government Code Section 65915 (b), which allows for 66 units as proposed. In addition, the applicant is eligible for concessions and incentives such as reduced setbacks, increased height etc. However, since the project fits comfortably on the site with generous landscaping, the applicant has not requested any concessions or incentives.

**Conditional Use Permit**

The project site is currently zoned “C” Commercial but is proposed to be rezoned to “PD” as one of the actions preceding consideration of the Conditional Use Permit. Upon rezoning, a Conditional Use Permit for multi-family residential development is required under the PD zoning.

The use permit limits the use of the site to housing only.

## Design Review

The project site is located in the DR Zone. Based on requirements of the DR Zone, the project must be designed to be appropriate for its setting and use high quality design and materials. The proposed project is subject to the Town's Design Review (DR) Design Standards, which state:

(c) DR Design Standards. All plans for development in the DR zone shall incorporate building, site and landscape design elements that are appropriate for the setting based on surrounding properties as defined in the following subsections.

(1) Building Design Elements. Principal structures and secondary structures such as, storage buildings and trash enclosures must be architecturally consistent with each other. The following design elements must be present in all buildings:

- (i) Buildings shall incorporate simple, stepped massing. Flat walls shall be composed of a durable material and shall be minimized by interruptions including wall off-sets, varied use of materials, trim banding, score lines trim molding, contracting colors, trellises, etc. The use of tower or articulated roof elements is encouraged.
- (ii) Roofs shall be low pitched gable and shed roof types. All flat roof areas shall be surrounded by a parapet wall and must be located where they can be viewed from adjacent buildings or property. Parapet walls shall be of such height that will completely screen all rooftop equipment.

Discussion: The proposed project satisfies the above requirements. The architect took architectural clues from existing pump building on the site (which will be preserved and refurbished). In addition, the architect designed the buildings to relate to the light industrial setting of Mission Road.

(2) Site and Landscape Design Elements. The following elements must be present in the site and landscape designs:

- (i) Site plan and landscape design must appropriately integrate and conceal utility vaults, backflow prevention devices, trash dumpsters and other accessory elements.
- (ii) A formal balanced planting layout shall be achieved by using elements such as landscape entry features, tree lined walks and boundary tree rows. Formal placement of trees in courts, pavilions and parking lots can significantly enhance the character of these public and private areas. Use of accent features such as brightly colored flowers and palm trees is encouraged. Drought tolerant and California native plant materials are encouraged.
- (iii) Landscape design shall incorporate features such as arbors, trellises, fountains, walks, pavilions, curbs, light standards, benches, sculpture, enhanced pavement (materials, textures, and patterns), garden walls (free standing and retaining), wood fences and gates, ironwork gates and railings, planting pots and urns as appropriate to the project.

Discussion: The proposed conceptual landscape adequately satisfies the above requirements. All items described in (i) are sufficiently concealed by either structures or landscaping. Brightly colored flowers, palm trees, and drought tolerant plants are proposed in the preliminary plant palette. Garden walls,

ornamental wood fences and gates, bicycle racks, streetlights, and signage are proposed. A final planting plan shall be required for planning staff's review and authorization prior to the issuance of a building permit.

Some of the key conditions and aspects of the project include:

- **Frontage Improvements:** Frontage improvements are recommended by staff which include new or repaired sidewalks, a new driveway cut (and closure of existing curb cuts), six street lights and installation of a high visibility crosswalk. Utilities will be undergrounded.
- **Stormwater Management:** The project will include stormwater management features to allow for percolation and cleansing of stormwater.
- **Fire Hydrant:** Installation of a new fire hydrant behind the new building with access from the BART Right-of-Way (ROW).
- **Building Code Compliance:** Compliance with all current building and energy codes. The buildings will have a sprinkler system installed and meet ADA access requirements.
- **Trash and Recycling:** Will be located in the building in a dedicated trash room.
- **Construction Staging and Traffic Control:** A traffic control plan and a construction staging plan will be required to minimize impacts to Mission Road and to assure that the project is carried out safely.
- **Construction Hours:** Since there are residential uses within 500' (units behind Malloy's), construction hours will need to follow hours in the Municipal Code with any requests for additional hours during construction subject to approval of the Building Official.

### **Sign Permit**

The proposed signage, which consists of a 3-foot tall wall at the entryway to the building with 8-inch high aluminum letters is allowed with a Sign Permit in areas designated and zoned for commercial uses. The proposed signage is consistent with the provisions of the Colma General Plan, as well as the sign and zoning regulations of the Colma Municipal Code. The signage is also appropriate for the residential use of the property. Findings in support of the sign permit can be found in the project resolution.

### **Tree Permit**

The removal of up to forty-seven (47) trees of various species and height is required to allow for the proposed improvements.

Section 5.06.050 of the Colma Municipal Code requires a Tree Removal Permit whenever a tree (defined as any woody plant larger than 12-inches in diameter) is removed. Normally, Tree Removal Permits are granted administratively by the City Planner. However, when any of the requested actions of an application includes review by the City Council, the City Council reviews and decides on the Tree Permit as well.

Section 5.06.050 of the Colma Municipal Code requires that certain findings be made for approval of a Tree Removal Permit. The listed findings support approval of this permit request.

1. The condition of the trees with respect to disease, hazard proximity to existing or proposed structures, or interference with utility services.

Discussion: The trees to be removed pose a future hazard to and/or would interfere with proposed structures, utilities, and other improvements. The cypress trees along the frontage of the property are at the end of their life, were planted too close together to remain healthy, and are currently damaging the street and sidewalk along the frontage of the project site. These trees pose a hazard to motorists and pedestrians along Mission Road.

2. The necessity of removal or alteration of the trees in order to improve the property.

Discussion. The removal of the trees is required to allow for the structures, parking, and circulation and other improvements associated with the proposed housing project. The project site is located on Mission Road, a commercially intensive area of land intended to house a mixture of land uses, including multi-family. The site is included in the 2015 Housing Element as a site for housing, and redevelopment of the site is encouraged. Many of the trees on the site are in poor health, have poor structure or are inappropriate species (i.e. eucalyptus) so replacement with coordinated landscaping and tree planting will be an improvement to the existing condition.

3. The topography of the land, and the effect of the tree removal or alteration on protection from wind, soil erosion or increased flow of surface water.

Discussion. The tree removals will not have a significant impact on protection from wind, since there are trees and vegetation on the embankment behind that site to the east, and there are trees to the west south on the Cypress Lawn property that will continue to provide wind protection. The project and the planting of approximately 90 trees to replace the 47 trees removed will more than offset the removal and block wind and provide protection from wind.

4. The protection of privacy for the property on which the trees are located or for adjacent properties.

Discussion. The tree removals will not have a significant impact on privacy for the property, since the only adjoining land use is the Cypress Lawn maintenance yard area and since new trees that will be planted that will provide visual screening. Based on this information, the tree removals will not impact protection of privacy for the properties on which the trees are located or for adjacent properties.

5. The number of trees in the neighborhood, and the effect of tree removal or alteration on property values in and characteristic of the neighborhood.

Discussion. The tree removals will not affect the property values or characteristics of surrounding properties because there will 90 new trees that will be planted to replace the 47 trees proposed for removal. The neighborhood has few trees since it is commercial/light industrial in nature. Based on this information, tree removals will not negatively impact the number of trees in the neighborhood, property values, or neighborhood character.

## **VALUES**

The recommendation is consistent with the Council value of *fairness* because the recommended decision on the application is consistent with how similar requests have been

handled, and with the Council value of *responsibility* because the proposed application 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 project will be constructed to meet or exceed the California Green Building Code, so the units will have the latest energy and water saving features. In addition, the project includes solar thermal panels and solar photovoltaic panels. Having units within relatively close proximity to the South San Francisco and Colma BART stations encourages the use of public transit and results in fewer vehicle trips generated.

### **ALTERNATIVES**

The following alternatives to the recommendation to approve the project are available to the City Council:

- (1) Approve the project with modified or additional conditions of approval. This alternative may increase or reduce restrictions on the project to satisfy specific City Council concerns.
- (2) Deny the application. This alternative is not recommended since the project site is required to be developed for housing as specified in the Housing Element and the Zoning Ordinance. This alternative would require substantial new findings to articulate the reasons for denial.

### **CONCLUSION**

Staff recommends approval with the recommended conditions.

### **ATTACHMENTS**

- A. EIR Resolution and exhibits
- B. Ordinance amending zoning to Planned Development (PD) and exhibits
- C. CUP, Design Review, Sign Permit, Tree Removal Permit Resolution
- D. Project Plans
- E. Letters of support from Cypress Lawn and Peninsula Reflections
- F. Final EIR



**RESOLUTION NO. 2016-\_\_**  
**OF THE CITY COUNCIL OF THE TOWN OF COLMA**

**RESOLUTION CERTIFYING THE FINAL ENVIRONMENTAL IMPACT  
REPORT AND ADOPTING FINDINGS, A STATEMENT OF OVERRIDING  
CONSIDERATIONS, AND THE MITIGATION MONITORING AND  
REPORTING PROGRAM, ALL PURSUANT TO THE CALIFORNIA  
ENVIRONMENTAL QUALITY ACT, FOR A 66-UNIT AFFORDABLE  
HOUSING PROJECT AT 1670-1692 MISSION ROAD (“VETERAN’S  
VILLAGE AFFORDABLE HOUSING PROJECT”)**

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

**1. Background**

(a) On May 19, 2016, in accordance with Guidelines Section 15082, the Town issued and distributed a Notice of Preparation of an Environmental Impact Report and Environmental Assessment (EIR/EIS) for the Veteran’s Village Affordable Housing project.

(b) On May 25, 2016 the City Council of the Town of Colma held a scoping meeting to accept comments on the scope and content of the EIR.

(c) On August 17, 2016 the Town issued to the public, local tribes and affected agencies and posted on the three official bulletin boards a “Notice of Finding of No Significant Impact, Notice of Intent to Request Release of Funds, and Notice of Availability of an Environmental Impact Report.”

(d) In Compliance with CEQA and the CEQA Guidelines, copies of the environmental document were sent to the State Clearinghouse, made available to the public at Town Hall, and posted on the Town’s website for a 45 day review and comment period between August 17, 2016 and September 30, 2016.

(e) During the circulation period for the EIR/EIS, which ended on September 30, 2016, the Town received comments on the document.

(f) A Final Environmental Impact Report (FEIR) was prepared and released for public review on October 26, 2016, at least 10 days prior to consideration of the Project at a public hearing by the City Council. The document was made available on the Town’s website and at the Town’s offices.

(g) A Mitigation Monitoring Program has been completed and is included in the FEIR and will be used to ensure that all mitigation measures will be implemented.

(h) A public hearing on this matter was held on November 9, 2016 and evidence was taken.

(i) The City Council has considered the Initial Study, the Draft and Final EIR/EIS, the attached findings and Statement of Overriding Considerations, the Staff Report, and evidence presented during the review process.

## **2. Findings**

Based on the entirety of the record, the City Council of the Town of Colma hereby finds as follows:

(a) The foregoing Recitals are true and correct, and incorporated herein by reference.

(b) The EIR/EIS, which consists of the Initial Study, the Draft EIR/EIS, the Final EIR/EIS, Statement of Overriding Considerations document and this Resolution, has been prepared in accordance with state and local environmental laws, guidelines, and regulations.

*Discussion:* The proposed project includes a Planned Development Rezoning, Conditional Use Permit, Tree Permit and Design Review for a new 66-unit affordable housing project located at 1670-1692 Mission Road. The EIR/EIS fully analyzed every aspect of the project and includes appropriate mitigation measures to mitigate potential impacts.

(c) As described in items 1(a-h), above, the EIR/EIS and this Resolution have all been circulated and made available for public review in accordance with state and local laws, guidelines and regulations.

## **3. EIR/EIS Certified**

(a) The City Council hereby certifies that the final Environmental Impact Report (EIR) for the Veteran's Village Affordable Housing Project on file with the Planning Department, incorporated herein by reference, has been completed in compliance with the California Environmental Quality Act. The City Council reviewed and considered the information contained in the final EIR and the final EIR reflects the City's independent judgment and analysis.

(b) The City Council hereby adopts the Findings and Statement of Overriding Considerations regarding the final EIR for the Veteran's Village Affordable Housing Project, attached hereto as Exhibit A.

(c) The City Council hereby approves the Mitigation Monitoring Program included with the final EIR for the proposed Veteran's Village Affordable Housing Project, attached hereto as Exhibit B.

(d) The administrative record of proceedings upon which the City Council has based its decision to grant this Mitigated Negative Declaration shall be located in the office of the City Planner, and the City Planner shall be the custodian of such records.



***Certification of Adoption***

I certify that the foregoing Resolution No. 2016-\_\_ was duly adopted at a regular meeting of the City Council of the Town of Colma held on November 9, 2016, by the following vote:

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

Dated \_\_\_\_\_

\_\_\_\_\_  
Diana Colvin, 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

By: \_\_\_\_\_  
Print Name

Dated: \_\_\_\_\_

\_\_\_\_\_  
Mercy Housing

By: \_\_\_\_\_  
Print Name

Exhibitbits:

- A. Findings and Statement of Overriding Considerations
- B. Mitigation Monitoring and Reporting Program

**EXHIBIT A**

**Findings of Fact and Statement of Overriding Considerations  
for the Veteran's Village Affordable Housing Project**

(Pursuant to Sections 21081 and 21081.6 of the Public Resources Code  
and Sections 15091 and 15093 of the CEQA Guidelines)

Final Environmental Impact Report  
(State Clearinghouse Number 2016052068)

November 2016

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# **I. INTRODUCTION**

## **A. Findings of Fact and Statement of Overriding Considerations**

CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological or other benefits of the project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological or other benefits of the project outweigh the unavoidable adverse environmental effects, those effects may be considered "acceptable." (CEQA Guidelines 15093(a).) CEQA requires the agency to state, in writing, the specific reasons for considering a project acceptable when significant impacts are not avoided or substantially lessened. Those reasons must be based on substantial evidence in the Final EIR or elsewhere in the administrative record (CEQA Guidelines 15093(b).)

In accordance with Section 21081 of the CEQA Statutes, whenever significant impacts cannot be substantially mitigated and remain unavoidable, the benefits of the proposed project must be balanced against the unavoidable environmental consequences in determining whether to approve the project. The lead agency must make Findings of Fact and adopt a Statement of Overriding Considerations where the decision of the lead agency allows the occurrence of significant effects that are identified in the Environmental Impact Report (EIR), but are not substantially mitigated.

As required by CEQA Statute 21081.6, a program for monitoring and reporting on project mitigation is required to be adopted by the Town of Colma, the lead agency for the project.

In accordance with the requirements of CEQA and the CEQA Guidelines, the Town Council finds that the mitigation measures identified in the Final EIR and the Mitigation Monitoring and Reporting Program, when implemented, will avoid or substantially lessen virtually all of the significant effects identified in the Final EIR for Veteran's Village Affordable Housing Project. However, certain significant impacts of the project are unavoidable even after incorporation of all feasible mitigation measures. The project would result in significant and unavoidable impacts to historic resources. The Final EIR provides detailed information regarding these impacts.

## **B. Record of Proceedings**

For purposes of CEQA and these Findings and Statement, the Record of Proceedings for the proposed project consists of the following documents and other evidence, at a minimum:

- The Notice of Preparation (NOP) and all other public notices issued by the Town in conjunction with the proposed project;
- All responses to the NOP received by the Town;
- The FEIR;
- The Draft EIR;
- All written comments submitted by agencies or members of the public during the public review comment period on the Draft EIR;
- All responses to the written comments included in the FEIR;
- All written and oral public testimony presented during a noticed public hearing for the proposed project at which such testimony was taken;
- The Mitigation Monitoring and Reporting Program;
- The reports and technical memoranda included or referenced in any responses to comments in the FEIR;
- All documents, studies, EIRs, or other materials incorporated by reference in, or otherwise relied upon during the preparation of, the Draft EIR and the FEIR;
- Matters of common knowledge to the Town, including, but not limited to, federal, state, and local laws and regulations;
- Any documents expressly cited in these Findings and Statement; and
- Any other relevant materials required to be in the record of proceedings by Public Resources Code Section 21167.6(e).

### **C. Custodian and Location of Records**

The documents and other materials which constitute the administrative record for the Town's actions related to the project are located at the Town of Colma offices:

Town Planner  
 Town of Colma Planning Department  
 1190 El Camino Real,  
 Colma, CA 94014  
 Michael.laughlin@colma.ca.gov  
 (650)757-8896

Copies of these documents, which constitute the Record of Proceedings, are and at all relevant times have been and will be available upon request at the offices of the Town Planner. In addition, documents related to the application and the project environmental review can be found on the Town's website:

<http://colma.ca.gov/index.php/town-departments/planning/current-projects>.

This information is provided in compliance with Public Resources Code Section 21081.6(a)(2) and Guidelines Section 15091(e).

## **II. PROJECT SUMMARY**

### **A. Project Location**

The proposed Mercy Housing Veterans Village Project would be located at 1670-1692 Mission Road, near the intersection of El Camino Real and Mission Road, in the Town of Colma, San Mateo County (37°40'18" north latitude and 122°27'07" west longitude) The project site is triangular shaped with frontage along Mission Road and is approximately 2.23 acres in size (Assessor's Parcel Number [APN] 011-370-220). The project site currently contains vacant land, two unpaved areas used for automobile parking by nearby auto repair shops, five historic structures associated with the Holy Cross Cemetery pump station (only one structure, the pump station, is in use as a machine shop), and unmanaged vegetated areas and numerous trees.

Access to the area is provided by Mission Road, El Camino Real, Junipero Serra Boulevard, Hickey Boulevard and Collins Avenue. Regional access to the project site is provided by State Route 280.

### **B. Project Description**

The Town of Colma has received an application from Mercy Housing (Applicant) for a 66-unit affordable housing development that would be permitted under a Planned Unit Development (PUD) permit and other entitlements. The proposed Mercy Housing Veterans Village Project is an affordable housing development involving construction of a 66-unit apartment complex (65 one-bedroom units and one 2-bedroom manager's unit) on a 2.23 acre site on Mission Road in the northwest corner of Holy Cross Cemetery in Colma, California. The site is referred to as the Holy Cross Site as it is adjacent to the Holy Cross Cemetery and is owned by the Archdiocese of San Francisco. Mercy Housing would enter into a long-term land lease of the parcel from the Archdiocese upon receiving all necessary project approvals and permits. The proposed project is intended to provide housing and support to Veterans within the San Francisco Bay Area.

In general, this project would:

- Remove existing built features on-site including a concrete water storage reservoir and three other concrete structures which are considered historic resources;
- Rehabilitate the historic pump house building for use as a social hall/community space and/or storage;

- Remove most of the site’s existing vegetation including 47 trees over 12-inches in diameter and other site vegetation;
- Construct a 66-unit, two to three story apartment building containing laundry, office and fitness facilities; and
- Construct on-site improvements including foundation, drainage, utility connections, minor circulation modifications, parking, residential courtyards, resident dog park, resident garden, replacement tree plantings/landscaping, and garden spaces.

Construction of the project is anticipated to last approximately 14 to 16 months.

### C. Discretionary Actions

The existing Commercial zoning at the site establishes five (5) foot setbacks for the front, side and rear property lines and a height limitation of 40 feet. The project proposes a front setback of more than nine feet, side setback of over 87 feet and rear setback of over 18 feet and therefore meets all the requirements of the commercial zoning district. The 2015 Housing Element identifies using the Planned Development rezoning process for permitting residential uses at the site. This rezoning process will allow for the most development flexibility in setting standards for height, setbacks, ingress, egress and landscaping due to the unique and physical constraints of the site.

The project also meets the setback requirements (50-feet at grade; and 1:1.5 below grade) from the BART underground tunnel.

The pump house is an existing non-conforming feature with respect to front and rear setbacks at the site and is not proposed for relocation as part of the project. Therefore, it will remain an existing non-conforming feature at the site.

Below is a table of Potential Project Permits and Approvals:

<b>Potential Project Permits and Approvals</b>	
<b>Agency</b>	<b>Review, Authorization, or Approval</b>
State Water Resources Control Board (SWRCB)	General Permit for Discharges of Storm Water Associated with Construction Activity Construction General Permit Order 2009-0009-DWQ Applicant must file Notice of Intent and Provide Storm Water Pollution Prevention Plan to SWRCB
Town of Colma	Design Review Planned Development Rezoning Planned Development Use Permit Grading permit Tree Removal Permit Street Improvement Plans
Housing Authority County of San Mateo	NEPA approval and HUD Funding
BART	Use agreement for road access and parking



<b>Potential Project Permits and Approvals</b>	
<b>Agency</b>	<b>Review, Authorization, or Approval</b>
	Building plan review and approval
State Historic Preservation Officer	Letter of Concurrence for Finding of Effect

## **D. Purpose and Statement of Objectives**

Pursuant to CEQA Guidelines Section 15124(b) and as described in the FEIR, the project has the following objectives:

- Provide approximately 60 to 70 units of housing for Veterans on a fixed income
- Provide housing for homeless Veterans
- Provide support services to Veterans
- Increase self-sufficiency for Veterans
- Increase Veteran access to VA medical facilities

Mercy Housing California (MHC) is a California-based non-profit corporation whose mission is to create stable, vibrant, and healthy communities by developing, financing, and operating affordable, program-enriched housing for families, seniors, and people with special needs who lack the economic resources to access quality, safe housing opportunities.

The proposed project is on a project site that is indentified in the Town of Colma 2015 Housing Element as a site that must be developed for housing, or, an alternative site must be found to develop at least 26 units of housing if another land use is proposed.

## **E. ENVIRONMENTAL REVIEW PUBLIC PARTICIPATION**

On May 19, 2016, in accordance with Guidelines Section 15082, the Town distributed an NOP of an Environmental Impact Report and Environmental Assessment (EIR/EIS) to the State Clearinghouse, local and regional responsible agencies, and other interested parties. One agency responded to the NOP. The Town's NOP, associated responses, and comments made during the scoping meeting held May 25, 2016, are included in the FEIR/EIS.

The Draft EIR for the proposed project was then prepared and circulated for review and comment by the public, agencies, and organizations for a public review period that began on August 17, 2016, and concluded on September 30, 2016. A Notice of Completion of the Draft EIR was sent to the State Clearinghouse, and the Draft EIR was circulated to state agencies for review through the State Clearinghouse, Office of Planning and Research (SCH No. 2016052068). A Notice of Availability of the Draft EIR for review was mailed to organizations and parties expressing interest in the project. The Town did not receive any comments during the comment period.

### **III. SUMMARY OF IMPACTS**

#### **Less Than Significant Impacts**

The EIR concludes that all impacts of the proposed Project in the following environmental resource areas would be less-than-significant:

- Aesthetics
- Agricultural and Forest Resources
- Air Quality
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Utilities and Service Systems

#### **Significant Impacts**

The EIR concludes that some, but not all, impacts of the proposed Project in the following environmental resource areas which could be significant prior to mitigation:

- Biological Resources
- Cultural Resources (Archaeological and Tribal Resources)
- Transportation/Traffic

In addition, the EIR concludes that all significant impacts of the proposed Project following environmental resource areas would be less than significant after mitigation:

- Biological Resources
- Cultural Resources ((Archaeological and Tribal Resources)
- Transportation/Traffic (Note: Traffic control conditions of approval are included which improved traffic safety)

#### **Significant and Unavoidable Impacts**

The EIR/EIS concludes that some, but not all, impacts of the proposed Project in the following environmental resource areas would remain significant and unavoidable despite imposition of all feasible mitigation:

- Cultural Resources (demolition of historical resources)
- Mandatory Findings of Significance

## **IV. FINDINGS REGARDING SIGNIFICANT IMPACTS**

In making each of the findings below, the Town has considered the Project Design Features and Plans, Programs, and Policies discussed in the FEIR. The Project Design Features described in the FEIR are part of the proposed project that the Town has considered, and are explicitly made conditions of project approval. The Plans, Programs, and Policies discussed in the FEIR are existing regulatory plans and programs the proposed project is subject to, and, likewise, are explicitly made conditions of project approval.

The Findings of Fact are based on information contained in the Draft EIR/EIS and the Final EIR/EIS for the Veteran's Village Affordable Housing Project, as well as information contained within the administrative record. The administrative record includes, but is not limited to, the project application, project staff reports, project public hearing records, public notices, written comments on the project and responses to those comments, proposed decisions and findings on the project, and other documents relating to the Town's decision on the project.

The Draft EIR/EIS addresses the project's potential effects on the environment, and was circulated for public review and comment pursuant to the State CEQA Guidelines for a period of 45 days. No comments were received on the document. The Final EIR contains copies of all comments and recommendations received on the Draft EIR/EIS, a list of persons, organizations and public agencies commenting on the Draft EIR/EIS, responses to comments received during the public review, and changes to the Draft EIR/EIS. This section provides a summary of the environmental effects of the project that are discussed in the Draft EIR/EIS, and provides written findings for each of the significant effects, which are accompanied by a brief explanation of the rationale for each finding.

### **A. Discussion of Findings**

Where, as a result of the environmental analysis of the project and the identification of project design features; compliance with existing laws, codes, and statutes; and the identification of feasible mitigation measures, potentially significant impacts have been determined by the Town to be reduced to a level of less than significant. The Town of Colma has found in accordance with CEQA Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1) that "changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment." Such a finding is referred to herein as Finding 1.

Where the Town of Colma has determined pursuant to CEQA Section 21081((a)(2) and CEQA Guidelines Section 15091(a)(2) that “those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency,” the Town’s finding is referred to as Finding 2. This finding is not required to be made because all mitigation is under the jurisdiction of the Town.

Where, as a result of the environmental analysis of the project, the Town has determined that (a) even with the identification of project design features; compliance with existing laws, codes, and statutes; and/or the identification of feasible mitigation measures, potentially significant impacts cannot be reduced to a level of less than significant, or (b) no feasible mitigation measures or alternatives are available to mitigate the potentially significant impact, the Town has found in accordance with CEQA Section 21081(a)(3) and CEQA Guidelines Section 15091(a)(3) that “specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.” Such a finding is referred to as Finding 3.

## **B. FINDINGS REGARDING SIGNIFICANT IMPACTS WHICH CAN BE FULLY MITIGATED TO A LESS THAN SIGNIFICANT LEVEL**

### **Biological Resources**

#### *Impact of BIO-1, BIO-2*

Demolition of the buildings and trees could result in disturbance of nesting birds and/or roosting bats.

#### *Substantial Evidence*

Evidence supporting the fact that the environmental effects identified in Impacts BIO-1 and BIO-2 are significant but can be fully mitigated to a less than significant level is provided in Chapter 3 of the FEIR.

The proposed project could have potentially significant impacts to nesting birds (Impact BIO-1) and/or roosting bats (Impact BIO-2) due to habitat loss from removal of up to 47 trees and structures; direct mortality during tree removal and demolition of structures; or nesting failure due to disturbance from construction activity. Impacts BIO-1 and BIO-2 would be reduced to less than significant levels with planting of the more than 90 trees and other vegetation in the landscape plan for the project to prevent permanent habitat loss, and implementation of Mitigation Measures BIO-1 and BIO-2 to prevent construction-related impacts to nesting birds and roosting bats (see Table 2-1 and Section 1.4 Biological Resources of Appendix B).

All other potential project-related impacts to biological resources would be less than significant. No special-status species have the potential to occur within or in the vicinity of the project site

and no sensitive habitats or wetlands occur on or adjacent to the site. Therefore, the project would not impact special-status species, sensitive habitats or wetlands. The project would not impact wildlife movement corridors or nursery sites because there are no known migration corridors or native wildlife nursery sites within or adjacent to the project site. The project would not conflict with local policies or ordinances protecting biological resources. The project applicant would obtain a tree removal permit from the Town for the removal of forty-six trees, as required by the Town's Tree Cutting and Removal Ordinance (Municipal Code Section 5.06). No habitat conservation or natural community conservation plan applies to the project site. Additional substantiation can be found in Section 1.4 Biological Resources of Appendix B to the EIR.

### *Finding*

Concerning BIO -1 and BIO-2, the Town hereby makes Finding 1 that changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

## **Cultural Resources**

### *Impact of CUL-1*

Demolition of the buildings and site preparation could disturb unrecorded historical, archaeological and tribal cultural resources and/or unrecorded human remains.

### *Substantial Evidence*

Evidence supporting the fact that the environmental effects identified in Impact CUL-1 are significant but can be fully mitigated to a less than significant level is provided in Chapter 4 of the FEIR.

The Ohlones Native Americans inhabited the project area prior to invasion by the Spanish in 1769. The Ohlones were hunters and gatherers, living in "tribelets" – small independent groups of usually related families occupying a specific territory and speaking the same language or dialect. The presence of numerous prehistoric archaeological sites along upper and lower San Mateo Creek indicates this region was used over a period of thousands of years by prehistoric Native Americans.

A literature review and records search of the California Historical Resources Information System (CHRIS) for potential cultural resources at the proposed project site was performed for the project by Holman and Associates in October 2015 (see Appendix D of EIR). This records search indicated:

- The project site was included in two surveys for the BART extension through Colma and South San Francisco which focused on historic architectural resources and do not address archaeological resources.

- Twelve other survey and/or subsurface reconnaissance reports were found within 400 m of the project site and none recorded prehistoric archaeological resources within this area (400m of the project site).
- Previous studies looking for indications of archaeological resources did not locate or record archaeological resources in the upper Colma Creek and included studies utilizing subsurface reconnaissance.
- The nearest recorded prehistoric site is over 2,000 m downstream from the project area along the west bank of Colma Creek. It was initially recorded as destroyed and later subsurface reconnaissance failed to find archaeological indications at the recorded location.

A general pedestrian field survey for archaeological resources was conducted on the project site. Field conditions were noted as poor to nonexistent over the majority the Holy Cross Cemetery area and the nearly entirely paved BART area. Wherever open surface could be found, an intensive survey was conducted, however this amounted to only a small portion of the project site. The majority of the site was unsurveyable due to pavement and or gravel covering the north and south parking areas, historic structures, thick vegetation and duff from the densely spaced trees, and the miscellany of dumped, discarded, trash, auto, and auto body parts, and trailers, etc. It was apparent the entire surface of the project site has been highly altered during historic land use.

Mitigation Measure CUL-1 provides mitigation in the event that unrecorded historical, archaeological and tribal cultural resources and/or unrecorded human remains are found.

#### *Finding*

Concerning CUL-1, the Town hereby makes Finding 1 that changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

#### *Impact of CUL-3*

The project could impact potential tribal cultural resources.

#### *Substantial Evidence*

Evidence supporting the fact that the environmental effects identified in Impact CUL-3 are significant but can be fully mitigated to a less than significant level is provided in Chapter 4 of the FEIR.

The applicant, Mercy Housing, initiated contact with the Native American Tribes during the NEPA Section 106 process (see Chapter 9 for additional detail). No Native American Tribes have approached the Town to initiate AB 52 consultation, however the Town sent the NOP to area Native American Tribes during the EIR NOP process for comment.

No Native American Tribes have indicated there are Tribal Cultural Resources present at the project site; however, in response to the NOP, Chief Tony Cerda, of the Costanoan Rumsen Carmel Tribe requested notification prior to any ground disturbing activities taking place on the project site. This request shall be implemented as a mitigation measure for the project to protect potential Tribal Cultural Resources.

Mitigation Measure CUL-3 provides notification of the construction schedule and dates of ground disturbing activity.

#### *Finding*

Concerning CUL-3, the Town hereby makes Finding 1 that changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

## **C. FINDINGS REGARDING SIGNIFICANT AND UNAVOIDABLE IMPACTS**

### **Historic Resources**

Pursuant to CEQA Guidelines Section 15064.5(b), a substantial adverse change in the significance of an historical resource because of a project is defined as “the demolition, destruction, relocation, or alteration of a resource or its immediate surroundings such that its significance is materially impaired”. In general, a historical resource’s significance is materially impaired when it can no longer convey its historical significance and therefore can no longer justify its inclusion in, or eligibility for, inclusion in the CRHR, the local register of historical resources pursuant to Public Resources Code Section 5020.1(k), or its identification in an historical resources survey meeting the requirements of Public Resources Code Section 5024.1(g).

#### *Impact of CUL-2A (demolition) and CUL-2B(change in character of site)*

The proposed project would cause a substantial adverse effect under 36 CFR Part 800.5(2)(i) and a substantial inverse change according to the Town’s Criteria of Significance for a historic resource. In addition, the project would result in a significant change in the character of the site.

#### *Substantial Evidence*

Evidence supporting the fact that the environmental effects identified in CUL-2A and C-2B are unavoidable is provided in Chapter 4 of the FEIR. Implementation of the proposed project would result in the demolition of four structures which are contributing structures and buildings associated with the Holy Cross Cemetery Historic District. Construction of the project would result in a significant change in the character of the site.

The existing built structures at the project site are part of a historic irrigation system associated with the Holy Cross Cemetery. These features and the entire subject property are located within the Holy Cross Cemetery Historic District. The five Holy Cross Cemetery buildings on the project site were constructed in circa 1914-1915 as part of the cemetery's extensive water and irrigation system. The buildings are arranged on the middle of the triangular shaped project parcel with the main building, the large pump house, located on the south side of the building complex. North of the pump house are a well house, a concrete, above ground, water reservoir and a carpenter's shop/well house. An additional well house is adjacent to and south of the pump house. Photographs of the buildings are included in Figure 2-4 of the Project Description. The numbered photographs in the section below are contained in Appendix A of the FOE Report included in this EIR as Appendix D.

The proposed project will replace four contributing structures on the site of the original "water works lot" that historically provided irrigation water for the Holy Cross Cemetery landscape with a three-story, 66-unit residential building and related uses. The change in the character of the use of this part of the Holy Cross Cemetery Historic District to multi-unit residential use constitutes an adverse effect under 36 CFR Part 800.5(2)(iv) because of the proposed "change of the character of the property's use or of physical features within the property's setting that contribute to its historic significance."

In the 1970s, Holy Cross Cemetery built a new pump house in another part of the cemetery and Baca's Machine Shop (auto engine repair) became the tenant of the pump house. The two well houses and the carpentry building have been used for storage. The change from the "water works" use related to the cemetery to a light industrial use did not substantially change "the character of use of the property" (Hill and Bradley 2016). Baca's Machine Shop confined their use to the existing pump house and they did not add any major new buildings related to their use of the site. A small paved parking area was added, which was not a major change in the "character" of use. The spatial relations of the cemetery water works lot buildings to each other and their setting have not changed. Like the later Baca's Machine Shop, the pump house and related structures also represented an essentially "industrial" type of use, i.e., the pumps and related equipment are essentially "machines" associated with the operation of the cemetery. The pump house housed pumping equipment and the complex-related plumbing system (pipes, valves, etc.), other related support structures (like a large electrical panel), and machines related to repairing maintaining the "machinery". Thus, the similar light industrial use associated with Baca's Machine Shop does not represent a substantial change in the character of the property's original use. The main change to the water works lot since the period of significance (1886-1945) is the addition of a concrete structure built for the San Francisco Airport BART extension at the northwest corner of the lot. The addition of this structure has not changed historic character of the water works lot so dramatically that it is no longer contributing to the historic district.



In conclusion, the Finding of Effect (Hill 2016) determined that the Veterans Village building represents a significant change in the “character of the use” of the water works lot at Holy Cross Cemetery from what was essentially a light industrial use associated with the cemetery (a character retained by its later use by Baca’s Machine Shop) to new a multi-unit residential use. This change in use from its historic light industrial use to a multi-unit residential use constitutes an adverse effect under 36 CFR Part 800.5(2)(iv) and is considered a significant impact under CEQA. The destruction, significant alteration, or other substantial adverse change to historical resources as a result of the project are considered significant impacts.

Mitigation Measures CUL-2a, CUL-2b and CUL- 2c would serve to mitigate some of the impacts related to the demolition of structures. The following measures are summarized below:

- CUL-2a: This mitigation measure provides for the salvage of portions of the structures prior to demolition.
- CUL-2b: This mitigation measure provides for archival photo documentation of the buildings.
- CUL-2C: This mitigation measure provides for the creation of an interpretive exhibit at the site to inform the public about this resource.

#### *Finding*

Concerning CUL-2A and CUL-2B, the Town hereby makes Finding 3 that no feasible mitigation measures or alternatives exist that would fully mitigate the significant impact related to demolishing historical resources. Despite the implementation of Mitigation Measures CUL-2a, CUL-2b, and CUL-2c, Impacts CUL-2a and CUL-2b would remain significant. The removal of the four historic structures (Impact CUL-2A) and the change in character in the use of the site (Impact CUL-2B) are considered Significant and Unavoidable Impacts of the project.

## **D. STATEMENT OF OVERRIDING CONSIDERATIONS**

Section 15093 of the CEQA Guidelines requires the decision-making agency to balance, as applicable, the economic, legal, social, technological or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific benefits outweigh the unavoidable adverse environmental effects of the project, a Statement of Overriding Considerations may be adopted and the project approved, despite its adverse environmental effects. A Statement of Overriding Considerations consists of the agency’s statement, in writing, about its specific reasons to support its approval, based on substantial evidence in the record, including the FEIR and/or other information.

The Town makes this statement in connection with its approval of the proposed Veteran's Village Affordable Housing Project, with mitigation measures to reduce environmental impacts, relying on the FEIR as required by CEQA. Even with the implementation of mitigation measures, a significant impact would remain. The following impacts are unavoidable because the mitigation measures would not reduce the impact to a less-than-significant level:

- CUL-2A: The proposed project would demolish four structures (reservoir, well houses and carpenter shop) which are a contributing structure and buildings associated with the Holy Cross Cemetery Historic District. The demolition of these structures is considered an adverse effect under 36 CFR Part 800.5(2)(i) and a substantial adverse change according to the Town's Criteria of Significance for a historic resource. Therefore, the impact is considered a significant impact under CEQA.
- CUL-2B: The project would result in a significant change in the character of the use of the site.

The Town has evaluated all feasible mitigation measures and project revisions with respect to project impacts. The Town has also examined a reasonable range of alternatives to the proposed project, as described in the Findings of Fact. Based on this evaluation, the Town has determined the following:

### **No Project Alternative**

Although the No Project Alternative eliminates project impacts, it does not further the Town's implementation of the Housing Element and does not satisfy any of the project objectives. The No Project Alternative is the Environmentally Superior Alternative because the site would remain in its current largely undeveloped state and retain the historic structures. However, CEQA Guideline §15126.6(e)(2) requires that another alternative be identified as the Environmentally Superior Alternative when the No Project Alternative is, otherwise, the Environmentally Superior Alternative. In this case, the Town considered as Environmentally Superior the "Revised Site Plan that Preserves Historic Structures Alternative," which allows for the construction of the 66 units of housing while preserving the four historic structures. This alternative reduces the impacts related to the removal of the historic structures while still meeting the project objectives, though not to the same degree as the Project.

In addition, the Town finds that the No Project Alternative is infeasible because the four buildings would continue to exist in disrepair, posing public safety and fire hazards and the potential for continued trespass and vandalism problems.

### **Reduced Project Alternative**

Under the Reduced Project Alternative, the project could be redesigned to provide the minimum number of units specified in the Housing Element, which is 26 units. This reduced project alternative, may, or may not preserve the four historic buildings that are proposed to be removed by the proposed project. However, the placement of a 26-unit residential development

and amenities in and amongst all existing historic structures could still result in a change in the historic use of the site as it represents a change in the character of the property's use from industrial to residential/industrial. The change in historic use could still be considered an adverse effect under 36 CFR Part 800.5(2)(iv) and could still remain a significant and unavoidable impact of the project.

A Reduced Project Alternative does not meet the Town's project objectives of using the full site, and maximizing the number of developable units at the site (Housing Element Policy 3, Program 3.1 and Program 3.2). A Reduced Project Alternative may also not be economically feasible for the project proponent. For these reasons, the Reduced Project Alternative is not considered the Environmentally Superior Alternative.

### **Revised Site Plan that Preserves Historic Structures Alternative**

Under the "Revised Site Plan that Preserves Historic Structures Alternative," the project would maintain the proposed 66 units and at the same time preserve all existing historic structures at the site. The applicant has developed a site plan to illustrate this alternative. In order to preserve the existing historic structures, the site plan:

- Breaks-up the residential buildings into two smaller structures (one on either side of the pump building) to fit the 66-units;
- The massing of this alternative reduces open space on the site and increases the visible mass of the structure from Mission Road;
- The massing of this alternative reduces outdoor living spaces for future project occupants;
- The placement of a building south of the pump building reduces historic views of the pump building from the north;
- The required placement of new structures to preserve historic structures and changes historic views of these structures (they would not be readily visible due to the new construction); and
- The site plan changes site circulation and prohibits required emergency vehicle access around the site (driveway width is required to be reduced from 20 feet to 13 feet adjacent to the northernmost historic structure where 20 feet is required by the Colma Fire Protection District).
- The placement of a 66-unit residential development and amenities in and amongst the proposed structures to be removed would still likely result in a change in the historic use of the site as it represents a change in the character of the property's use from industrial to residential/industrial. The change in historic use could still be considered an adverse effect under 36 CFR Part 800.5(2)(iv) and could still remain a significant and unavoidable impact of the project.

While the "Revised Site Plan that Preserves Historic Structures Alternative," is the Environmentally Superior Alternative, it does not meet the Town's project objectives of using the full site and incorporating all of the beneficial open space features. In addition, this

alternative negatively increases the visual mass of the proposed structures from Mission Road by placing buildings to the north and south of the pump house building, diminishing historic views of the structure. The reduction in emergency vehicle access was determined to be unacceptable to the Colma Fire Protection District. For these reasons, the Revised Site Plan Alternative is rejected.

The Town proposes to adopt a Statement of Overriding Considerations. To the extent that the significant effects of the Veteran's Village Affordable Housing Project have not been avoided or substantially lessened to a level of insignificance, the Town, having reviewed and considered the information contained within the FEIR and considered the information contained within the public record, and having balanced the benefits of the project against the unavoidable effects which remain, finds such unmitigated effects to be acceptable in consideration of the following overriding considerations:

- There is a severe shortage of housing in San Mateo County and the Bay Area in general, and a shortage of affordable supportive housing.
- Implementation of the Project will create a high-quality residential development that increases density near major employment and transportation nodes and furthers sound planning goals, including goals set out by ABAG and MTC through "Plan Bay Area" for addressing regional housing needs through the development of infill sites.
- The proposed project will supply needed housing for military Veterans.
- The proposed project represents a substantial 30 million dollar investment in the community.
- The site is designated for use in the 2015 Housing Element as a housing site. The Town has a Regional Housing Needs allocation of 59 units that should be built on designated sites which include affordable housing.
- The project would reduce public safety concerns associated with trespass, vandalism, arson and public safety.
- The project would improve the overall aesthetic and visual quality of the site by removing unsightly conditions associated with the structures and parked vehicles in various state of repair.
- The retention of the resources onsite would cause an immediate and substantial hardship to the property owner because rehabilitation or restoration would be infeasible from a technical, mechanical, and structural standpoint.
- The cost and feasibility to restore the structures is disproportionately great in relation to their historical significance and functional value.
- The location of the structures on the site make it difficult to design a project that is as cohesive and desirable as the proposed project. Specifically, keeping the 4 structures:
  - Breaks-up the residential buildings into two smaller structures (one on either side of the pump building) to fit the 66-units;
  - The massing of this alternative reduces open space on the site and increases the visible mass of the structure from Mission Road;

- The massing of this alternative reduces outdoor living spaces for future project occupants;
- The placement of a building south of the pump building reduces historic views of the pump building from the north;
- The required placement of new structures to preserve historic structures changes historic views of these structures (they would not be readily visible due to the new construction); and
- The site plan changes site circulation and prohibits required emergency vehicle access around the site (driveway width is required to be reduced from 20 feet to 13 feet adjacent to the northernmost historic structure where 20 feet is required by the Colma Fire Protection District).
- Implementation of the Project will maximize the development potential of the Project Site in context with the area through quality design and development controls that ensure a unified and cohesive development.
- Implementation of the Project will support local and regional sustainability goals through urban infill.
- The preservation and refurbishment of the most significant structure, the pump house, and the creation of an interpretive exhibit about the Holy Cross irrigation and maintenance structures will provide a meaningful representation of the history of the site.

## CONCLUSION

For the foregoing reasons, the Town Council of the Town of Colma finds that the project's adverse, unavoidable environmental impacts are outweighed by the above-referenced benefits, any one of which individually would be sufficient to outweigh the adverse environmental effects of the project. Therefore, the Town Council of the Town of Colma has adopted these Findings and Statement of Overriding Considerations.



**EXHIBIT B TO CEQA RESOLUTION - MITIGATION MONITORING AND  
REPORTING PROGRAM  
FOR THE PROPOSED MERCY HOUSING VETERANS VILLAGE PROJECT**

The Mitigation Monitoring and Reporting Program (MMRP) describes the roles and responsibilities in monitoring and reporting on the implementation of the proposed mitigation measures identified in the Draft Environmental Impact Report (EIR) for the project, pursuant to section 15097 of the California Environmental Quality Act (CEQA). CEQA requires lead agencies to prepare a MMRP to ensure the implementation of the mitigation measures adopted to reduce or avoid significant environmental impacts addressed in this document. The MMRP is a guide for facilitating the implementation of the mitigation measures and any other monitoring, reporting, or compliance activities associated with the proposed project.

**ROLES AND RESPONSIBILITIES**

As the lead agency under CEQA, the Town of Colma (Town) is required to monitor the construction and operational activities of this project to ensure that the proposed mitigation measures are implemented and to prepare reports, as needed, that document implementation of the measures. It is anticipated that the Town would appoint one person responsible for implementing the MMRP, and that person would have the authority to halt any project construction activities that deviate from the proposed project's applicable mitigation measures. Depending on the phase of the project, the project proponent, Mercy Housing, may have different subcontractors reporting the implementation of the measures to the point of contact at the Town. The person responsible for monitoring shall prepare monthly reports that include the results of periodic monitoring and verification of the implementation of the mitigation measures.

**MITIGATION MONITORING AND REPORTING PROGRAM**

The table below presents a compilation of the proposed mitigation measures for the proposed Mercy Housing Veterans Village project. The table provides a comprehensive list of the mitigation measures, the monitoring/reporting action to be taken, the responsible party, and the timing of the mitigation measures.

**EXHIBIT B TO CEQA RESOLUTION - MITIGATION MONITORING AND REPORTING PROGRAM  
FOR THE PROPOSED MERCY HOUSING VETERANS VILLAGE PROJECT**

<b>Environmental Impact</b>	<b>Mitigation Measures</b>	<b>Monitoring/ Reporting Action</b>	<b>Responsible Agency</b>	<b>Timing</b>
<b>Biological Resources</b>				
<p><b>Impact BIO-1:</b> If construction occurs during the bird nesting season (February 1 to August 31), removal of trees or other vegetation or construction in close proximity to such vegetation could impact nesting birds. This impact can be avoided if construction activities are planned for the non-nesting season (September 1 to January 31).</p>	<p><b>Mitigation Measure BIO-1a: Preconstruction Survey for Nesting Birds</b> To avoid impacts to nesting birds and violation of state and federal laws pertaining to birds, all construction-related activities (including but not limited to mobilization and staging, clearing, grubbing, vegetation removal, fence installation, demolition, and grading) should occur outside the avian nesting season (that is, prior to February 1 or after August 31). If construction and construction noise occurs within the avian nesting season (from February 1 to August 31), all suitable habitats located within the project's area of disturbance including staging and storage areas plus a 250-foot (passerines) and 1,000-foot (raptor nests) buffer around these areas shall be thoroughly surveyed, as feasible, for the presence of active nests by a qualified biologist no more than five days before commencement of any site disturbance activities and equipment mobilization. If project activities are delayed by more than five days, an additional nesting bird survey shall be performed. Active nesting is present if a bird is sitting in a nest, a nest has eggs or chicks in it, or adults are observed carrying food to the nest. The results of the surveys shall be documented and submitted to the Town Planning/Building Department prior to its issuance of building/grading permits.</p>	<ol style="list-style-type: none"> <li>1) Conduct nesting bird survey no more than 5 days prior to the start of construction, if construction and/or construction noise occurs within the avian nesting season (from February 1 to August 31)</li> <li>2) If the survey locates an active bird nest, establish buffers as appropriate (per BIO-1b)</li> <li>3) Document nesting bird survey results in a report</li> </ol>	<p>Town of Colma</p>	<p>As specified under Reporting Action. Nesting bird survey report, if required, shall be submitted to the Town prior to issuance of the grading or building permit.</p>



**EXHIBIT B TO CEQA RESOLUTION - MITIGATION MONITORING AND REPORTING PROGRAM  
FOR THE PROPOSED MERCY HOUSING VETERANS VILLAGE PROJECT**

<b>Environmental Impact</b>	<b>Mitigation Measures</b>	<b>Monitoring/ Reporting Action</b>	<b>Responsible Agency</b>	<b>Timing</b>
	<p>If it is determined that birds are actively nesting within the survey area, Mitigation Measure BIO-1b shall apply. Conversely, if the survey area is found to be absent of nesting birds, Mitigation Measure BIO-1b shall not be required.</p> <p><b>Mitigation Measure BIO-1b: Protection of Nesting Birds</b></p> <p>If pre-construction nesting bird surveys result in the location of active nests, no site disturbance and mobilization of heavy equipment (including but not limited to equipment staging, fence installation, clearing, grubbing, vegetation removal, fence installation, demolition, and grading), shall take place within 250 feet of non-raptor nests and 1,000 feet of raptor nests, or as determined by a qualified biologist in consultation with the California Department of Fish and Wildlife, until the chicks have fledged. Monitoring shall be required to insure compliance with the MBTA and relevant California Fish and Game Code requirements. Monitoring dates and findings shall be documented and provided to the Planning/Building Department.</p>			
<p><b>Impact BIO-2:</b> Tree removal and/or demolition of the existing buildings could result in the removal or disturbance of bat roost habitat and may result in</p>	<p><b>Mitigation Measure BIO-2: Protection of Roosting Bats</b></p> <p>A preconstruction survey for maternity (March 1 to August 1) or colony bat roosts (year-round) shall be conducted by a qualified biologist within 7 days prior to activities that remove</p>	<p>1) A preconstruction survey for maternity (March 1 to August 1) or colony bat roosts</p>	<p>1) Applicant/qualified biologist 2) Qualified biologist 3) Qualified biologist</p>	<p>Roosting bat survey report, if required, shall be submitted to the Town prior</p>

**EXHIBIT B TO CEQA RESOLUTION - MITIGATION MONITORING AND REPORTING PROGRAM  
FOR THE PROPOSED MERCY HOUSING VETERANS VILLAGE PROJECT**

<b>Environmental Impact</b>	<b>Mitigation Measures</b>	<b>Monitoring/ Reporting Action</b>	<b>Responsible Agency</b>	<b>Timing</b>
<p>significant impacts to bat populations if an occupied or perennial (but unoccupied) maternity or colony roost is disturbed or removed.</p>	<p>vegetation or structures. If an occupied maternity or colony roost is detected, CDFW shall be contacted about how to proceed. Typically, a buffer exclusion zone would be established around each occupied roost until bat activities have ceased. The size of the buffer would take into account:</p> <ul style="list-style-type: none"> <li>• Proximity and noise level of project activities;</li> <li>• Distance and amount of vegetation or screening between the roost and construction activities;</li> <li>• Species-specific needs, if known, such as sensitivity to disturbance.</li> </ul> <p>Due to restrictions of the California Health Department, direct contact by workers with any bat is not allowed. The qualified bat biologist shall be contacted immediately if a bat roost is discovered during project construction.</p>	<p>(year-round) shall be conducted by a qualified biologist within 7 days prior to activities that remove vegetation or structures.</p> <p>2) If an occupied maternity or colony roost is detected, CDFW shall be contacted about how to proceed.</p> <p>3) Document roosting bat survey results in a report</p>		<p>to issuance of the grading or building permit</p>
<b>Cultural/Tribal Cultural Resources</b>				
<p><b>Impact CUL-1:</b> Project construction could disturb unrecorded historical, archaeological, and tribal cultural resources and/or unrecorded human remains.</p>	<p><b>Mitigation Measure CUL-1: Minimize and Avoid Impacts to Unrecorded Cultural Resources, Tribal Cultural Resources, and Human Remains</b></p> <p>In this area, the most common and recognizable evidence of prehistoric archaeological resources are deposits of marine shell (mussels, clams, abalone, crabs, etc.), usually in fragments and/or bones, usually in a darker fine-grained soil</p>	<p>1) Have a qualified archaeologist evaluate the find</p> <p>2) Notify San Mateo County Coroner, and determine</p>	<p>1) Applicant, Contractor and Town of Colma Building Department</p> <p>2) Applicant, Contractor and Town of Colma Building</p>	<p>1) At the time the discovery is made</p> <p>2) At the time the discovery is made</p>

**EXHIBIT B TO CEQA RESOLUTION - MITIGATION MONITORING AND REPORTING PROGRAM  
FOR THE PROPOSED MERCY HOUSING VETERANS VILLAGE PROJECT**

<b>Environmental Impact</b>	<b>Mitigation Measures</b>	<b>Monitoring/ Reporting Action</b>	<b>Responsible Agency</b>	<b>Timing</b>
	<p>(called a “midden”) containing evidence of the use of fire; obsidian, other stone flakes left from making stone tools, or the tools themselves (mortars, pestles, arrowheads, and spear points), and human burials, often as dislocated or fragmented bones. Prehistoric archaeological sites farther downstream along Colma Creek exhibit these characteristics. Historic materials 45 years and older, bottles, artifacts, structural remains, etc. may also have scientific and cultural significance and should be more readily identified.</p> <p>If during the proposed project construction any such evidence is uncovered or encountered, all excavations within 10 meters (30 feet) should be halted long enough to call a qualified archaeologist to assess the situation and propose appropriate measures. Any potential historic resources discovered should be mapped, recorded, and initially assumed to be eligible for the California Register of Historical Resources until a formal, in-field evaluation can be completed and substantiated.</p> <p>If human remains are accidentally discovered during construction activities, the measures specified in Section 15064.5(e)(1) of the CEQA</p>	<p>significance of remains in consultation with responsible parties</p>	<p>Department</p>	

**EXHIBIT B TO CEQA RESOLUTION - MITIGATION MONITORING AND REPORTING PROGRAM  
FOR THE PROPOSED MERCY HOUSING VETERANS VILLAGE PROJECT**

<b>Environmental Impact</b>	<b>Mitigation Measures</b>	<b>Monitoring/ Reporting Action</b>	<b>Responsible Agency</b>	<b>Timing</b>
	<p>Guidelines shall be followed:</p> <ul style="list-style-type: none"> <li>• There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the San Mateo County coroner is contacted to determine that no investigation of the death is required.</li> </ul> <p>If the coroner determines the remains to be Native American, the Coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours. The NAHC shall identify the person or persons it believes to be most likely descended from the deceased Native American. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98; or, if the NAHC cannot identify the most likely descendants (MLD), the MLD fails to make a recommendation, or the property owner rejects the MLD's recommendations, the property owner can rebury the remains and associated burial goods with</p>			

**EXHIBIT B TO CEQA RESOLUTION - MITIGATION MONITORING AND REPORTING PROGRAM  
FOR THE PROPOSED MERCY HOUSING VETERANS VILLAGE PROJECT**

<b>Environmental Impact</b>	<b>Mitigation Measures</b>	<b>Monitoring/ Reporting Action</b>	<b>Responsible Agency</b>	<b>Timing</b>
	appropriate dignity in an area not subject to ground disturbance.			
<p><b>Impact CUL-2A:</b> The proposed project would demolish four structures (reservoir, well houses and carpenter shop) which are contributing structures and buildings associated with the Holy Cross Cemetery Historic District. The demolition of these structures is considered an adverse effect under 36 CFR Part 800.5(2)(i) and a substantial adverse change according to the Town’s Criteria of Significance for a historic resource. Therefore, the impact is considered a significant impact under CEQA.</p>	<p><b>Mitigation Measure CUL-2a: Salvage Elements of Buildings to be Demolished</b> Representatives of the Colma Planning Department, the Colma Historical Museum or representatives of local preservation or historical societies, Holy Cross Cemetery and other interested parties shall be contacted and given the opportunity to examine and salvage particular elements.</p>	N/A	Applicant and Town of Colma Planning Department	In advance of building demolition and issuance of the grading permit
	<p><b>Mitigation Measure CUL-2b: Photo Documentation</b> Prior to demolishing or salvaging materials at the Holy Cross Cemetery, the water reservoir, the three associated buildings (two well houses and the carpenter’s shop) and the site in general shall be documented according to the Outline Format described in the Photographic Specifications and The Guidelines for Preparing Written and Descriptive Data: Historic American Building Survey (HABS) published by the Pacific West Region Office of the National Park Service. The photo documentation should show the spatial relationships of the buildings and the water reservoir to each other. This documentation shall include archival quality, large format (minimum 4 by 5 inch) photographs of the</p>	Photo documentation report	Applicant/ Town of Colma Planning Department	In advance of building demolition and issuance of the grading permit

**EXHIBIT B TO CEQA RESOLUTION - MITIGATION MONITORING AND REPORTING PROGRAM  
FOR THE PROPOSED MERCY HOUSING VETERANS VILLAGE PROJECT**

<b>Environmental Impact</b>	<b>Mitigation Measures</b>	<b>Monitoring/ Reporting Action</b>	<b>Responsible Agency</b>	<b>Timing</b>
	<p>exterior and interior views of the buildings and a view of their setting within the site. Archival negatives of the original construction drawings and historic views will be included in the documentation. Copies of the documentation, with original photo negatives and prints, shall be donated to the Colma Historical Association Museum, the San Mateo County Historical and other archives (as appropriate) accessible to the public.</p>			
	<p><b>Mitigation Measure CUL-2c: Interpretive Exhibit</b> A permanent, interpretive exhibit on the project site about the “water works lot” buildings, structures and history shall be created. The exhibit should incorporate information from the BART report and other sources about the history of the Holy Cross Cemetery, historic photographs, and HABS documentation or other recordation materials and should be located and designed so that it is accessible to the public and of a durable design. The interpretive exhibit should be developed and designed by a qualified team including an historian and a graphic designer or exhibit designer. If the exhibit cannot be accommodated in the new development, another appropriate public venue can also be considered such as the Colma Historical Association Museum.</p>	<p>Identify location for and develop an interpretive exhibit</p>	<p>Applicant/ Town of Colma Planning Department</p>	<p>Exhibit shall be completed prior to building occupancy.</p>

**EXHIBIT B TO CEQA RESOLUTION - MITIGATION MONITORING AND REPORTING PROGRAM  
FOR THE PROPOSED MERCY HOUSING VETERANS VILLAGE PROJECT**

<b>Environmental Impact</b>	<b>Mitigation Measures</b>	<b>Monitoring/ Reporting Action</b>	<b>Responsible Agency</b>	<b>Timing</b>
<b>Impact CUL-2B:</b> The project would result in a significant change in the character of the use of the site.	<b>Same Mitigation Measures as Impact CUL-2A; Mitigation Measures CUL-2a, CUL-2b, and CUL-2c, as listed above.</b>	Same as Mitigation Measures CUL-2a, CUL-2b, and CUL-2c, as listed above	Same as Mitigation Measures CUL-2a, CUL-2b, and CUL-2c, as listed above	Same as Mitigation Measures CUL-2a, CUL-2b, and CUL-2c, as listed above
<b>Impact CUL-3:</b> The project could impact potential tribal cultural resources.	<b>Mitigation Measure CUL-3: Notify Tribal Representative of Project Construction Schedule</b> Chief Tony Cerda, of the Costanoan Rumsen Carmel Tribe shall be provided written notification of the entire construction schedule and the dates of ground disturbing activities taking place on the project site. Written notification shall be accomplished by certified mail and received no less than two weeks prior to the start of construction activities (even if they are not ground disturbing).	Town notification by certified mail no less than 2 weeks before the start of construction activities, even if they are not ground disturbing	Applicant and Town of Colma	No less than 2 weeks before the start of construction activities, even if they are not ground disturbing





**ORDINANCE NO. \_\_\_\_\_**

**ORDINANCE ADOPTING AN AMENDED ZONING MAP AND APPROVING A  
PLANNED DEVELOPMENT ZONE FOR 1670-1692 MISSION ROAD (REZONING  
PROPERTY FROM C/DR TO PD/DR)**

Property Owner: Archdiocese of San Francisco  
Applicant: Mercy Housing California 66, L.P.  
Location: 1670-1692 Mission Road  
APN: 011-370-220

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

**1. BACKGROUND**

(a) The Town received an application from Mercy Housing California L.P. for approval of a Planned Development for the property at 1670-1690 Mission Road, Colma (Assessor's Parcel Number: 011-370-220) to allow for a 66 unit multi-family housing project (the "Project"). A Planned Development Rezoning is requested for multi-family uses in an existing Commercial (C) zone.

(b) The application was reviewed pursuant to the requirements of the California Environmental Quality Act (CEQA), and the City Council considered all environmental impacts of the Project. In so doing, the City Council adopted Resolution No. 2016-\_\_ certifying the Final Environmental Impact Report and adopting Findings, a Statement of Overriding Considerations, and the Mitigation Monitoring and Reporting Program.

(c) A public hearing was held on this matter on November 9, 2016 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:

a) That the proposed uses are, in substantial part, generally or conditionally permitted under the zoning classification for the proposed district in existence at the time of the application.

Discussion: The subject property is designated commercial in the General Plan, zoned Commercial/Design Review and located on Mission Road. The commercial land use designation and zoning district allow for multi-family residential with approval of a Planned Development (PD) rezoning and with the issuance of a Conditional Use Permit. Provided that the City Council approves the Conditional Use Permit, the proposed uses are, in substantial part, generally or conditionally permitted under the zoning classification for the proposed district in existence at the time of the application.

The project site is designated in the 2015 Colma Housing Element for housing, and can only be developed for housing unless a suitable substitute site is found to replace the units that could have been built on the site.

- b) The uses proposed will not be detrimental to present and potential surrounding uses, but will have a beneficial effect which could not be achieved under other zoning districts.

Discussion: The proposed project was evaluated for compliance with the Colma General Plan and Zoning Code. The proposed project was also evaluated under the California Environmental Quality Act to determine if the project posed any impacts on the environment. The Final EIR identifies mitigation measures that are required to reduce any impacts to a less than significant level. The project, with compliance with the mitigation measures, would not be detrimental to the public health, safety, or welfare of those in the vicinity. Zoning compliance includes an evaluation of the project's compliance with development standards such as setbacks, landscaping and off-street parking and signage. As set forth in the Planned Development zoning for site, the proposal meets all development standards.

- c) The streets and thoroughfares proposed are suitable and adequate to carry anticipated traffic and the density will not generate traffic in such amounts as to overload the street network outside the PD District.

Discussion: All of the development is served by existing streets with all access from Mission Road. Anticipated traffic and the density will not generate traffic in such amounts as to overload the street network outside the PD District. As studied in the EIR, under cumulative conditions both without and with the project, the intersection of El Camino Real and Mission Road would operate at LOS C or better for all movements during both peak hours. The intersection of Mission Road and Lawndale Boulevard would operate at an acceptable LOS D during both the AM and PM peak hours under cumulative conditions both without and with the project. Under cumulative conditions with the project, the project site driveways would operate at an overall LOS A, with the worst movement (outbound out of the site driveway) operating at LOS B during both peak hours. Therefore, the project's contribution to traffic volumes would not be cumulatively considerable so as to overload the street network outside the PD District.

There is sufficient off-street parking proposed to satisfy anticipated parking demand for residents, employees and guests.

- d) The proposed development can be economically justified at the location proposed.

Discussion: An investment of over 30 million dollars will be made on the project. Mercy Housing California will have the resources to maintain the project during the life of the project. Therefore, the development can be economically justified at the location proposed.

- e) The impact created by the development can be absorbed and serviced by the Town.

Discussion: The applicant proposes to staff the apartment building on a 24 hour basis and proposes to operate the facility in a manner that will minimize calls for police and

fire services. As discussed in the EIR, the project will create a minor increase in demand for recreation services, but not sufficient enough to warrant hiring of additional employees. No unusual demands for water and sewer service will occur. Utilities exist in the adjacent street and are available to the property.

### 3. PLANNED DEVELOPMENT ZONE

The City Council hereby approves and applies the Planned Development (PD) overlay zone to the property, as shown on the Amended Zoning Map attached hereto as Exhibit A and incorporated by reference herein, subject to the standards set forth in the next section.

### 4. STANDARDS

Development of the site will be subject to the following standards:

(a) *Land Use.* The site may be developed and used for a 66 unit residential apartment building with supportive housing services and associated office, administrative, community and storage uses. A Planned Development Use Permit is required for the use.

(b) *Design Review.* The design of the Site Plan and all structures on the site are subject to review and approval in accordance with the Town's Design Review Standards.

(c) *Maximum Building Height.* A three-story building is permitted on the site, not to exceed 39 feet in height to the highest point on the building, including the elevator shafts.

(d) *Street Frontage.* A minimum eight (9) foot wide planting strip shall be provided and maintained along the Mission Road frontage (except at driveway cuts).

(e) *Off-Street Parking.* The property shall have a minimum of sixty nine (69) off-street parking spaces, including a minimum of four (4) disabled parking spaces, one of which must be van accessible. Standard spaces shall be no smaller than 9' wide and 18' long. Disabled parking spaces shall meet ADA width and overhead clearance requirements. All parking spaces shall be served by an access aisle no smaller than 24' wide. Residents and employees shall use parking spaces in the back of the parking lot and the spaces behind the building to free up visitor parking spaces close to the building entrance, adjacent to Mission Road.

(f) *Open space features.* Development of the site shall include:

- Two landscaped resident courtyard areas enclosed by an ornamental fence and site landscaping;
- A dog park for resident use;
- A publically accessible outdoor area (plaza) with a picnic table and interpretive historic display; and
- An area with gardening plots for resident use.



**Certification of Adoption**

I certify that the foregoing Ordinance No.\_\_\_\_ was introduced at a regular meeting of the City Council of the Town of Colma held on November 9, 2016, and duly adopted at a regular meeting of said City Council held on \_\_\_\_\_, 2016 by the following vote:

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

Dated \_\_\_\_\_

\_\_\_\_\_  
Diana Colvin, Mayor

Attest: \_\_\_\_\_  
Caitlin Corley, City Clerk



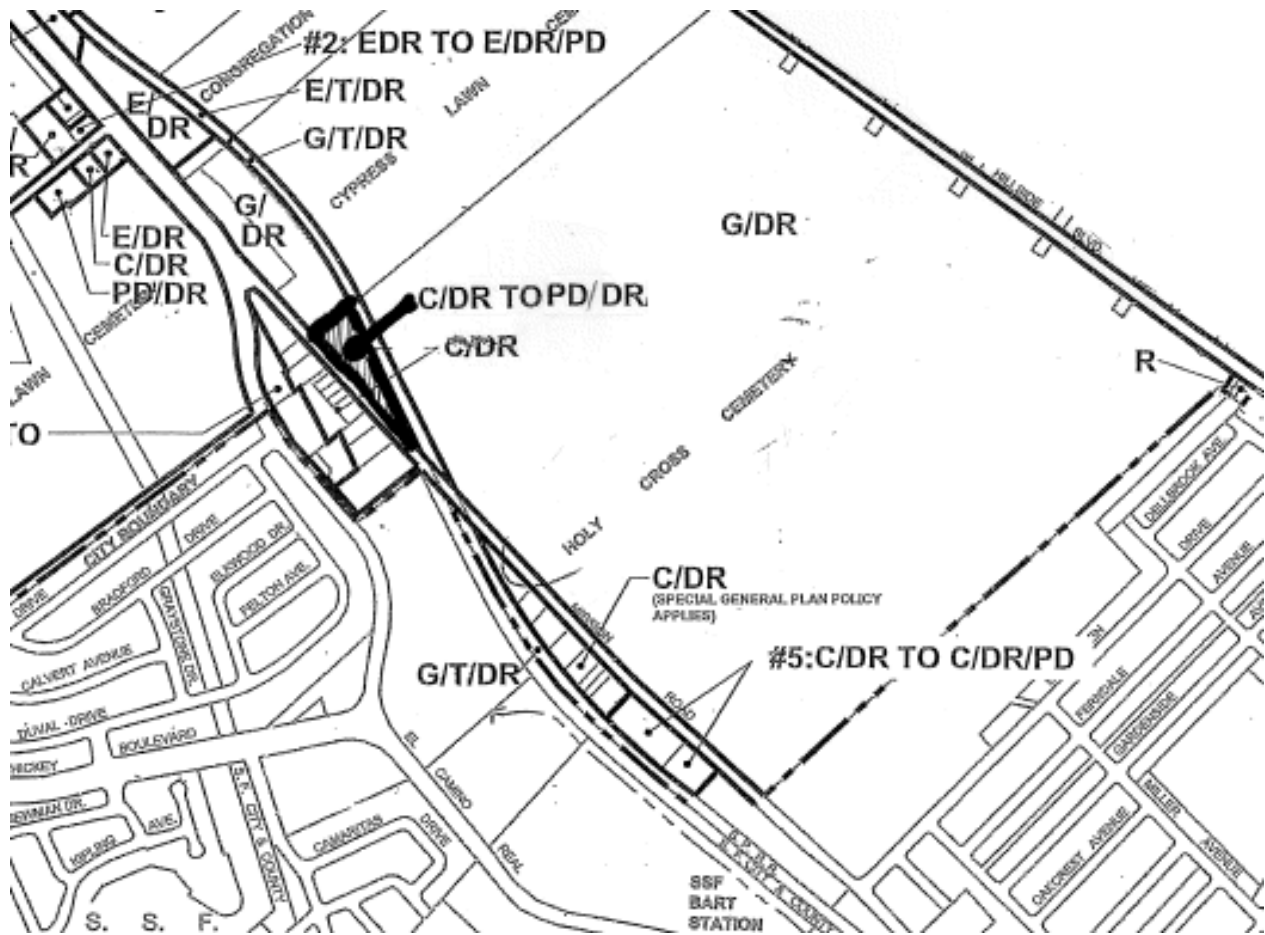


Exhibit A to Ordinance rezoning property at 1670-1692 Mission Road  
from C/DR to PD/DR





**RESOLUTION NO. 2016-\_\_**  
**OF THE CITY COUNCIL OF THE TOWN OF COLMA**

**RESOLUTION CONDITIONALLY APPROVING PLANNED DEVELOPMENT (PD)  
CONDITIONAL USE PERMIT, DESIGN REVIEW, SIGN PERMIT AND TREE  
REMOVAL PERMIT FOR A 66-UNIT AFFORDABLE HOUSING PROJECT AT 1670-  
1692 MISSION ROAD**

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 Mercy Housing for approval of Planned Development Rezoning, Conditional Use Permit, Design Review, Density Bonus and Tree Permit for a 66 unit affordable housing project at 1670-1692 Mission Road (APN #'s: 011-370-220).
- (b) The application was reviewed pursuant to the requirements of the California Environmental Quality Act (CEQA), and the City Council considered all environmental impacts of the Project. In so doing, the City Council adopted Resolution No. 2016-\_\_certifying the Final Environmental Impact Report and adopting Findings, a Statement of Overriding Considerations, and the Mitigation Monitoring and Reporting Program.
- (c) A public hearing was held on this matter on November 9, 2016 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 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 subject property is designated commercial in the General Plan, zoned Commercial/Design Review and located on Mission Road. The commercial land use designation and zoning district allow for multi-family residential with approval of a Planned Development (PD) rezoning and with the issuance of a Conditional Use Permit. Provided that the City Council approves the Conditional Use Permit, and the proposed uses comply with conditions of approval, the uses would be consistent with the goals and objectives of the Colma General Plan and the Zoning Ordinance.

The project site is designated in the 2015 Colma Housing Element for housing, and can

only be developed for housing unless a suitable substitute site is found to replace the units that could have been built on the site.

- (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 proposed project was evaluated for compliance with the Colma General Plan and Zoning Code. The proposed project was also evaluated under the California Environmental Quality Act to determine if the project posed any impacts on the environment. The Final EIR identifies mitigation measures that are required to reduce any impacts to a less than significant level. Even where impacts cannot be mitigated to less than significant, in the case of historic resources, the City Council has decided to override that impact and such impact would not affect the public health, safety or welfare. Further, compliance with the mitigation measures would not be detrimental to the public health, safety, or welfare of those in the vicinity. Zoning compliance includes an evaluation of the project's compliance with development standards such as setbacks, landscaping and off-street parking and signage. As set forth in the Planned Development zoning for site, the proposal meets all development standards and no detrimental effects will result.

The project relies on the use of the BART access driveway for emergency access to the rear portions of the structures in the event of a fire and for 35 of the 69 total parking spaces. The reciprocal easement agreement that Mercy Housing will enter into with BART will allow for these uses and will allow for BART to use a portion of the Mercy Housing driveway for construction vehicle access through their parking lot. Since this agreement has a termination clause required by BART in the event that they need to repair or modify their improvements, the emergency access and parking for the project could be impacted in the future. To address this the possibility that the agreement could be terminated, the use permit is conditioned to require that Mercy Housing amend the use permit and project approvals at that time in the future to provide for necessary access from their site (namely a fire-truck turn around) and parking required to meet project demands on-site. With this condition, the granting of the Conditional Use Permit will not be materially injurious to properties or improvements in the vicinity.

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

Discussion: Surrounding uses include automobile repair and body shops and cemeteries. Existing uses will not be affected by the proposed project as such surrounding uses will not be compromised or impacted by a housing related development, except potentially during construction where conditions of approval and mitigation measures are imposed under CEQA to reduce any negative effects to less significant level. Based on a review of two similar projects which show that less than half of the residents will have a vehicle, the project will provide adequate parking on-site so as not to impact street parking.

- (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 proposal meets all the standards identified in the Zoning Ordinance. The applicant is not requesting any special consideration. The project site can accommodate the proposed number of units, while providing a significant amount of landscape and open space area.

As stated above, part of the project improvement rely on use of improvements on the adjacent BART property. With the condition that the applicant be required to amend the project approvals and provide emergency vehicle access on-site, the granting of the Conditional Use Permit will not constitute the grant of a special privilege.

- (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: The project site is designated in the Housing Element of the General Plan as a required housing site. The project site is also designated in the Land Use Element as a "scattered site" for the purpose of determining residential density of 22 units per acre. With the allowed density bonus, the project complies with the General Plan density requirements. The project will satisfy the intent of the General Plan, specifically the Housing Element, The Land Use Element allows for a mixture of commercial and residential uses on Mission Road, including mixed use projects. This project is consistent with the mixture of land uses existing and planned for Mission Road.

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

Discussion: The proposal meets all the standards identified in the Zoning Ordinance and the project site is located on Mission Road which includes a combination of land uses, including residential uses. The project site is adjacent to a service yard area for Cypress Lawn Cemetery, underground BART tunnel and vent structure, and an embankment which separates the site from Holy Cross Cemetery. Operationally, the project will be a quiet residential use that will not constitute a nuisance to these uses or auto related uses across the street.

#### *Findings Related to Design Review*

- (a) DR Design Standards. All plans for development in the DR zone shall incorporate building, site and landscape design elements that are appropriate for the setting based on surrounding properties as defined in the following subsections.

- (1) Building Design Elements. Principal structures and secondary structures such as, storage buildings and trash enclosures must be architecturally consistent with each other. The following design elements must be present in all buildings:

- (i) Buildings shall incorporate simple, stepped massing. Flat walls shall be composed of a durable material and shall be minimized by interruptions including wall off-sets, varied use of materials, trim banding, score lines trim molding, contrasting colors, trellises, etc. The use of tower or articulated roof elements is encouraged.

- (ii) Roofs shall be low pitched gable and shed roof types. All flat roof areas shall be surrounded by a parapet wall and must be located where they can be viewed from adjacent buildings or property. Parapet walls shall be of such height that will completely screen all rooftop equipment.

Discussion: The proposed project satisfies the above requirements. All proposed structures are consistent with each other in materials and colors used, as well as overall design. The project was designed to complement the existing pump house building which will be refurbished and used as a community room for the proposed development. The project includes wall offsets on all sides, a variety of roof forms, and a combination of exterior materials and colors. The project uses design elements which are appropriate for the light industrial and commercial setting of the project, and the project will blend well with the structures across the street. Elevations submitted to the Town by the project sponsor show building architecture for the proposed project includes simple stepped massing with parapets, the use of varied materials, colors, and setbacks to provide visual interest. The exterior treatment of the building is a combination of various colors of stucco, fiber cement board and batten, metal and wood. All flat roof areas are surrounded by parapet walls that completely screen rooftop equipment. Composition shingle roofing is proposed for sloped roof areas.

- (2) Site and Landscape Design Elements. The following elements must be present in the site and landscape designs:
  - (i) Site plan and landscape design must appropriately integrate and conceal utility vaults, backflow prevention devices, trash dumpsters and other accessory elements.
  - (ii) A formal balanced planting layout shall be achieved by using elements such as landscape entry features, tree lined walks and drives, and boundary tree rows. Formal placement of trees in courts, pavilions and parking lots can significantly enhance the character of these public and private areas. Use of accent features such as brightly colored flowers and palm trees is encouraged. Drought tolerant and California native plant materials are encouraged.
  - (iii) Landscape design shall incorporate features such as arbors, trellises, fountains, walks, pavilions, curbs, light standards, benches, sculpture, enhanced pavement (materials, textures, and patterns), garden walls (free standing and retaining), wood fences and gates, ironwork gates and railings, planting pots and urns as appropriate to the project.

Discussion: The proposed conceptual landscape design satisfies the above requirements. All items described in (i) are sufficiently concealed by either structures or landscaping. Attractive, water efficient landscaping with a row of trees is proposed along the Mission Road frontage and perimeter of the parking lot. Outdoor patios, courtyard areas, seating areas and a vegetable garden area are proposed. Garden walls, ornamental metal fences and gates, bicycle racks, garden lighting, streetlights, and signage are proposed. A final planting plan shall be required for planning staff's review and authorization prior to the issuance of a building permit. The landscape plan is required to comply with the Town's low water use landscape ordinance.

*Findings Related to Sign Permit*

- (a) The signage is consistent with the provisions of the General Plan of the Town of Colma.

Discussion: The proposed signage, which consists of a 3' tall wall at the entryway with 8" high aluminum letters is allowed with a Sign Permit in areas designated and zoned for commercial uses and in the PD Zone. The proposed signage is consistent with the provisions of the Colma General Plan, as well as the sign and zoning regulations of the Colma Municipal Code. The signage is also appropriate for the residential use of the property

- (b) The granting of the Sign Permit will not be detrimental to the public health, safety of public welfare, or materially injurious to properties or improvements in the vicinity.

Discussion: The granting of the Sign Permit will not be detrimental to the public health, safety or public welfare or materially injurious to properties or improvements in the vicinity since the signage is appropriately sized, attractive, and located so as not to create a visibility hazard.

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

Discussion: The proposed signage will not create a visibility hazard or block other signs. Existing property uses, large or small, will not be detrimentally affected by the proposed signage; in fact, new signage will contribute to a well-maintained high quality appearance along Mission Road.

- (d) The granting of the sign permit will not constitute a grant of special privilege inconsistent with the limitations imposed by the subchapter on the existing use of properties, large or small, with the Town of Colma.

Discussion: The proposed signage meets the regulations of the Colma Municipal Code. The area of the proposed wall mounted sign is well below the total allowable sign area for signs on the site. The granting of the Sign Permit will not constitute a grant of special privilege inconsistent with the limitations imposed by the Municipal Code on the existing use of properties, large or small, within the Town of Colma since no variances are requested, the signage is entirely on the subject property, and the sign is similar to other signs permitted in the Town.

- (e) The signs will not constitute a nuisance as to neighboring persons or properties.

Discussion: The proposed signage is tasteful, has a conventional design consistent with industry standards and will be professionally manufactured. The proposed sign conforms to the purpose and intent of the General Plan and Municipal Code of the Town of Colma, and will not constitute a nuisance to neighboring persons or properties.

*Findings Related to Tree Permit*

- (a) The condition of the trees with respect to disease, hazard proximity to existing or proposed structures, or interference with utility services.

Discussion: The trees to be removed pose a future hazard to and/or would interfere with proposed structures, utilities, and other improvements. The cypress trees along the frontage of the property are at the end of their life, were planted too close together to remain healthy, and are currently damaging the street and sidewalk along the frontage of the project site. These trees pose a hazard to motorists and pedestrians along Mission Road.

- (b) The necessity of removal or alteration of the trees in order to improve the property.

Discussion. The removal of the trees is required to allow for the structures, parking, and circulation and other improvements associated with the proposed housing project. The project site is located on Mission Road, a commercially intensive area of land intended to house a mixture of land uses, including multi-family. The site is included in the 2015 Housing Element as a site for housing, and redevelopment of the site is encouraged. Many of the trees on the site are in poor health, have poor structure or are inappropriate species (i.e. eucalyptus) so replacement with coordinated landscaping and tree planting will be an improvement to the existing condition.

- (c) The topography of the land, and the effect of the tree removal or alteration on protection from wind, soil erosion or increased flow of surface water.

Discussion. The tree removals will not have a significant impact on protection from wind, since there are trees and vegetation on the embankment behind that site to the east, and there are trees to the west south on the Cypress Lawn property that will continue to provide wind protection. The project and the planting of approximately 90 trees to replace the 47 trees removed will more than offset the removal and block wind and provide protection from wind.

- (d) The protection of privacy for the property on which the trees are located or for adjacent properties.

Discussion: The tree removals will not have a significant impact on privacy for the property, since there are existing mature trees on the Cypress Lawn property to the north and there are trees and an embankment east of the site. The 90 new trees that will be planted that will provide visual screening of the building. Based on this information, the tree removals will not impact protection of privacy for the properties on which the trees are located or for adjacent properties.

- (e) The number of trees in the neighborhood, and the effect of tree removal or alteration on property values in and characteristic of the neighborhood.

Discussion: The tree removals will not affect the property values or characteristics of surrounding properties because there will 90 new trees that will be planted to replace the 47 trees proposed for removal. The neighborhood has few trees since it is commercial/light industrial in nature. Based on this information, tree removals will not negatively impact the number of trees in the neighborhood, property values, or neighborhood character.

### 3. Conditions of Approval

The City Council approves the Conditional Use Permit, Design Review, Sign Permit and Tree Permit for the proposed 66 unit affordable housing development located at 1670-1692 Mission Road, 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:

#### **Conditions Relating to Use of the Land**

- (a) Allowed Uses. Uses for this property shall include an affordable residential use of 66 units and associated resident support services with emergency access provided through an easement with BART and a total of 69 parking spaces . Any additional or different uses proposed on the property shall require a new or amended Conditional Use Permit.
- (b) All Uses Within a Building. All uses will be conducted within a fully enclosed building.
- (c) Nuisances. The Permittee shall not allow any nuisance to be maintained at the premises.
- (d) Signage. All signs to be used for identification shall be subject to required sign approvals from the Town.
- (e) Permits. The Permittee shall obtain all necessary permits, including Building Permits, BART approvals, NOI from State Water Quality Control Board, etc. prior to construction.
- (f) Minor Changes. Minor changes to the approved use of the site may be approved administratively by the City Planner or designee.
- (g) Major Changes. In the event that BART terminates some or all of the emergency access and parking rights on their property, the Permittee shall apply for an amendment to this use permit which demonstrates alternative emergency access and the replacement of adequate parking to serve the use.
- (h) Trash Service. The Permittee must subscribe to a regular refuse and recyclable items collection service (minimum pick-up of once per week), and abide by the Town's Recycling Ordinance.
- (i) Landscaping, Irrigation and Street Trees on Mission Road. The Permittee shall install and maintain trees, landscaping, and irrigation along the property frontage on Mission Road. The property owner and leasee must enter into a maintenance agreement with the Town and the maintenance provisions shall be specified in a document recorded with the San Mateo

County Recorder, which document shall be to the satisfaction of the City Engineer and City Planner.

### **Conditions Relating to Design Review**

(j) Approved Plans. This approval is for the project presented in the approved Project Plans entitled "Veteran's Village," submitted to the Planning Department on October 21, 2016, consisting of 43 sheets, prepared by Van Meter Williams Pollack, and on file in the office of the City Planner. All plans submitted for required permits and subsequent development, construction, operation and use on the site shall be in substantial compliance with these documents, subject to the changes and conditions set out herein.

(k) Mitigation Measures. Incorporation of all Mitigation Measures. All mitigation measures as set out in the Mitigation Monitoring and Reporting Program are included as conditions of approval and are incorporated herein by reference. The Permittee shall be responsible for compliance with the recommendations in any submitted and approved technical reports, all applicable mitigation measures adopted and with all conditions of approval set forth herein at its sole cost and expense, unless otherwise expressly provided in a specific mitigation measure or condition of approval, and subject to the review and approval of the Town of Colma.

(l) Standard Parking Spaces. Standard parking spaces shall be no smaller than 9' wide and 18' long and compact spaces shall be no less than 8' wide by 16' deep. Disabled parking spaces shall meet ADA width and overhead clearance requirements. All parking spaces shall be served by an access aisle no smaller than 24' wide.

(m) Lighting Plans. Existing and proposed lighting plans (with light measurements to the front property lines) shall be submitted to the Planning Department prior to the issuance of a building permit. The lighting plan submitted should be consistent with the Town's Climate Action Plan.

(n) Colors and Materials. Exterior colors and materials for the building must be consistent with the approved Color Board.

(o) Clearly Labeled Address. The building shall be provided with an address that is clearly visible from the roadway to the satisfaction of the Building Official and Colma Fire Protection District.

(p) Signage. The wall mounted project sign stating "Veteran's Village" is approved and can be included in the building permit plan set. A Sign Permit is required for any additional signage proposed.

(q) Minor Changes. Minor changes to the approved project plans may be approved administratively by the City Planner or designee.

### *Grading, Drainage and Storm Water Pollution Prevention*

(r) Stormwater Management and Treatment Plan. The project shall comply with Provision C.3 and C.10 of the Municipal Regional Stormwater Permit (MRP) for stormwater treatment and Low Impact Development. The Permittee shall submit a storm water management-treatment



plan showing site design, source control, storm water treatment, low impact development (LID), hydro modification management (HM) controls, and construction best management practices (BMP) for compliance with Provision C.3 of the Municipal Regional Storm Water Permit (MRP) Appropriate Site Design measures, Source Control measures, and Construction Best Management Practices (BMP's) shall be designed and shown on the project plans in accordance with the Stormwater Requirements Checklist for C.3 Regulated Projects. The checklist shall be submitted along with the project plans. The checklist can be found on the following website. ([http://www.flowstobay.org/bs\\_new\\_development.php](http://www.flowstobay.org/bs_new_development.php))

(i) Improvement Plans. Improvement plans shall show drainage areas and location of Low Impact Development (LID) treatment measures; project watershed area; total project site area and total area of land disturbed; total new and/or replaced impervious area; treatment measures and hydraulic sizing calculations; a listing of source controls and site design measures to be implemented at the site; hydro modification management measures, and supporting calculations.

(ii) Trash and Recycling Enclosure. The proposed Trash and Recycling Enclosure in the building is required to have a floor drain which is plumbed to the sanitary sewer system. The enclosure shall be identified on floor plans, and details of the enclosure are to be submitted to and approved by City Planner, and found to be acceptable in terms of the specified pick-up location for the Town's franchise waste hauler. The facility shall provide adequate and accessible interior areas or exterior enclosures for the storage of recyclable materials in appropriate containers. The enclosure area shall be designed to prevent water run-on to the area and runoff from the area, and to contain litter and waste so that it is not dispersed by the wind or runoff during waste removal. Any drains installed in or beneath [dumpsters/ compactors/ tallow bin areas] shall be connected to a grease removal device or similar treatment device before being discharged to the sanitary sewer system/ in a manner acceptable to the City Engineer.

(iii) Interior Floor Drains. Interior floor drains shall be plumbed to the sanitary sewer system/ treatment device acceptable to the City Engineer and shall not be connected to storm drains.

(iv) Compliance with Comments. Improvement plans submitted for engineering approvals/permits shall address planning submittal review comments for C-3 Compliance.

(v) Fire Sprinkler Test Water. The project design and construction shall provide for fire sprinkler test water to be discharged into landscaped areas.

(vi) Air Conditioning Condensate. Condensate from air conditioning units shall be directed to landscape areas or connected to the sanitary sewer system. Any anti-algal or descaling agents must be properly disposed of.

(vii) Operation and Maintenance Agreement. This project includes storm water design and treatment control measures and/or hydro modification management controls. Prior to issuance of a grading permit, the Permittee shall enter into and record with the County Recorder's Office a Maintenance Agreement with the City for long-term maintenance and servicing of storm water controls consistent with the approved Maintenance Plan(s), to the satisfaction of the City Engineer.

- (s) Minimum Slopes. All slopes shall be shown on the plans, and finished grades shall be designed to have a minimum slope of 1%.
- (t) NOI and SWPPP. The Permittee must obtain coverage under the General Construction Activity Storm Water Permit (General Construction Permit) issued by the State Water Resources Control Board (SWRCB). The Permittee must file a notice of intent (NOI) with the SWRCB. The Permittee will be required to prepare a stormwater pollution prevention plan (SWPPP) and submit the plan for review and approval by the City Engineer. Prior to the issuance of any construction-related permits, the Permittee shall submit to the City Engineer a copy of the SWPPP and the WDID number.
- (u) Drain Inlets. On-site storm drain inlets shall be marked with the words "No Dumping! Flows to Bay" or equivalent.
- (v) Erosion and Sediment Control Plan. Project plans shall include a site specific erosion and sediment control plan (ESC) and Construction Best Management Practices (BMP) plan sheet into the plan set. Erosion & Sediment Control Measures and Best Management Practices shall be implemented and maintained throughout the duration of construction.
- (w) Stormwater Maintenance Agreement. The property owner shall enter into a Stormwater Treatment Measures Maintenance Agreement accepting responsibility for the adequate installation/construction, operation, maintenance, inspection, and reporting of any on-site stormwater treatment measures being incorporated into the project until the responsibility is legally transferred to another entity. The maintenance agreement shall be drafted to the satisfaction of the City Engineer and the agreement shall be recorded at the County Recorder's Office at the Permittee's expense.
- (x) Runoff. Runoff shall not be allowed to flow across lot lines or across property boundaries onto adjacent private property without an easement being recorded by the Permittee at no cost to the Town.
- (y) Hazardous Materials. Prior to commencing any work on the project, the Permittee must remove all hazardous materials and remediate all contaminated soil conditions documented in the report to the satisfaction of San Mateo County. Prior to the issuance of building permits, the Permittee shall submit certification to the City Engineer that hazardous materials have been removed and that any contaminated soil conditions have been remediated.
- (z) Grading and Drainage Plan. The Permittee shall submit a site Grading and Drainage Plan to the City Engineer for review and approval and obtain permit(s) prior to commencing any work on the project, including demolition or grading work. The Plan shall include all recommendations contained in the Final Soils and Geotechnical Report(s). The Plan shall be prepared by a licensed civil engineer and shall be approved by the project Soils Engineer.

#### *Site Improvements*

- (aa) Hydrology Study. At the time of submittal of improvement plans/application for a grading permit, the Permittee shall submit a hydrology study prepared by a California-registered qualified engineer for the City Engineer's review and approval. The hydrology study shall include hydraulic calculations for pipe sizing of all drainage, sanitary sewer and water facilities

and shall identify the type of pipe to be used. The plans submitted for permits shall incorporate all recommendations from the approved Hydrology Study and all construction shall comply with its recommendations.

(bb) Geotechnical Exploration. At the time of submittal of improvement plans/application for a grading permit, the Permittee shall submit a geotechnical exploration performed by a California-registered qualified Engineer and described and evaluated in a written report for the City Engineer's review and approval. The plans submitted for permits shall incorporate all recommendations from the approved Geotechnical Study and all construction shall comply with its recommendations.

(cc) Improvement Plans. The Permittee shall submit complete Improvement Plans for all on-site and off-site improvements, designed, signed, and stamped by a registered Civil Engineer, to the City Engineer for review and approval prior to the issuance of grading and building permits. The improvement plans shall incorporate the recommendations from applicable studies, including but not limited to a geotechnical exploration, hydrology study, hydraulic study, and/or soils report. The on- and off-site improvements shall be constructed, developed and maintained as shown on the approved plans. Off-site improvement plans required as part of this project include:

(i) The replacement or repair of sidewalk that does not meet ADA cross-slope requirements;

(ii) Details for proposed driveway access;

(iii) The installation of an enhanced crosswalk which includes bulb-out protection zones and the installation of high visibility signage and lighting;

(iv) A curb painting plan indicating parking zones and signage. Plans shall indicate a red zone of 25' on either side of the project driveway and BART access driveway; and

(v) The installation of six Colma standard street lights.

Installation of improvements required by the approved improvement plans shall be installed prior to occupancy.

(dd) Water Efficient Landscape Regulations. The project shall comply with the Town of Colma Ordinance on Water Efficient Landscape Regulations, subchapter 5.11 of the Colma Municipal Code. The Permittee shall install and maintain landscaping and irrigation in accordance with a Landscape and Irrigation Plan approved by the City Planner prior to the issuance of building permits. The Plan shall include the following:

(i) Irrigation System. An automatic irrigation system shall be installed and maintained. The Irrigation component of the Plan shall detail the whole irrigation system and shall include information such as: the location of water source, point-of-connection, emergency shut-off valve(s), backflow device(s), pipelines, quick coupler valves, sprinkler heads, drip emitters, irrigation controller(s), electrical power source, moisture sensor, system drain valves, and turf, shrub and drip valve(s).

(ii) Design Landscape to Minimize Irrigation. Landscaping shall be designed to minimize irrigation. Drought-tolerant plants shall be utilized to the extent feasible.

(iii) Design Landscape to Collect Runoff and Minimize Storm Water Pollution. Where feasible, landscaping shall be designed and operated to treat storm water runoff by incorporating elements that collect, detain, and infiltrate runoff. In areas that provide detention of water, plants that are tolerant of saturated soil conditions and prolonged exposure to water shall be specified. The use of fertilizers and pesticides that can contribute to storm water pollution shall be minimized.

(iv) Integrated Pest Management. Integrated pest management (IPM) principles and techniques shall be encouraged as part of the landscaping design to the maximum extent practicable. Examples of IPM principles and techniques include:

- Select plants that are well adapted to soil conditions at the site.
- Select plants that are well adapted to sun and shade conditions at the site. In making these selections, consider future conditions when plants reach maturity, as well as seasonal changes.
- Install and maintain irrigation appropriate to the water requirements of the selected plants.
- Select pest-resistant and disease-resistant plants.
- Plant a diversity of species to prevent a potential pest infestation from affecting the entire landscaping plan.
- Use “insectary” plants in the landscaping to attract and keep beneficial insects.

(v) Installation Timeframe. Installation of landscape and irrigation shall be completed prior to the final building permit inspection. The Permittee may request in writing that the installation of landscape and irrigation be permitted to be delayed until after these deadlines because there are extenuating circumstances (such as it is the wrong time of the year to plant, etc.) and that a financial guarantee and a performance agreement setting a specific alternate date for completion. The financial guarantee shall be 150% of a written bid for the landscape installation provided by a qualified and licensed landscaping contractor.

(ee) Circulation and Parking Plan. The Permittee shall submit a Final Circulation and Parking Plan for review and approval by the City Planner prior to the issuance of building permits. The Plan shall detail the following:

(i) Circulation Signage. The Plan shall include design, text and location for all signs including but not limited to: main entry signage, street signs, parking limitations, emergency access, fire lanes, internal directional signage and addresses. On-site signs shall include all signs necessary to minimize traffic back-ups onto public streets, and to provide for the safe operation of vehicles within the site. Off-site signs shall be provided where needed for safe transition from existing off-site conditions to new on-site conditions. Subject to the approval of the City Engineer.

(ii) Fire Lanes, Drive Aisles, Required On-Site Parking Spaces and Accessible Parking. The Plan shall identify signage, red curbs, and striping for all fire lanes and parking in accordance with CVC 22500.1 and parking accessible to the disabled shall post signage in accordance with the requirements of the California Building Code, Chapter 11B and with CVC 22658(a) to allow removal of inappropriately parked vehicles.

(iii) New fire hydrant location. Plans shall indicate the location of the required fire hydrant along the BART access driveway to the satisfaction of Colma Fire Protection District.

(iv) Parking Lot Lighting. The Plan shall include details for parking lot lighting, including the location and design of pull boxes, vaults, conduits, wiring, fixtures, foundations and connections to the PG&E primary system. The Plan shall include a photometric plan showing the location of lighting fixtures and resulting intensity at all parts of the site. The parking lot lighting shall provide an illumination level of one-foot candle minimum maintained at ground level with photocell control. Fixtures must be shielded so they do not cause glare on adjacent properties nor conflict with motorist visibility on public rights-of-way. All Exterior Lighting Systems shall comply with the requirements of the California Code of Regulations Title 24, Part 6 – Energy Conservation, and be consistent with the Town’s Climate Action Plan.

(v) Bollards, Protective Devices. The Permittee shall install and maintain any bollards or other devices approved and/or required by the City Engineer to protect property features against collision damage. The location of bollards shall not reduce the minimum required width of driving aisles (24’) and fire lanes (20’).

(vi) Required Parking Spaces. The Plan shall specify locations for 69 parking spaces onsite. The Final Circulation and Parking Plan shall be submitted for review and approved by the City Planner, prior to the issuance of a Building Permit.

(ff) Parking Spaces. The 69 parking spaces specified in the Final Circulation and Parking Plan, approved by the City Planner, shall not be converted to any other use without the approval of the City Council. If the Permittee loses easement and parking rights from BART at any time in the future, a application shall be filed for a amended Conditional Use Permit which identifies on-site or dedicated off-site parking to satisfy parking demand for the project.

#### *Infrastructure, Utilities and Dedications*

(gg) Street Cuts to be minimized. Locations of utilities requiring street cuts shall be designed to minimize the number of individual cuts. Street and sidewalk penetration must be prepared per Town specifications or City Engineer’s approval.

(hh) 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).

(ii) Utility Undergrounding. All utility lines serving the project site shall be placed underground.

(jj) Design of Public Improvements. All public improvements including grading, drainage, driveways, curbs, gutters, sidewalks, lighting, planting, street resurfacing, shall be designed in accordance with the Town of Colma standard details and specifications, to the satisfaction of the City Engineer.

(kk) Old Driveways Returned to Sidewalk. Driveways no longer being used along Mission Road shall be returned to sidewalk and connected to the existing sidewalk if any portions of the existing sidewalk are retained which meet ADA slope standards.

(ll) Maintenance of Infrastructure and Utilities. The Permittee shall provide for the private maintenance of all infrastructure and utilities within the project site or constructed with encroachment permits within a public right-of-way to serve the project which are not accepted by the Town or a utility company for maintenance. This shall include, but not be limited to common landscaping, and the stormwater drainage system. The private maintenance may be provided for by Codes, Conditions and Restrictions (CC&Rs) or a shared maintenance agreement, or by some other means proposed by the Permittee and found acceptable by the City Engineer. The private maintenance provisions shall be specified in a document recorded with the San Mateo County Recorder, which document shall be to the satisfaction of the City Engineer.

(mm) Structural Appurtenances. All structural appurtenances such as, but not limited to, transformers, meter boxes, fire department connections, standpipes, check valves, backflow prevention devices and similar above-ground structures shall be indicated on the plans. These structures shall be located in underground vaults, whenever possible where feasible. Above-ground appurtenances shall be clustered in a single location (where feasible) with a reduced public view, shall be setback as far as possible from street frontages, and shall be fully screened with landscaping or other screening material. Final location and screening shall be reviewed and approved by the City Planner and Fire Department prior to issuance of building permits.

#### *Financial Guarantees*

(nn) Financial Guarantees. The Permittee must post a security bond, cash deposit or letter of credit in an amount not less than 100% of the estimated cost of all off-site and/or on-site public improvements to guarantee to the Town the faithful performance of all work and all conditions contained or described in the Permit. The financial guarantee shall also include a two-year maintenance provision that provides for 10% of the bond to be held for two years to make any repairs or corrections to the public improvements identified within two years of the improvements being accepted as complete by the City. The estimated cost of the off-site public improvements shall be determined by the City Engineer, and the security must be in a form reasonably satisfactory to the City Attorney.

#### *Construction Activities*

(oo) Conditions of Approval with Plan Sets. The conditions of approval shall be reproduced on the first page of the plans submitted for demolition, grading or building permits. Additional pages may be used if necessary. At least one copy of the stamped approved plans, along with the Approval Letter and Conditions of Approval and/or mitigations, shall be available for review at the job site at all times.

(pp) 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 or grading work, for control procedures during the construction of the project. 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.

(qq) Construction Staging Plan. Prior to the issuance of any demolition, building, or grading permit, the Permittee shall submit a construction staging plan for the review and approval of the City Planner. The plan shall show where construction materials will be stockpiled prior to use, where construction debris will be collected, how frequently the debris will be removed, and where parking will be provided for construction equipment and construction workers. Construction activity on the project site shall be in compliance with the approved construction staging plan.

(rr) Temporary Power Poles. Applicant shall use temporary power poles instead of generators where feasible.

(ss) Construction Signage. Prior to commencing any work on the project, including demolition or grading work, the Permittee shall post on the project site in clear view of the public right-of-way, a sign indicating the hours of construction and a phone number of the Permittee to call for noise complaints.

(tt) Vector Control. Prior to commencing any grading or building demolition, the Permittee shall consult with County Environmental Health regarding vector control to reduce the displacement of mice and rats from the project site to adjacent properties. The Permittee shall carry out a program of vector reduction within 30 days prior to commencing construction activities. Additionally, the Permittee shall distribute information to the owners of properties within 300 feet of the project site boundaries with information about what to check to reduce the likelihood of vectors entering their property and buildings.

(uu) Staking of Property Boundaries and Building Corners. Prior to commencing any work on the project, the Permittee shall have the property boundaries staked by a California-licensed land surveyor or a California-registered qualified engineer. For new buildings, the written verification that the placement of the retaining walls and building comply with the approved site plan, prepared by a California-licensed surveyor or civil engineer licensed to practice surveying, shall be submitted and found acceptable by the Building Official prior to pouring of any foundation.

(vv) Permitted Grading Season. Grading work shall be limited to the period between April 1st and September 30th unless an alternative schedule is approved in writing by the City Engineer in conjunction with the approval of an Erosion and Sediment Control Plan.

(ww) Approved Haul Route. The Permittee shall submit proposed haul route to and from the project site, which route shall be subject to review and approval by the Public Works Director or

his Designee. All contractors and suppliers shall be required to use the approved haul route in moving materials and equipment to and from the project site.

(xx) Repairs to Public Improvements. The Permittee shall be responsible for the cost of repairs to any improvements within the public right-of-way that are damaged during construction. The Permittee shall submit documentation of the existing condition of the approved haul route and the public improvements along the project's frontage, including but not limited to trees, tree grates, signs, light poles, drainage inlets, roadways, curbs, gutters, etc. to the satisfaction of the City Engineer prior to issuance of a grading or building permit. This survey shall be submitted to the City Engineer for review and approval. All damage shall be repaired to the satisfaction of the Public Works Director or his Designee Public Works Director or his Designee at no cost to the Town prior to approval of final occupancy. Notwithstanding for the foregoing, all damage that is a threat to public health or safety, as determined by the Public Works Director, shall be repaired immediately.

(yy) Storage of Materials in Public Roadway. No materials or equipment shall be stored on the improved portion of any public roadway at any time.

(zz) Litter Control. Prior to the end of each work day during construction, the contractor or contractors shall pick up and properly dispose of all litter resulting from or related to the project, whether located on the property, within the public rights-of-way, or properties of adjacent or nearby neighbors.

(aaa) Reduce Particulate Emissions. To reduce particulate matter emissions during project demolition and construction phases, the Permittee shall require the construction contractors to comply with the dust control strategies developed by the Bay Area Air Quality Management District (BAAQMD) and shall include in construction contracts the following requirements:

- (i) Cover the load area of all trucks hauling construction and demolition debris from the site;
- (ii) Water all exposed or disturbed soil surfaces at least twice daily, or as required;
- (iii) Use watering to control dust generation during demolition of structures or break-up of pavement;
- (iv) Pave, apply water three times daily, at a minimum, or apply (non-toxic) soil stabilizers on all unpaved parking areas, staging areas, and areas used for vehicle access within the site;
- (v) Sweep daily all paved parking areas and staging areas during the earthwork phases of construction;
- (vi) Provide daily clean-up of mud and dirt carried onto paved streets from the site;
- (vii) Enclose, cover, water twice daily, or as needed, or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.);
- (viii) Limit traffic speeds on unpaved roads to 15 mph;



- (ix) Install and maintain sandbags or other erosion control measures to prevent silt runoff to public roadways; and
- (x) Replant vegetation in disturbed areas as quickly as possible.
- (xi) Reduce Air Pollutants Related to Vehicle Operation

(bbb) Reduce Air Pollutants Related to Vehicle Operation. The Permittee shall ensure that the contractors shall implement measures to reduce the emissions of pollutants generated by heavy-duty diesel-powered equipment operating at the Project Site during project demolition, excavation and construction phases. The Permittee shall include in construction contracts the following requirements or measures shown to be equally effective:

- (i) Keep all construction equipment in proper tune in accordance with manufacturer's specifications;
- (ii) Use late model heavy-duty diesel-powered equipment at the Project Site to the extent that it is readily available in the San Francisco Bay Area;
- (iii) Use diesel-powered equipment that has been retrofitted with after-treatment products (e.g., engine catalysts) to the extent that it is readily available in the San Francisco Bay Area;
- (iv) Use low-emission diesel fuel for all heavy-duty diesel-powered equipment operating and refueling at the Project Site to the extent that it is readily available and cost effective in the San Francisco Bay Area (this does not apply to diesel-powered trucks traveling to and from the site);
- (v) Utilize alternative fuel construction equipment (i.e., compressed natural gas, liquid petroleum gas, and unleaded gasoline) to the extent that the equipment is readily available and cost effective in the San Francisco Bay Area;
- (vi) Limit truck and equipment idling time to five minutes or less;
- (vii) Rely on the electricity infrastructure surrounding the construction sites rather than electrical generators powered by internal combustion engines to the extent feasible.

(ccc) Air Quality Provisions in Contractor Agreements. The Permittee shall incorporate the following practices into the construction documents to be implemented by the project contractor, and submit evidence of compliance to the City Planner for approval prior to the issuance of any construction permit, including a grading permit. The physical separation between noise generators and noise receptors shall be maximized. Such practices include, but are not limited to, the following measures:

- (i) Use heavy-duty mufflers for stationary equipment and barriers around particularly noisy areas of the site or around the entire site;

- (ii) Use shields, impervious fences, or other physical sound barriers to inhibit transmission of noise to sensitive receptors;
- (iii) Locate stationary equipment on portions of the project site distant from nearby residential areas to minimize noise impacts on the community;
- (iv) Minimize backing movements of equipment;
- (v) Select and use the quieter from among available construction equipment whenever possible;

(ddd) Will-Serve Letters. The Permittee shall provide copies to the City Engineer of "will-serve" letters from all utility companies that will provide utilities to the project prior to issuance of a building permit.

(eee) Construction Hours. Since there are residences within 500 feet of the project site, Construction hours shall follow Town of Colma Municipal Code requirements for noise generating construction hours unless deviations are approved in writing by the Town for various stages of the project. Weekdays: 8am-7pm; Saturday: 9am-5pm; Sunday: 12pm-5pm; Federal Holidays: prohibited.

(fff) Temporary Construction Easement. The Permittee shall obtain a Temporary Construction Easement from adjacent/affected property owners for any construction taking place on a property line.

#### **Conditions Related to Tree Removal**

(ggg) Tree Removal Approval. The approval applies specifically to the Application. The tree removal permit is for the removal of only the trees identified for removal in the approved tree removal plan submitted to the Planning Department plus the tree that was proposed to be saved which was later determined to infeasible to save.

(hhh) Trees to be removed. Trees proposed for removal shall be field marked by the arborist with the tree removal contractor. Trees proposed to remain shall be marked in a contrasting color and protected by temporary fencing within the root zone of the trees. The tree north of the project driveway is on the Cypress Lawn property line and must be protected prior to start or construction.

(iii) Tree Debris. All wood, foliage and debris related to tree removal shall be removed or mulched immediately after the trees are removed.

(jjj) Landscape Plan. The replacement planting requirement shall be satisfied by implementing the approved Landscape Plan submitted to the Planning Department as part of the plan set. Minor modifications to the approved Landscape Plan may be made, (including the use of other tree varieties for some of the trees) subject to approval of the City Planner, without affecting the validity of this permit.

(kkk) Tree Removal During Breeding Season (birds). To avoid impacts to nesting birds and violation of state and federal laws pertaining to birds, all construction-related activities

(including but not limited to mobilization and staging, clearing, grubbing, vegetation removal, fence installation, demolition, and grading) should occur outside the avian nesting season (that is, prior to February 1 or after August 31). If construction and construction noise occurs within the avian nesting season (from February 1 to August 31), all suitable habitats located within the project's area of disturbance including staging and storage areas plus a 250-foot (passerines) and 1,000-foot (raptor nests) buffer around these areas shall be thoroughly surveyed, as feasible, for the presence of active nests by a qualified biologist no more than five days before commencement of any site disturbance activities and equipment mobilization. If project activities are delayed by more than five days, an additional nesting bird survey shall be performed. Active nesting is present if a bird is sitting in a nest, a nest has eggs or chicks in it, or adults are observed carrying food to the nest. The results of the surveys shall be documented and submitted to the Town Planning/Building Department prior to its issuance of building/grading permits. If it is determined that birds are actively nesting within the survey area, protection measures shall apply. Conversely, if the survey area is found to be absent of nesting birds, protection measures shall not be required.

If pre-construction nesting bird surveys result in the location of active nests, no site disturbance and mobilization of heavy equipment (including but not limited to equipment staging, fence installation, clearing, grubbing, vegetation removal, fence installation, demolition, and grading), shall take place within 250 feet of non-raptor nests and 1,000 feet of raptor nests, or as determined by a qualified biologist in consultation with the California Department of Fish and Wildlife, until the chicks have fledged. Monitoring shall be required to insure compliance with the MBTA and relevant California Fish and Game Code requirements. Monitoring dates and findings shall be documented and provided to the Planning/Building Department.

(III) Bat Survey Prior to Tree Removal. A preconstruction survey for maternity (March 1 to August 1) or colony bat roosts (year-round) shall be conducted by a qualified biologist within 7 days prior to activities that remove vegetation or structures. If an occupied maternity or colony roost is detected, CDFW shall be contacted about how to proceed. Typically, a buffer exclusion zone would be established around each occupied roost until bat activities have ceased. The size of the buffer would take into account:

- Proximity and noise level of project activities;
- Distance and amount of vegetation or screening between the roost and construction activities;
- Species-specific needs, if known, such as sensitivity to disturbance.

Due to restrictions of the California Health Department, direct contact by workers with any bat is not allowed. The qualified bat biologist shall be contacted immediately if a bat roost is discovered during project construction.

(mmm) Irrigation. Installation of all approved landscaping and irrigation shall be completed prior to the final building permit inspection. Trees shall be staked per Town standard detail and inspected by the City Planner. Trees shall be maintained and watered until fully established, and replaced if any tree dies.

**4. General Conditions**

- (a) 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.
- (b) 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
- (c) 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.
- (d) 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.
- (e) 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.

**5. Effective Date.** The effectiveness of this resolution is conditioned on Ordinance No. \_\_ Adopting an Amended Zoning Map and Approving a Planned Development Zone for 1670-1692 Mission Road becoming effective. Ordinance No. \_\_ shall not become effective until 30 days after the City Council's adoption of the Ordinance, anticipated to be December 14, 2016, with the effective date being January 14, 2017.

\* \* \* \* \*

***Certification of Adoption***

I certify that the foregoing Resolution No. 2016-\_\_ was duly adopted at a regular meeting of the City Council of the Town of Colma held on November 9, 2016, by the following vote:

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

Dated \_\_\_\_\_

\_\_\_\_\_  
Diana Colvin, 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: \_\_\_\_\_

\_\_\_\_\_  
Mercy Housing California 66 L.P., Permittee



### VICINITY MAP



### PROJECT DESCRIPTION

The Veterans Village is a 66 unit affordable housing community in Colma. The 2.29 acre site is situated between Cypress Lawn and Holy Cross cemeteries along Mission Road and includes a new four story residential building and the preservation of the historic pump building for use by residents. Two large residential courtyards, a garden area and a dog park are also planned as part of the development. 69 parking spaces are provided through two parking areas, one adjacent to Cypress Lawn Cemetery and another along the BART access road behind the garden areas.

The massing of the new residential building steps down to a spacious one story office area adjacent to the pump building, where an entry trellis guides residents and visitors into an entry courtyard and the main lobby of the building. The pump building will be preserved and enhanced as a social hall and bicycle storage area for use by residents, with new storefront glazing to reinforce the visual relationship between the residential building, the social courtyard, the exposed concrete volume of the pump building and the gardens beyond.

The building also steps down to two stories as it meets the parking area that borders Cypress Lawn Cemetery and the maintenance buildings along its northern edge. Landscaping will screen views to and from the adjacent cemetery, as well as to the BART ventilation structure to the east of the site.

### PROJECT DIRECTORY

**DEVELOPER**  
 Mercy Housing  
 1360 Mission Street #300  
 San Francisco, CA 94113  
 Tel: 415.265.7116  
 Contact: Michael Kaplan  
 Email: mkaplan@mercyhousing.org

**LANDSCAPE ARCHITECT**  
 Bruce Jett Associates  
 2 Orinda Theater Square, Suite 218  
 Orinda, CA 94663  
 Tel: 925.254.5422  
 Contact: Bruce Jett  
 Email: brucej@landsrhb.com

**CIVIL ENGINEER**  
 LUK and Associates  
 739 Alfred Nobel Dr.  
 Hercules, CA 94647  
 Tel: 510.724.3388  
 Contact: Chris Wood  
 Email: chris@lukaassociates.com

**ARCHITECT**  
 Van Meter Williams Pollack  
 333 Bryant Street, Suite #300  
 San Francisco, CA 94107  
 Tel: 415.674.5352  
 Contact: Rick Williams, Principal  
 Email: rick@vmwp.com  
 Laura Shagolov, Architect  
 Email: laura@vmwp.com

### PLANNING SUMMARY

GENERAL PROJECT DATA		TUNNEY TUNNEY ROAD	
ADDRESS	APN	19 COMMERCIAL	011-370-220
ZONING	ADJACENT PARCELS	RESIDENTIAL	2.23
PARCEL AREA (ACRES)	TOTAL UNITS	86	UNITS
FLOOR & LOT AREA CALCULATIONS	REQUIRED	PROPOSED	(W/ 35% DENSITY BONUS)
BUILDING AREA	1.00	SEE BUILDING DATA THIS SHEET, A0.10	36
FLOOR AREA RATIO	MAX.	0.82	
LOT COVERAGE	50%	25%	
SETBACKS & HEIGHT			
FRONT SETBACK	MIN.	5'0"	
REAR SETBACK	MIN.	5'0"	
SIDE SETBACK	MIN.	5'0"	
ROOF RISE		4'-0"	
PUMP BUILDING (EXISTING)			
FRONT SETBACK			EXISTING TO REMAIN
REAR SETBACK			EXISTING TO REMAIN
HEIGHT			EXISTING TO REMAIN
OPEN SPACE			
VEHICULAR PAVING	17,180	50. FT.	
COMMON OPEN SPACE	54,973	50. FT.	
PARKING			
VEHICULAR PARKING	69	1 PER UNIT (ACCESSIBLE)	
RESIDENT PARKING	69	1 PER UNIT	
GUEST BICYCLE PARKING	4		

### SHEET INDEX

GENERAL	
A0.0	COVER SHEET
A0.1	PERSPECTIVE VIEWS
A0.2	PERSPECTIVE VIEWS
A0.3	PERSPECTIVE VIEWS
A0.4	PROPOSED SITE PLAN PROJECT DATA
A0.5	EXISTING GRADE SITE PLAN
A0.6	DETAILED DIAGRAMS
A0.7	PRELIMINARY ACCESS DIAGRAM
A0.8	SURVEY
A0.9	LANDSCAPE
A0.10	LANDSCAPE
A0.11	LANDSCAPE
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GENERAL	
A0.0	COVER SHEET
A0.1	PERSPECTIVE VIEWS
A0.2	PERSPECTIVE VIEWS
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# VETERANS VILLAGE | A-0.0 PLANNING SUBMITTAL

COLMA, CA | 10/17/16 | MERCY HOUSING #1502

VAN METER  
 WILLIAMS  
 POLLACK





VIEW NORTH ON MISSION ROAD

2  
A-01



VIEW SOUTH ON MISSION ROAD

1  
A-01

**VETERANS VILLAGE | A-0.1 PERSPECTIVE VIEWS**

COLMA, CA | 11/17/16 | MERCY HOUSING | #1502





2 VIEW OF MAIN ENTRANCE FROM MISSION ROAD

A-0.2



1 VIEW OF COURTYARD AT PUMP BUILDING & SOCIAL HALL

A-0.2

**VETERANS VILLAGE | A-0.2 PERSPECTIVE VIEWS**

COLMA, CA | 10/17/16 | MERCY HOUSING | #1502





4 VIEW TO BART STRUCTURE

A-0.3



3 VIEW OF PUMP BUILDING

A-0.3



2 VIEW FROM MISSION ROAD

A-0.3



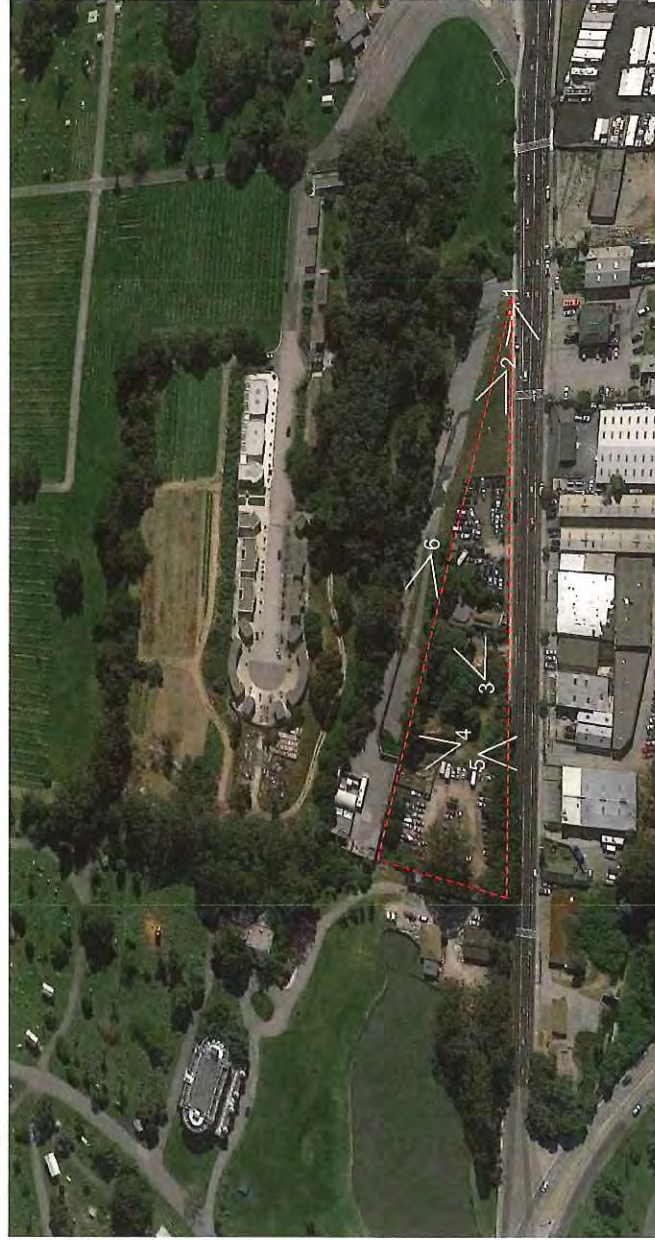
1 VIEW OF MISSION ROAD

A-0.3



5 VIEW TO MISSION ROAD

A-0.3



0



6 VIEW FROM BART ACCESS ROAD

A-0.3

# VETERANS VILLAGE | A-0.3 EXISTING SITE CONDITIONS

COLMA, CA | 10/17/16 | MERCY HOUSING | #1502



**BUILDING AREA**

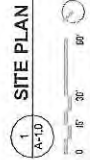
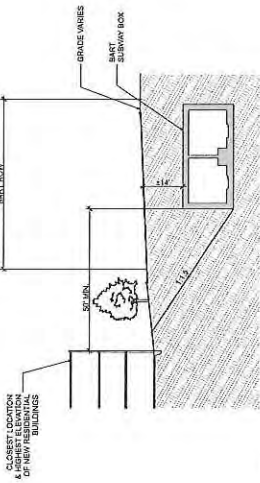
	NUMBER OF UNITS		SQUARE FOOTAGE		PUMP BUILDING COMMON
	BUILDING 1		BUILDING 1		
	STUDIOS	1 BEDROOMS	2 BEDROOMS	3 BEDROOMS	
3RD FLOOR	0.0%	22	1.5%	3,699	17,892
2ND FLOOR	0.0%	22	1.5%	3,699	17,892
GROUND FLOOR	0.0%	22	1.5%	3,699	17,892
SUBTOTAL	0	66	1	11,097	55,776
TOTALS		66	1	11,097	55,776

**SHEET NOTES**

- 1 GAS METER
- 2 BACK FLOW PREVENTERS
- 3 PAD MOUNTED TRANSFORMER
- 4 ENTRY GATE W/ PERFORATED ALUMINUM PANEL
- 5 RAISED STORMWATER PLANTER
- 6 LOW CONCRETE WALL WITH BUILDING SIGNAGE, SEE AS.1
- 7 CONCRETE RETAINING WALL, SEE CIVIL DRAWINGS
- 8 EXISTING WALLS, SEE LANDSCAPE DRAWINGS
- 9 RAISED ACCESSIBLE PLANTERS
- 10B EXISTING HYDRANT
- 10C NEW HYDRANT
- 11 BREWING PILE LIGHT FOOT CURE, DRAWINGS FOR SITE FIXTURES & AS.1 FOR EXTERIOR BUILDING FIXTURES
- 12 WOOD TRELLIS, SEE AS.1
- 13 GUEST BICYCLE RACKS, SEE LANDSCAPE DRAWINGS
- 14 EXISTING STREET DISPLAY PANELS

**LEGEND**

- PROPERTY LINE
- BART TUNNEL LINE OF INFLUENCE
- OUTER WALLS OF SUBWAY BOX
- (N) METAL FENCE, S.I.D.
- ACCESSIBLE PARKING SPACE
- EASEMENT, SEE SURVEY
- RESIDENTIAL
- CIRCULATION/MAINTENANCE
- COMMON AREAS



**VETERANS VILLAGE | A-I-O SITE PLAN & PROJECT DATA**  
 COLMA, CA | 10/17/16 | MERCY HOUSING | #1502

**VAN METER  
 WILLIAMS  
 POLLACK**

- SHEET NOTES**
- 1. (E) PUMP BUILDING TO REMAIN
  - 2. (E) STRUCTURES TO BE DEMOLISHED
  - 3. (E) FENCES & GATES TO BE DEMOLISHED
  - 4. ASPHALT PARKING AREA TO BE DEMOLISHED
  - 5. (E) CONCRETE WALL ACCESS TO BE DEMOLISHED UNLESS OTHERWISE NOTED
  - 6. (E) CONCRETE WALL
  - 7. (E) BART MAINTENANCE ACCESS GATE
  - 8. (E) HYDRANT
- LEGEND**
- PROPERTY LINE
  - - - - - BART TUNNEL LINE OF INFLUENCE
  - - - - - OUTER WALLS OF SUBWAY BOX
  - (E) TREE TO BE REMOVED
  - (E) TREE TO REMAIN, S.L.D.
  - ▨ EASEMENT, SEE SURVEY

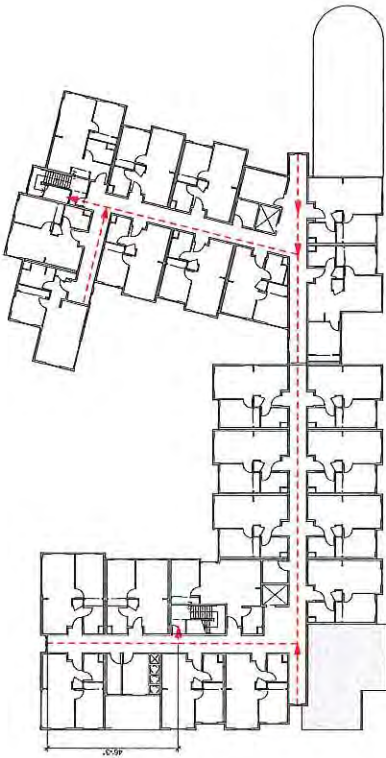


1  
A-1.1  
EXISTING/DEMO SITE PLAN

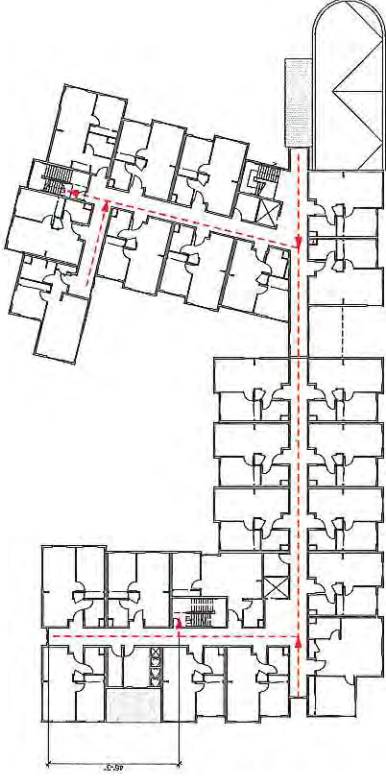
SCALE: 1" = 30'

0 15' 30' 60'





3 THIRD FLOOR EXITING DIAGRAM  
SCALE: 1" = 20'



2 SECOND FLOOR EXITING DIAGRAM  
SCALE: 1" = 20'

CODE SUMMARY

<b>CONSTRUCTION CLASSIFICATION</b>		SPRINKLERING REQUIREMENTS	
BUILDING OCCUPANCY TYPE	CONSTRUCTION CLASSIFICATION	BUILDING SPRINKLERING PER NFPA-13 REQUIRED	
R-2, A-3, B, U	TYPE I-A (CBC TABLE 502)	TYPE I-B (CBC TABLE 503)	
R-2, A-3, B, U	TYPE I-B (CBC TABLE 502)	TYPE I-C (CBC TABLE 503)	
R-2, A-3, B, U	TYPE I-C (CBC TABLE 502)	TYPE I-D (CBC TABLE 503)	

FLOOR	ALLOWABLE STORY HEIGHT (CBC TABLE 502)	PERMITTED STORY HEIGHT (CBC TABLE 502)	PERMITTED STORY HEIGHT FACTOR (CBC TABLE 502)	PERMITTED STORY HEIGHT FACTOR (CBC TABLE 502)	PERMITTED STORY HEIGHT FACTOR (CBC TABLE 502)	PERMITTED STORY HEIGHT FACTOR (CBC TABLE 502)	PERMITTED STORY HEIGHT FACTOR (CBC TABLE 502)	PERMITTED STORY HEIGHT FACTOR (CBC TABLE 502)
1ST FLOOR TOTAL	12,000	12,000	2	24,000	19,185	19,185	19,185	19,185
RESIDENTIAL	11,500	11,500	2	23,000	11,220	11,220	11,220	11,220
CENTER	14,000	14,000	2	28,000	1,415	1,415	1,415	1,415
OFFICES	10,000	10,000	2	20,000	1,650	1,650	1,650	1,650
STORAGE	10,000	10,000	2	20,000	3,686	3,686	3,686	3,686
EGRESS	10,000	10,000	2	20,000	18,879	18,879	18,879	18,879
EQUIPMENT	10,000	10,000	2	20,000	14,300	14,300	14,300	14,300
SECOND FLOOR TOTAL	12,000	12,000	2	24,000	4,271	4,271	4,271	4,271
RESIDENTIAL	11,500	11,500	2	23,000	17,892	17,892	17,892	17,892
OFFICES	11,500	11,500	2	23,000	13,753	13,753	13,753	13,753
EQUIPMENT	11,500	11,500	2	23,000	190	190	190	190
THIRD FLOOR TOTAL	172,000	172,000	2	344,000	53,774	53,774	53,774	53,774

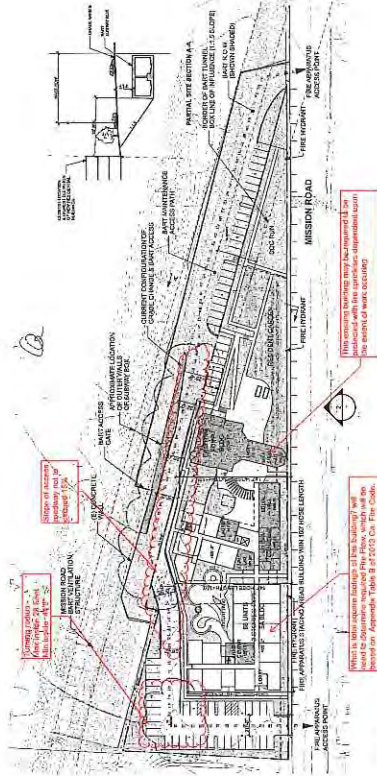
ALLOWABLE STORIES	4	4	4	4	4	4	4	4
PROVIDED STORIES	4	4	4	4	4	4	4	4
ACTUAL HEIGHT	39'-4"	39'-4"	39'-4"	39'-4"	39'-4"	39'-4"	39'-4"	39'-4"



1 GROUND FLOOR & SITE EXITING DIAGRAM  
SCALE: 1" = 20'

VETERANS VILLAGE | A-1.2 EXITING PLANS  
COLMA, CA | 10/17/16 | MERCY HOUSING | #1502





**VAN METER WILLIAMS POLLACK**  
**mercy HOUSING**

**FIRE ACCESS DIAGRAM REVIEWED BY FIRE DEPT.**

3  
A-13

From: Michael Gagliardi, Fire Department, City of Colma  
 To: Van Meter Williams Pollack  
 Date: 10/17/16  
 Subject: Fire Access Diagram for Veterans Village

Hi Ben - Michael Gagliardi and Bill Pughlin met to discuss the fire access diagram you sent. Attached please find a redline version. I think for the turning water table, it should be minimum width of 48".

Sherry,  
 Michael Gagliardi, ACP  
 City Fire Dept.

From: Michael Gagliardi, Fire Department, City of Colma  
 To: Van Meter Williams Pollack  
 Date: 10/17/16  
 Subject: Fire Access Diagram for Veterans Village

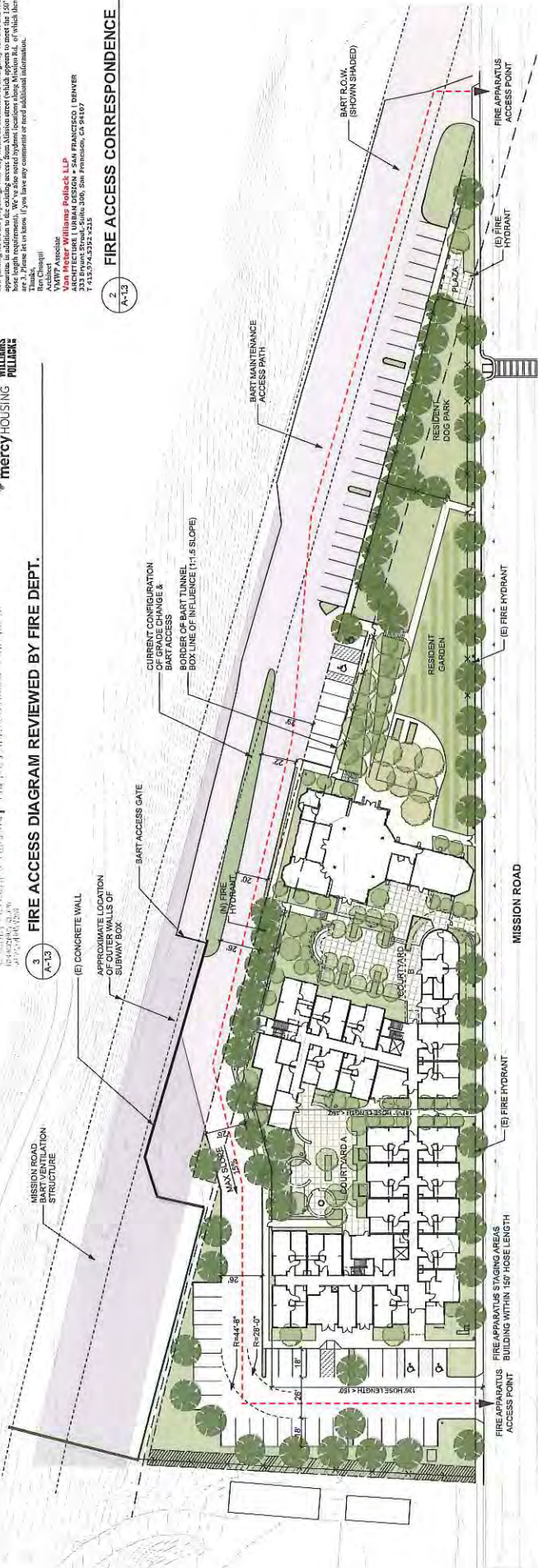
Hi Ben - We will share this with Mr. Quality Michael Gagliardi and Bill meet to discuss these proposals.  
 Sherry,  
 Michael Gagliardi, ACP  
 City Fire Dept.

attached is a fire access diagram for the Colma Veterans Village on Mission Road. I am sending this to you for review. The diagram shows the current configuration of the site and the proposed fire access points. On this site we have included a long road using the BART access road and connecting through the existing road network. We have also noted hydrant locations along Mission Rd, of which there are 5 hydrants. Please see it to know. If you have any questions or need additional information, please contact me.

Ben, Chicago  
 Van Meter Williams Pollack  
 332 Bryant Street, Suite 300, San Francisco, CA 94107  
 T: 415.774.3392 x211

**FIRE ACCESS CORRESPONDENCE**

2  
A-13



**FIRE APPARATUS ACCESS DIAGRAM**

1  
A-13

0 5.31' 10.62' 21.24'

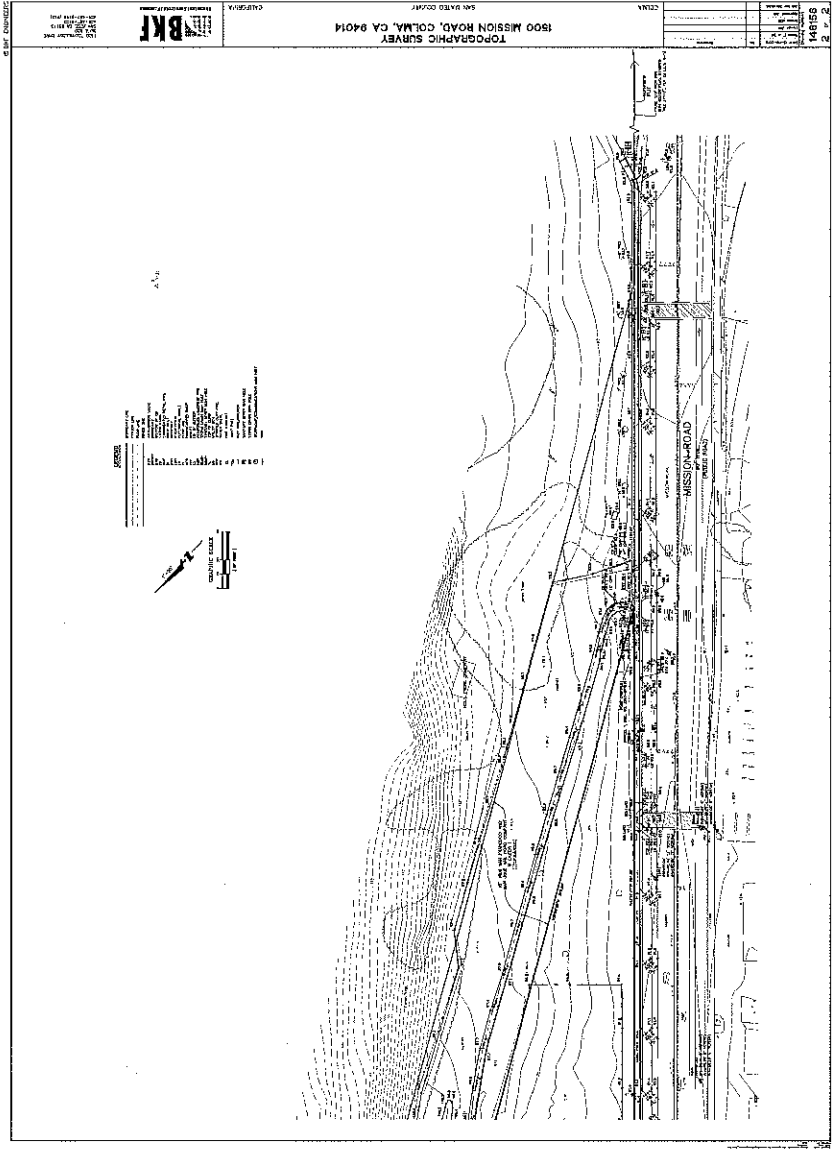
SCALE: 1" = 30'

# VETERANS VILLAGE | A-1.3 FIRE APPARATUS ACCESS DIAGRAM

COLMA, CA | 10/17/16 | MERCY HOUSING | #1502

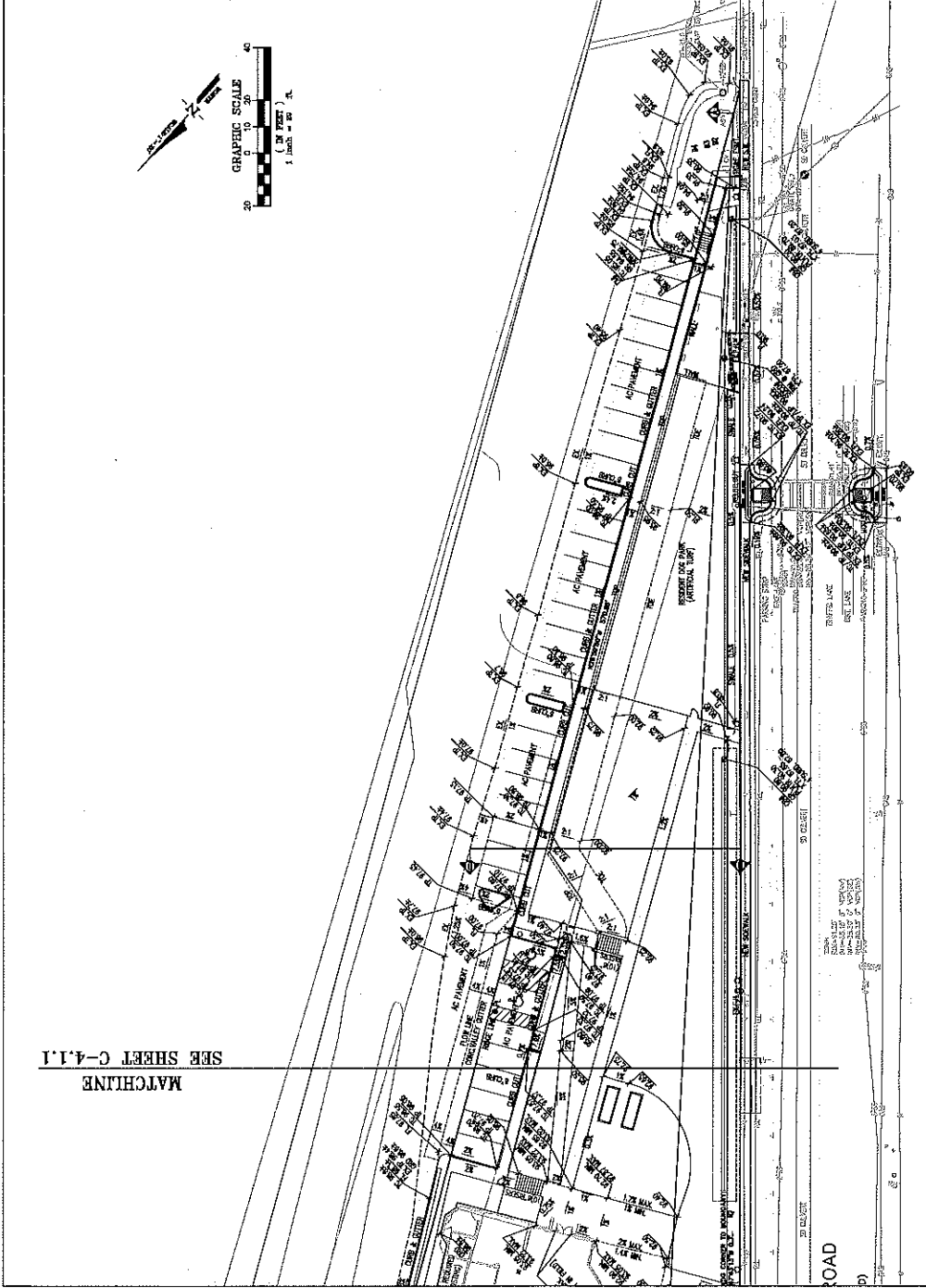
**VAN METER WILLIAMS POLLACK LP**











SEE SHEET C-4.1.1  
MATCHLINE

**VAN METER  
WILLIAMS  
POLLACK**

**Ink and Associates**  
Civil Engineering  
Land Planning  
Land Surveying  
739 Alfred Nobel Drive  
Berkeley, CA 94707  
Phone (916) 724-3388



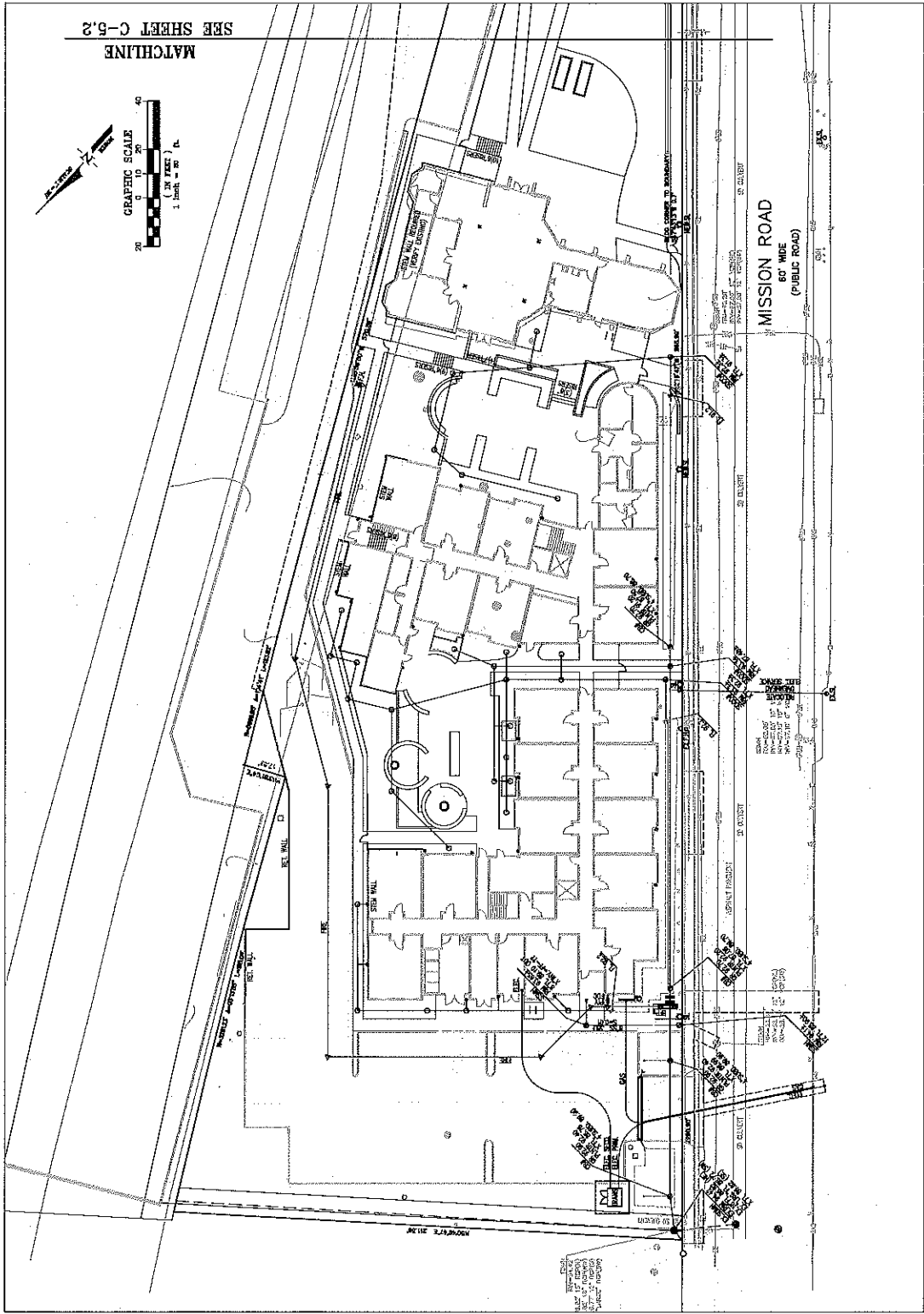
DATE	ISSUES	BY	REVISIONS
10/19/16	PRELIMINARY GRADING PLAN	C.M.	1
10/19/16	ELEVATION	C.M.	1

Sheet No. **C-4.1.2**

**PRELIMINARY  
GRADING PLAN:  
ELEVATION**

**VETERANS VILLAGE**  
COLMA, CA | 10/19/16 | MERCY HOUSING | #1502





**VAN METER  
WILLIAMS  
POLLACK**

**Ink and Associates**  
Civil Engineering  
Land Planning  
Land Surveying  
735 Alfred Nobel Drive  
Berkeley, CA 94707  
Phone (510) 724-3388



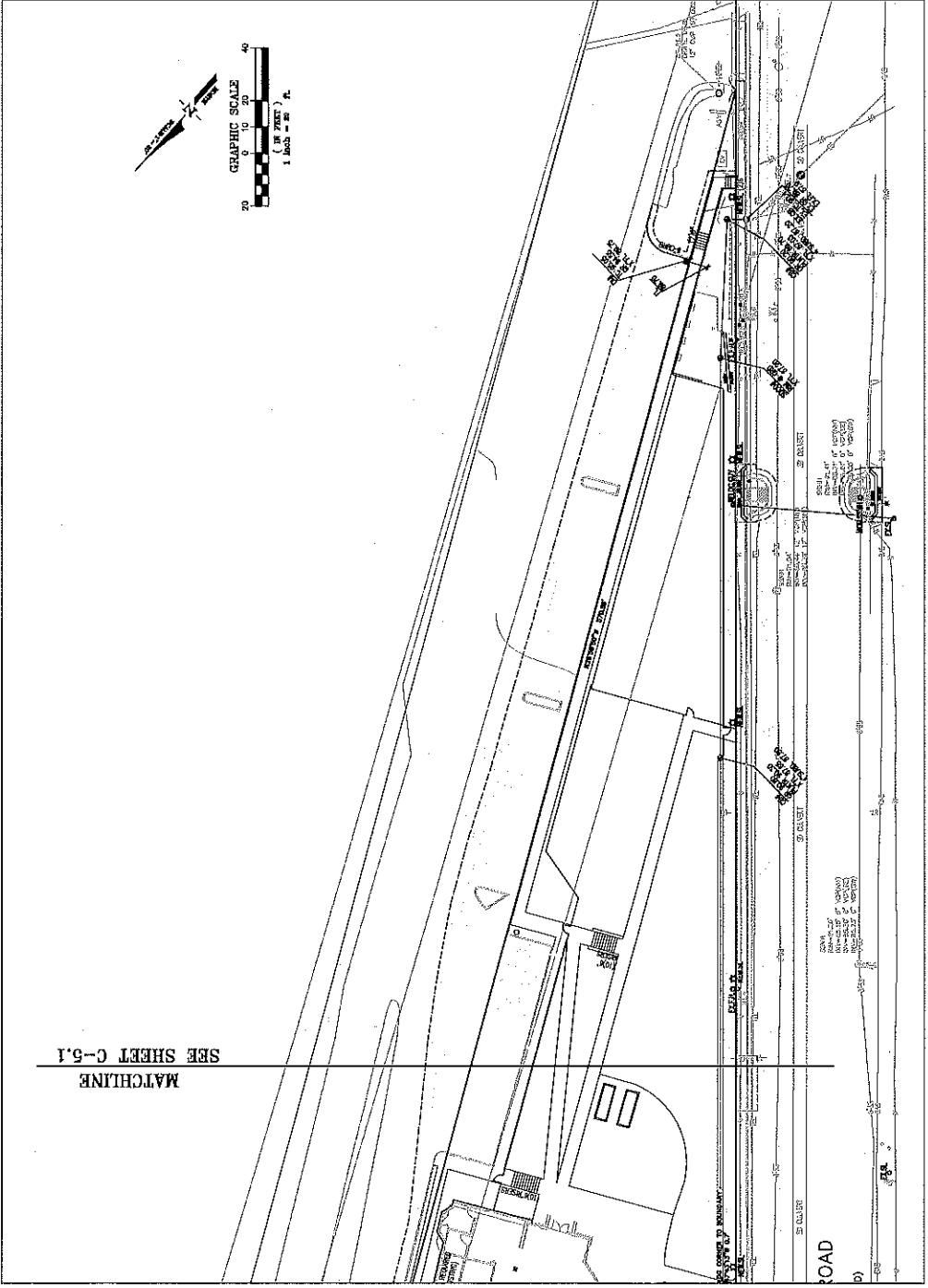
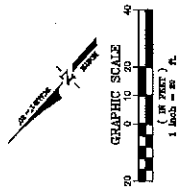
DATE	DESCRIPTION
10/19/16	PRELIMINARY UTILITY PLAN

Sheet No. **C-5.1**

**PRELIMINARY  
UTILITY PLAN:**

**VETERANS VILLAGE**  
COLMA, CA | 10/19/16 | MERCY HOUSING | #1502

SEE SHEET C-5.1  
MATCHLINE



**VAN METER  
WILLIAMS  
POLLACK**

**Janik and Associates**  
Civil Engineering  
Land Planning  
Land Surveying  
735 Alfred Nobel Drive  
Hercules, CA 94577  
Phone (916) 724-3368

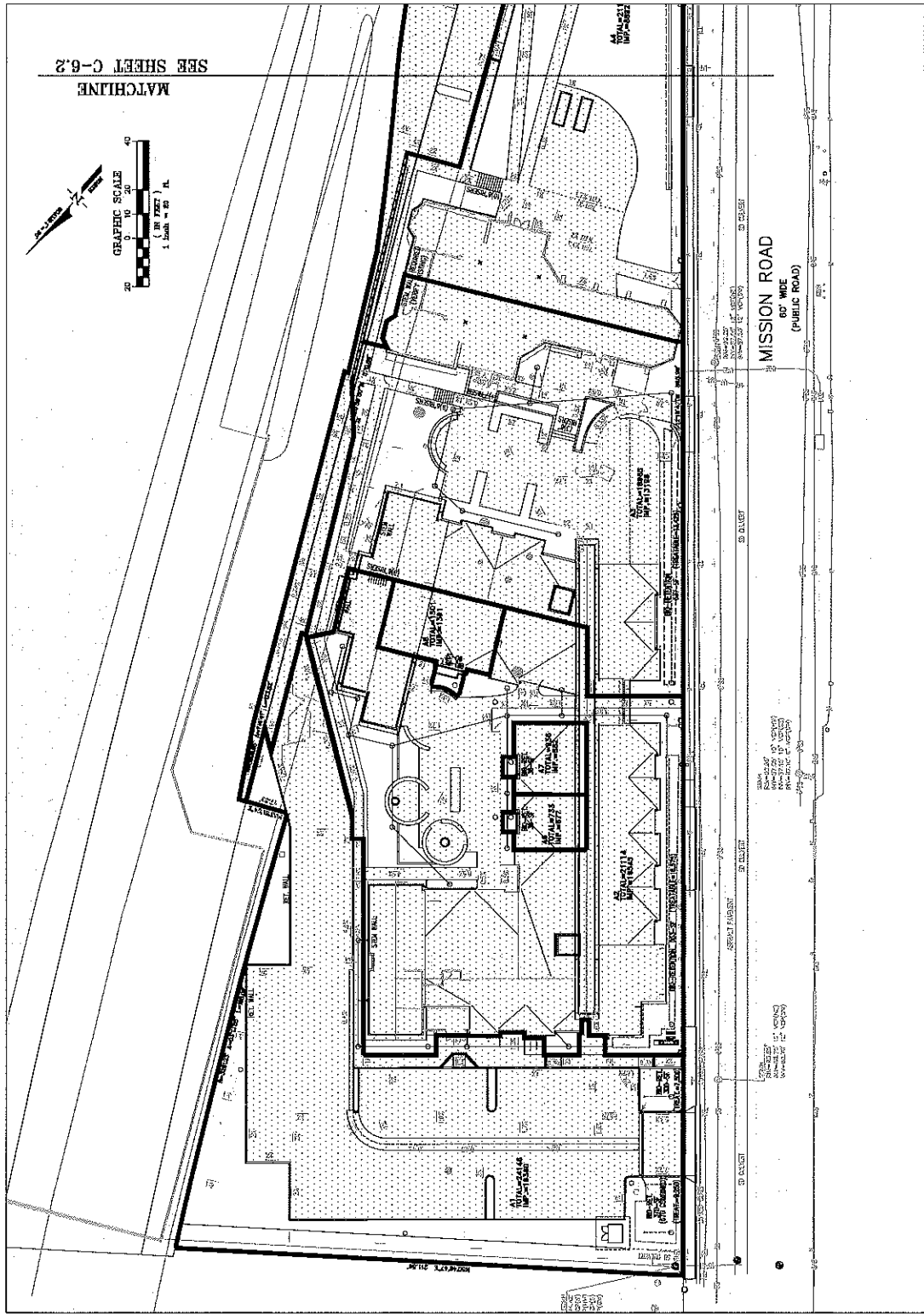


DATE	DESCRIPTION	ISSUES	BY	DATE
10/19/16	PRELIMINARY UTILITY PLAN			
10/19/16	REVISED UTILITY PLAN			
10/19/16	REVISED UTILITY PLAN			
10/19/16	REVISED UTILITY PLAN			

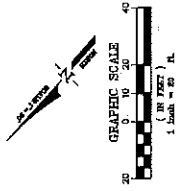
Sheet No: **C-5.2**

**PRELIMINARY  
UTILITY PLAN:**

**VETERANS VILLAGE**  
COLMA, CA | 10/19/16 | MERCY HOUSING | #1502



SEE SHEET C-6.2  
MATCHLINE



**VAN METER  
WILLIAMS  
POLLACK**

**Juk and Associates**  
Civil Engineering  
Land Planning  
Land Surveying  
739 Alford Nobel Drive  
Berkeley, CA 94707  
Phone (510) 724-3000



NO.	REVISION	DATE	BY

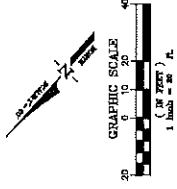
Sheet No. **C-6.1**

**PRELIMINARY  
STORMWATER  
TREATMENT PLAN:**

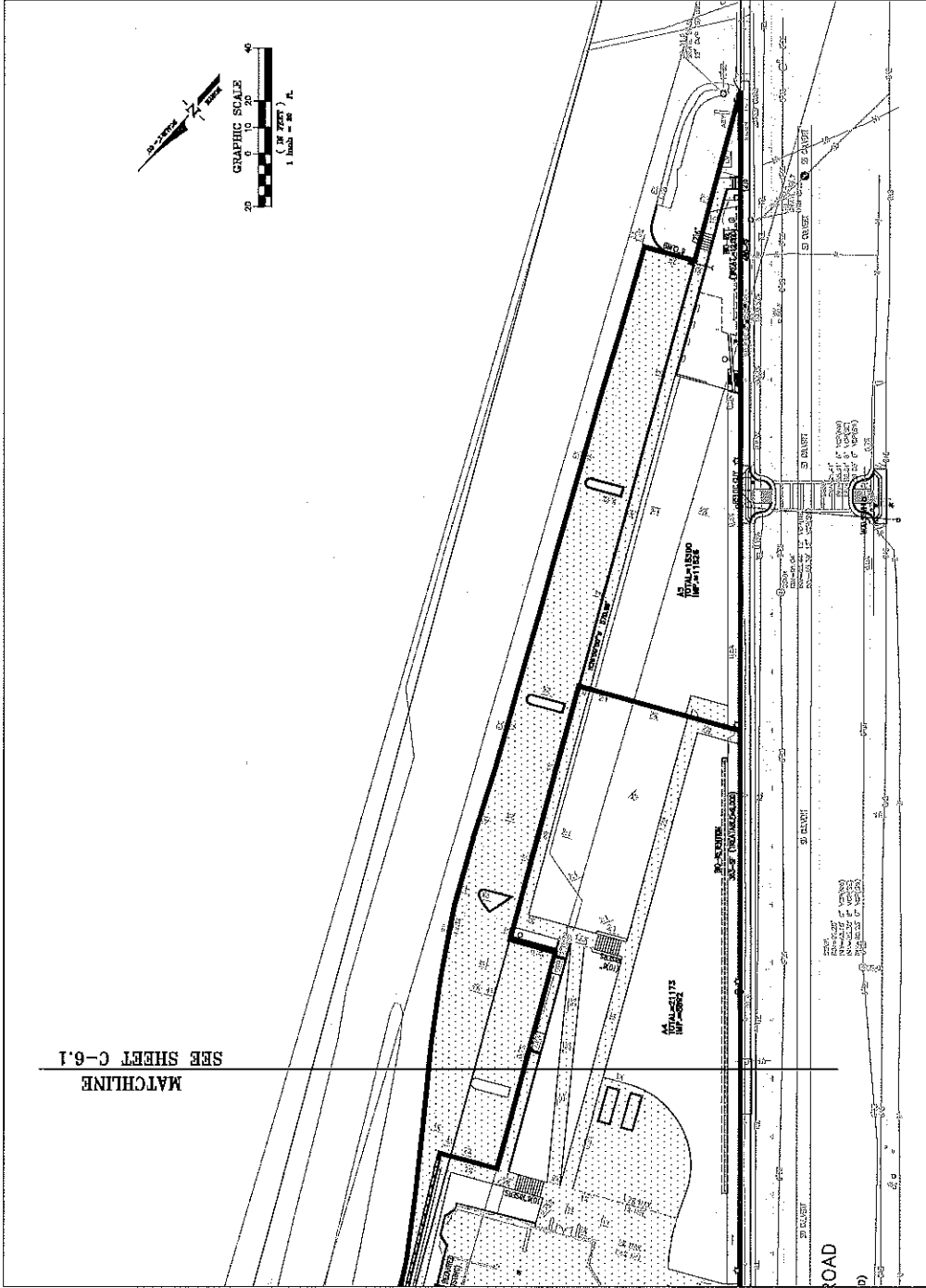
**VETERANS VILLAGE**  
COLMA, CA | 10/19/16 | MERCY HOUSING | #1502

STORM TREATMENT DESIGN PER SAN MATEO COUNTY						
STORM PIPE SIZE (IN)	TREATMENT TYPE	DESIGN FLOW (MGD)	DESIGN VELOCITY (FPS)	DESIGN TIME (MIN)	MIN. SIZE SAND (IN)	DESIGNED CAPACITY (MGD)
A1	NO-SETTLING FLOWER	778	3.00	1500	0.075	778
A2	NO-SETTLING FLOWER	5000	3.00	1500	0.075	5000
A3	NO-SETTLING FLOWER	2455	3.00	1500	0.075	2455
A4	NO-SETTLING FLOWER	1028	3.00	1500	0.075	1028
A5	NO-SETTLING FLOWER	1028	3.00	1500	0.075	1028
TOTAL		17271				17271

1 (1/2) INCH = 1' (NOT TO SCALE)



SEE SHEET C-6.1  
MATCHLINE



**VAN METER  
WILLIAMS  
POLLACK**

Jank and Associates  
Civil Engineering  
Land Planning  
Land Surveying  
735 Alfred Nobel Drive  
Hercules, CA 94547  
Phone (510) 724-3386



ISSUES	DATE	BY	REVISION

Sheet No. **C-6.2**

PRELIMINARY  
STORMWATER  
TREATMENT PLAN:

**VETERANS VILLAGE**  
COLMA, CA | 10/19/16 | MERCY HOUSING | #1502





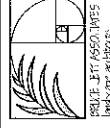
SHEET NUMBER	SHEET TITLE
L.0.1	GENERAL NOTES & LEGEND
L.0.2	PARTIAL SITE PLAN
L.0.3	PARTIAL LIGHTING PLAN
L.0.4	PARTIAL LIGHTING PLAN
L.0.5	SECTIONS
L.0.6	PARTIAL PAVING PLAN
L.0.7	DETAILS
L.0.8	DETAILS & IMAGES
L.0.9	PARTIAL PLANTING PLAN
L.0.10	DETAILS - PLANTING

REF	DESCRIPTION	QTY	COLOR	FINISH/MATERIAL	MPV SUPPLIER	PRODUCT	DIMENSIONS	DETAIL	COMMENTS
<b>SCHEDULE OF MATERIALS &amp; FINISHES</b>									
<b>PAVING</b>									
P-1	STANDARD PAVING	-	NATURAL	LIGHT BROWN FINISH	-	-	-	5/4.0, 7/4.1	-
P-2	SPECIALTY PAVING	-	-	-	-	-	-	5/4.0, 7/4.1	-
P-3	SPECIALTY PAVING	-	-	-	-	-	-	5/4.0, 7/4.1	-
P-4	DECOMPOSED GRANITE	-	-	-	-	-	-	-	-
P-5	MULCH	-	-	-	RECOLOGY	ARBOR MULCH	-	7/4.0	3" MIN DEPTH
<b>WALLS &amp; CURBS</b>									
W-1	CONCRETE SEAWALL	-	NATURAL	-	-	-	-	1/4.0	-
W-2	CONCRETE BENCH WALL	-	NATURAL	CONC & WRC	-	-	-	TBD	-
W-3	CONCRETE PLANTER WALL	-	NATURAL	CONC	-	-	-	3/4.0	-
W-4	6" HI CONCRETE CURB	-	NATURAL	CONC	-	-	-	4/4.0	-
<b>WATER FEATURE</b>									
WF-1	FOUNTAIN	-	-	-	-	-	-	-	-
WF-2	ENTRY WATER FEATURE	-	-	-	-	-	-	15/4.1	TBD
<b>SITE FURNISHINGS</b>									
SF-1	FIRE PIT	-	ORH	CONCRETE	PALEORA	W50	35"R X 12" H	14/4.1	WIRE ELECTRONIC CONTROL, PAPER ROCK TOPPING
SF-2	DRINKING FOUNTAIN W/ DUDGE BOWL	-	CHROME	PODAT STEEL	MOST REPROducible FOUNTAINS, INC	440-SM W/PED FOUNTAIN	-	1/0.1	-
SF-2.5	1000 WASH STATION	-	CHROME	PODAT STEEL	MOST REPROducible FOUNTAINS, INC	500 SM RINSE STATION	-	8/4.1	-
SF-3	BICYCLE RACK	-	PA-SATIN	STAINLESS STEEL	BKEPARKING.COM	WELLS CIRCULAR BACK HOLES-SF-SF-S	-	3/4.1	EMBEDMENT MOUNT
SF-4	2 BIN TRASH & RECYCLING RECEPTACLES	-	TITANIUM	PERFORATED	LANDSCAPE FORMS	SELECT 2 BIN	-	12/4.1	SURFACE MOUNT, SEE BENCH INSTALL DETAILS
SF-4A	3 BIN TRASH & RECYCLING & ORGANICS RECEPTACLES	-	TITANIUM	PERFORATED	LANDSCAPE FORMS	SELECT 3 BIN	-	18/4.1	SURFACE MOUNT, SEE BENCH INSTALL DETAILS
SF-5	BENCH	-	SILVER	POWDERCOAT STL	LANDSCAPE FORMS	REST BACKED BENCH	-	8/4.1	-
SF-5A	PICNIC TABLE	-	VARIOUS	POWDERCOAT STL	DUNOR	75"-85"-1 WOOD PICNIC TABLE	8" X 8"-5/8"	-	SURFACE MOUNT, SEE BENCH INSTALL DETAILS
SF-6	TREE GRATE	-	RAW FINISH	GRAY IRON	URBAN ACCESSORIES	4'-6" FAN	-	5-6/4.1	-
SF-7	BOULDERS	15	NATURAL	GRANITE	WINWARD ROCK PRODUCTS	DECORATIVE BOULDERS 18"-30" DIAMETER	-	4/4.1	-
SF-8	TABLE AND CHAIRS	-	-	-	-	OWNER FURNISHED	-	-	-
SF-9	LOUNGE CHAIRS	-	-	-	-	OWNER FURNISHED	-	-	-
SF-10	DOG WASTE STATION	1	GREEN	POINT STL	ZERO WASTE USA	THE ENTRY DOG WASTE STATION	-	-	8" HI POST, SIGN, BAG DISPENSER, WASTE CAN & LINER
<b>LIGHTS</b>									
L-1	POLE LIGHT	-	-	ULTRA DARK GREY (10714)	PHILIPS	CITYSPRIT CS2461 LED	-	14/4.0	-
L-3	WALL LIGHT	-	-	SILVER	BECA	2384LED-SUV	-	18/4.0	-
L-4	OUTDOOR OUTLET	-	-	-	-	-	-	-	-
<b>FENCE &amp; GATE</b>									
F-1	FENCE 6'-0" HIGH	-	BLACK	STEEL	AMERSTAR	MORTAGE PLUS MAJESTIC	-	10/4.0	-
F-2	FENCE 4'-0" HIGH	-	BLACK	STEEL	AMERSTAR	MORTAGE PLUS MAJESTIC	-	10/4.0	-
F-3	GATE	-	BLACK	STEEL	AMERSTAR	MORTAGE PLUS MAJESTIC	-	12/4.0	-
<b>MISCELLANEOUS</b>									
M-2	HEADER	-	BLACK	RECYCLED PLASTIC	-	-	-	9/4.0	-
M-3	STORMWATER PLANTER	-	-	-	-	-	-	SCD	-

NOTE: REFER TO SPECIFICATIONS FOR MANUFACTURER CONTACTS AND ADDITIONAL INFORMATION.

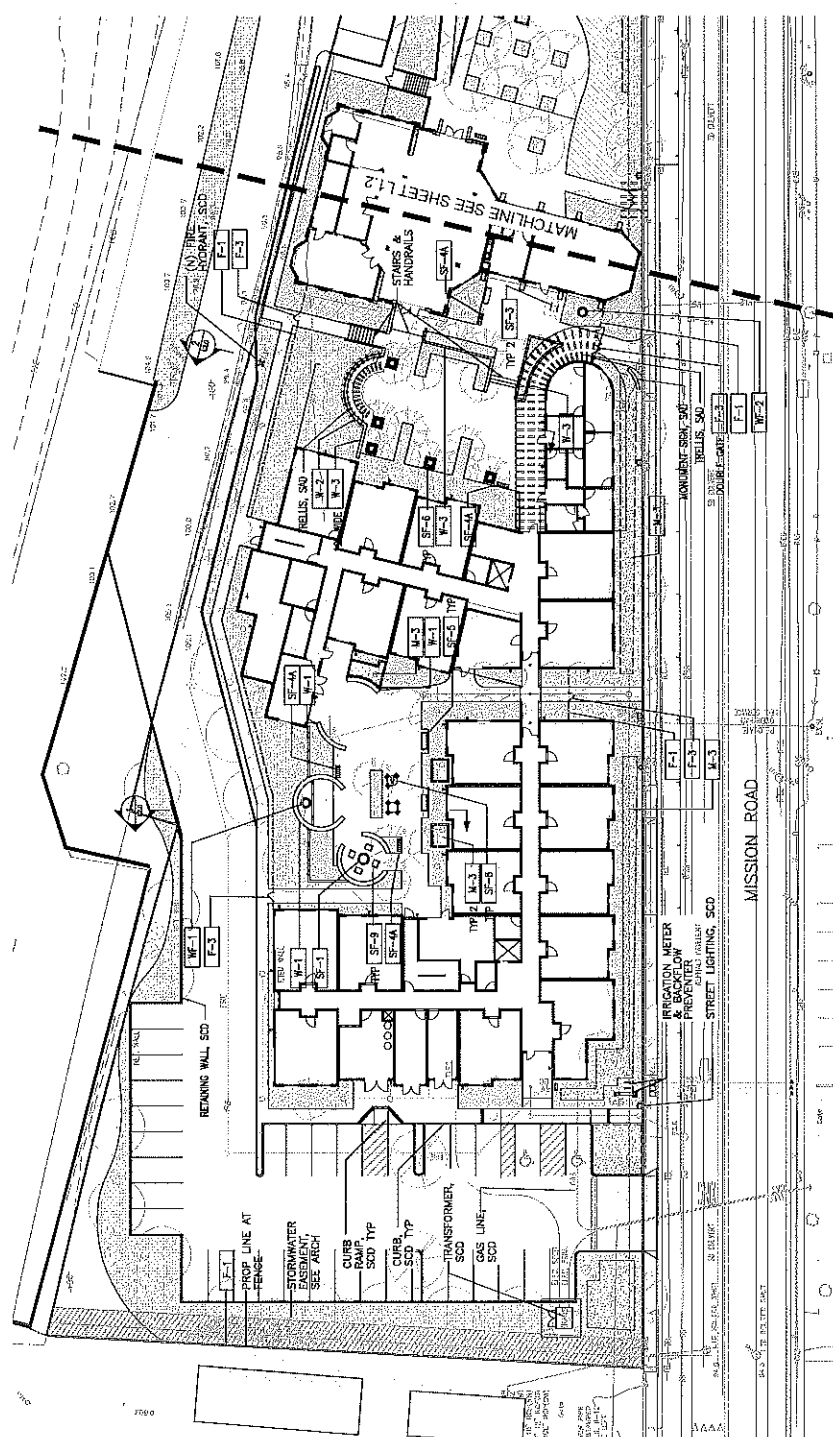
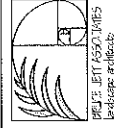
# VETERANS VILLAGE | L0.1 GENERAL NOTES & LEGEND

COLMA, CA | 10/17/16 | MERCY HOUSING | #1502



**VAN METER  
WILLIAMS  
POLLOCK** 

PHONE: 415.755.0155  
LANDSCAPE ARCHITECTS



**SCHEDULE OF MATERIALS**

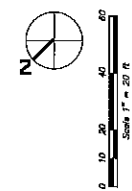
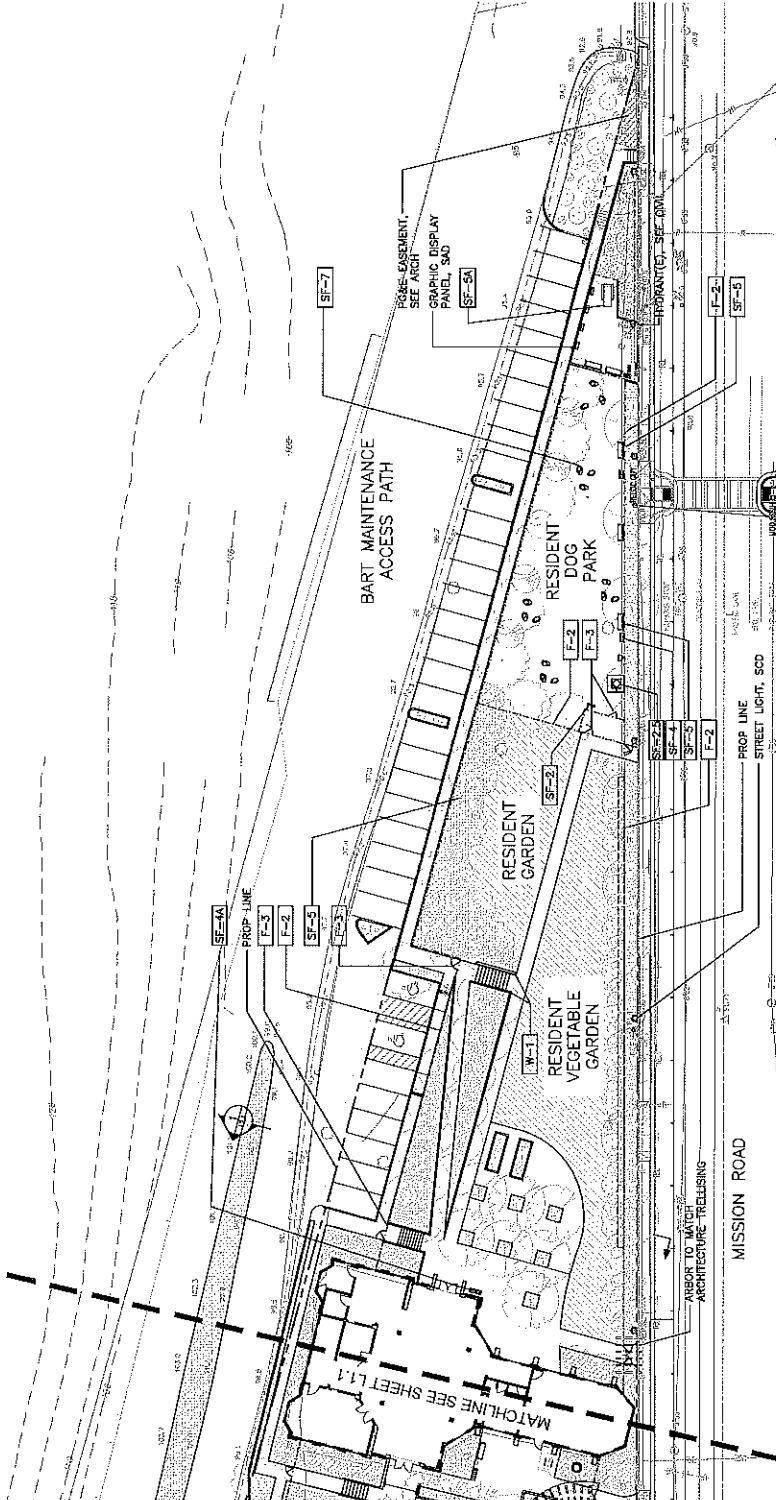
KEY	DESCRIPTION	QTY
P-1	STANDARD PAVING	5/14.0, 7/14.1
P-2	SPECIALTY PAVING	5/14.0, 7/14.1
P-3	SPECIALTY PAVING	5/14.0, 7/14.1
P-4	RECOMPOSED GRANITE	7/14.0
P-5	MUDCH	-
W-1	CONCRETE SEAWALL	1/14.0
W-2	CONCRETE BENCH WALL	TBD
W-3	CONCRETE PLANTER WALL	3/14.0
W-4	8" FT CONCRETE CURB	4/14.0
WF-1	FOUNTAIN	13/14.1
WF-2	ENTRY WATER FEATURE	TBD
SITE FURNISHINGS:		
SF-1	FIRE PIT	14/14.1
SF-2	DRINKING FOUNTAIN	1/14.1
SF-2.3	W/DOGGE BOWL	9/14.1
SF-3	DOG WASH STATION	9/14.1
SF-3	BICYCLE RACK	2/14.1
SF-4	2 BIN TRASH & RECYCLING RECEPTACLES	12/14.1
SF-4A	3 BIN TRASH & RECYCLING & ORGANICS RECEPTACLES	16/14.1
SF-5	BENCH	9/14.1
SF-5	TREE BENCH	5-9/14.1
SF-7	BOLLARDS	4/14.1
SF-8	TABLE AND CHAIRS	-
SF-9	LOUNGE CHAIRS	-
SF-10	DOG WASTE STATION	-
LIGHTS:		
L-1	POLE LIGHT	14/14.0
L-3	WALL LIGHT	16/14.0
L-4	OUTDOOR OUTLET	-
FENCE & GATE:		
F-1	FENCE 6'-0" HIGH	10/14.0
F-2	FENCE 4'-0" HIGH	10/14.0
F-3	GATE	12/14.0
MISCELLANEOUS:		
M-2	HEADER	9/14.0
M-3	STORMWATER PLANTER	SCD

**VETERANS VILLAGE | L1.1 PARTIAL SITE PLAN**

COLMA, CA | 10/17/16 | MERCY HOUSING | #1502

**SCHEDULE OF MATERIALS**

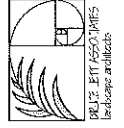
KEY	DESCRIPTION	QTY
P-1	STANDARD PAVING	5/14.0, 7/4.1
P-2	SPECIALTY PAVING	5/14.0, 7/4.1
P-3	SPECIALTY PAVING	5/14.0, 7/4.1
P-4	DECOMPOSED GRANITE	7/14.0
P-5	MULCH	-
<b>WALLS &amp; CURBS</b>		
W-1	CONCRETE SEKWALL	1/14.0
W-2	CONCRETE BENCH WALL	TBD
W-3	CONCRETE PLANTER WALL	3/14.0
W-4	6" HI CONCRETE CURB	4/14.0
<b>WATER FEATURE</b>		
WF-1	FOUNTAIN	13/14.1
WF-2	ENTRY WATER FEATURE	TBD
<b>SITE FURNISHINGS</b>		
SF-1	FIRE PIT	14/14.1
SF-2	DRINKING FOUNTAIN	1/14.1
SF-2.5	DOG WASH STATION	8/14.1
SF-3	BICYCLE RACK	3/14.1
SF-4	2 BIN TRASH & RECYCLING RECEPTACLES	12/14.1
SF-4A	3 BIN TRASH & RECYCLING & ORGANICS RECEPTACLES	18/14.1
SF-5	BENCH	8/14.1
SF-5A	FROND TABLE	-
SF-6	TREE GRATE	5-9/14.1
SF-7	BOULDERS	4/14.1
SF-8	TABLE AND CHAIRS	-
SF-9	LOUNGE CHAIRS	-
SF-10	DOG WASTE STATION	-
<b>LIGHTS</b>		
L-1	POLE LIGHT	14/14.0
L-3	WALL LIGHT	15/14.0
L-4	OUTDOOR OUTLET	-
<b>FENCE &amp; GATE</b>		
F-1	FENCE 6'-0" HIGH	10/14.0
F-2	FENCE 4'-0" HIGH	10/14.0
F-3	GATE	12/14.0
<b>MISCELLANEOUS</b>		
M-2	HEADER	8/14.0
M-3	STORMWATER PLANTER	SCD



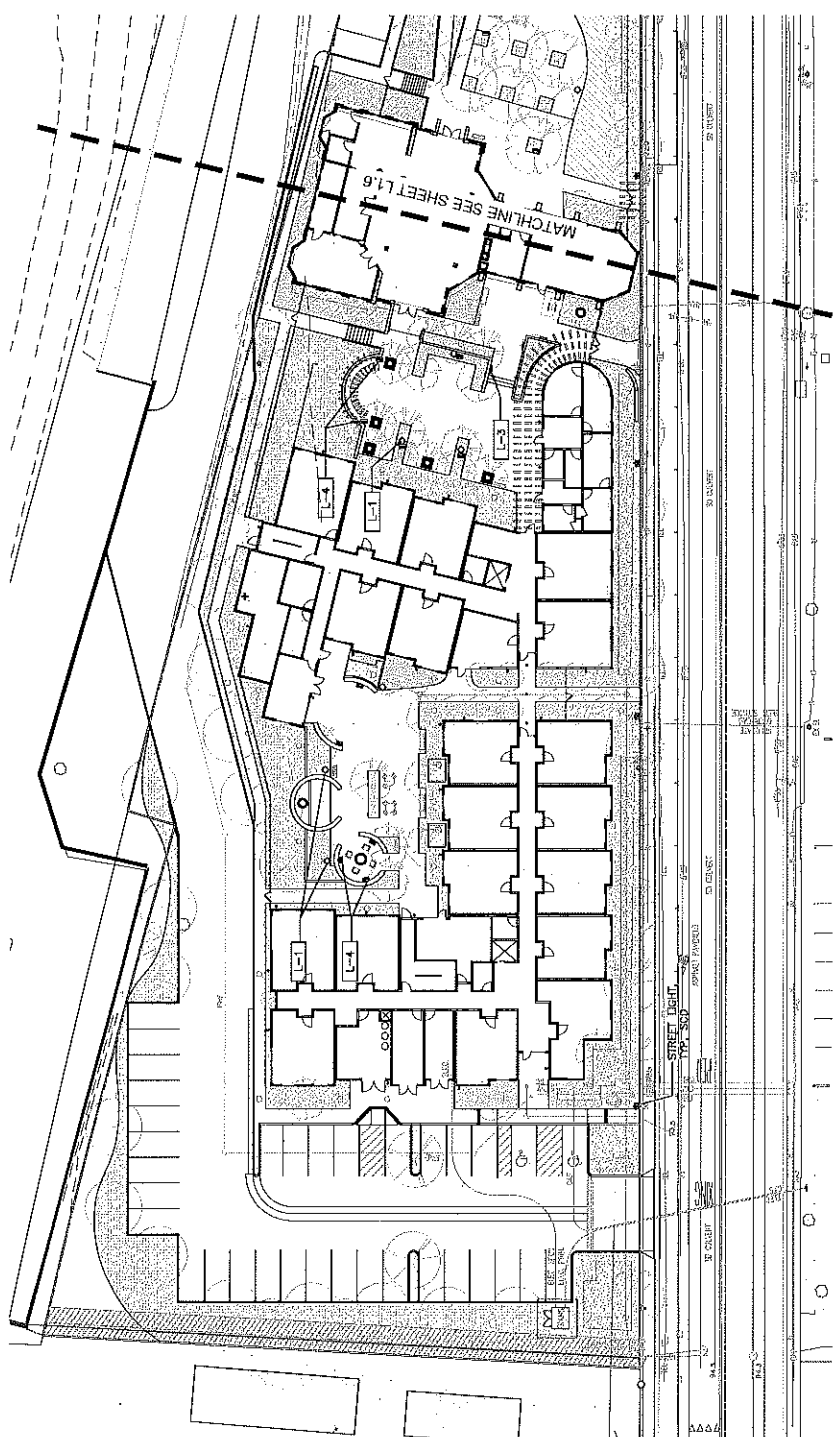
- NOTES:**
1. SEE L1.5 & L1.6 FOR LIGHTING
  2. SEE L1.3 SERIES FOR PLANTING
  3. SEE SHEET 0.1 FOR MATERIAL SCHEDULE
  4. SEE L4.X SERIES FOR DETAILS & REFERENCE IMAGES

**VETERANS VILLAGE | L1.2 PARTIAL SITE PLAN**

COLMA, CA | 10/17/16 | MERCY HOUSING | #1502



**VAN METER WILLIAMS POLLACK LLP**

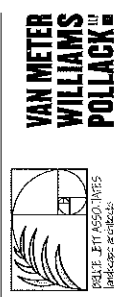


**LIGHTING SYMBOLS LEGEND**

○	L-1	POLE LIGHT
□	L-3	WALL LIGHT
□	L-4	OUTDOOR OUTLET

**SCHEDULE OF MATERIALS**

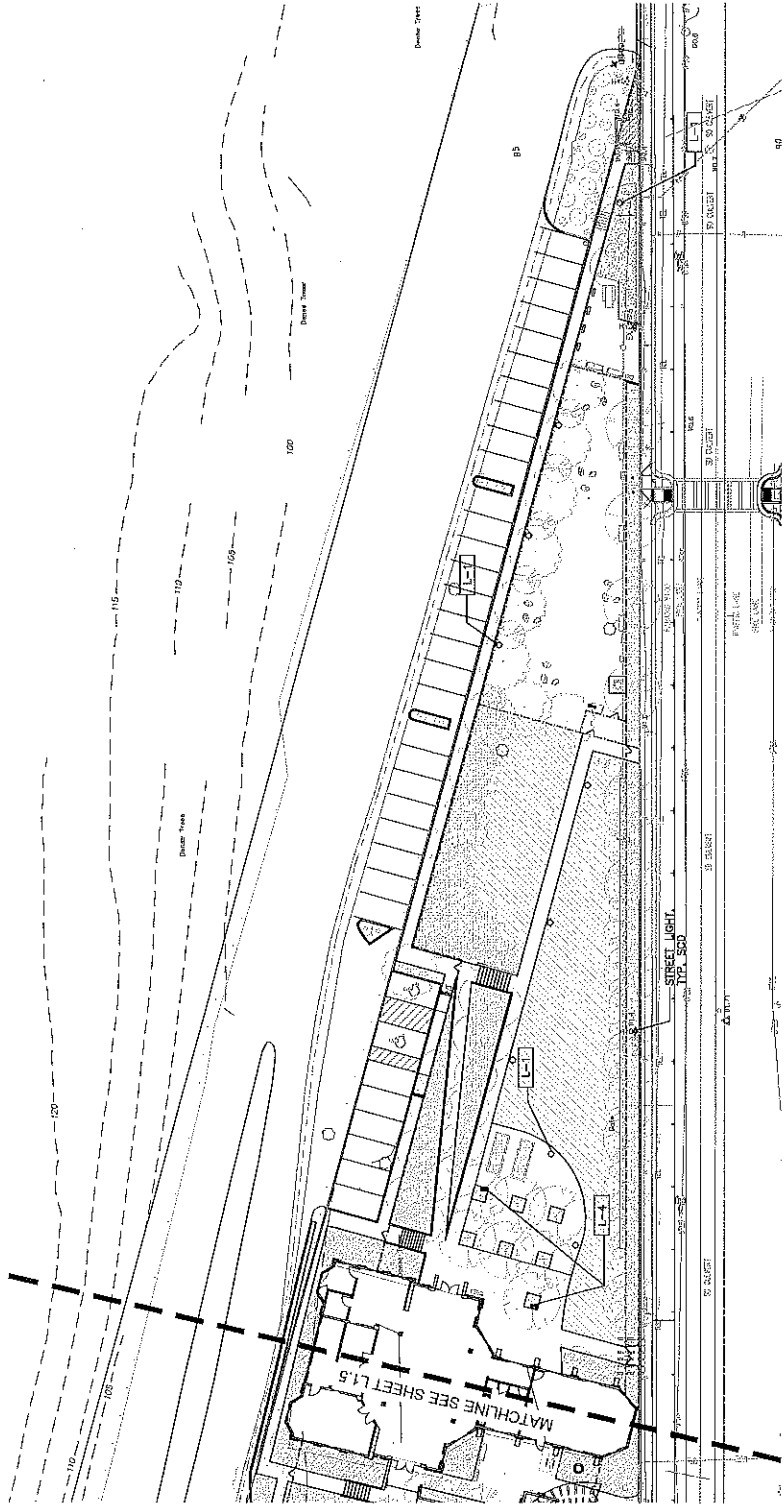
KEY	DESCRIPTION	QTY
<b>PAVING</b>		
P-1	STANDARD PAVING	5/14.0, 7/14.1
P-2	SPECIALTY PAVING	5/14.0, 7/14.1
P-3	SPECIALTY PAVING	3/14.0, 7/14.1
P-4	RECOMPOSED GRANITE	7/14.0
P-5	MULCH	-
<b>WALLS &amp; CURBS</b>		
W-1	CONCRETE SEPTAWALL	7/14.0
W-2	CONCRETE BENCH WALL	TBD
W-3	CONCRETE PLANTER WALL	3/14.0
W-4	8" HT CONCRETE CURB	4/14.0
<b>WATER FEATURE</b>		
WF-1	FOUNTAIN	12/14.1
WF-2	ENTRY WATER FEATURE	TBD
<b>SITE FURNISHINGS</b>		
SF-1	TREE PIT	14/14.1
SF-2	DRINKING FOUNTAIN	1/14.1
SF-2.5	DOG WASH STATION	8/14.1
SF-3	BICYCLE RACK	3/14.1
SF-4	2 BIN TRASH & RECYCLING RECEPTACLES	12/14.1
SF-4	1 BIN TRASH & RECYCLING & ORGANICS RECEPTACLES	16/14.1
SF-5	BENCH	8/14.1
SF-5A	PICNIC TABLE	-
SF-6	TREE GRATE	9-9/14.1
SF-7	BOULDERS	4/14.1
SF-8	TABLE AND CHAIRS	-
SF-9	LOUNGE CHAIRS	-
SF-10	DOG WASTE STATION	-
<b>LIGHTS</b>		
L-1	POLE LIGHT	14/14.0
L-3	WALL LIGHT	15/14.0
L-4	OUTDOOR OUTLET	-
<b>FENCE &amp; GATE</b>		
F-1	FENCE 6'-0" HIGH	19/14.0
F-2	FENCE 4'-0" HIGH	19/14.0
F-3	GATE	12/14.0
<b>MISCELLANEOUS</b>		
M-2	HEADER	9/14.0
M-3	STORMWATER PLANTER	5/0



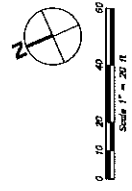
# VETERANS VILLAGE | L1.5 PARTIAL LIGHTING PLAN

COLMA, CA | 10/17/16 | MERCY HOUSING | #1502

KEY	DESCRIPTION	QTY
<b>SCHEDULE OF MATERIALS</b>		
<b>PAVING</b>		
P-1	STANDARD PAVING	5/14.0, 7/14.1
P-2	SPECIALTY PAVING	5/14.0, 7/14.1
P-3	SPECIALTY PAVING	5/14.0, 7/14.1
P-4	DECOMPOSED GRANITE	7/14.0
P-5	MITER	-
<b>WALLS &amp; CHIRS</b>		
W-1	CONCRETE SERRAVAL	1/4.0
W-2	CONCRETE BENCH WALL	TBD
W-3	CONCRETE PLANTER WALL	3/4.0
W-4	8" HT CONCRETE CURB	4/4.0
<b>WATER FEATURE</b>		
WF-1	FOUNTAIN	13/4.1
WF-2	ENTRY WATER FEATURE	TBD
<b>SITE FINISHINGS</b>		
SF-1	FIRE PIT	14/4.1
SF-2	DRINKING FOUNTAIN 1/4.0.0.0.0	1/4.1
SF-2.5	DOG WASH STATION	8/4.1
SF-3	BICYCLE RACK	3/14.1
SF-4	2 BIN TRASH & RECYCLING RECEPTACLES	12/4.1
SF-4A	3 BIN TRASH & RECYCLING & DRINKS RECEPTACLES	18/4.1
SF-5	BENCH	8/4.1
SF-5A	PICNIC TABLE	-
SF-6	TREE GRATE	5-8/4.1
SF-7	BOULDERS	4/4.1
SF-8	TABLE AND CHAIRS	-
SF-9	LOUNGE CHAIRS	-
SF-10	DOG WASTE STATION	-
<b>LIGHTS</b>		
L-1	POLE LIGHT	14/4.0
L-3	WALL LIGHT	18/4.0
L-4	OUTDOOR OUTLET	-
<b>FENCE &amp; GATE</b>		
F-1	FENCE 6'-0" HIGH	19/4.0
F-2	FENCE 4'-0" HIGH	19/4.0
F-3	GATE	12/4.0
<b>MISCELLANEOUS</b>		
M-2	HEADER	9/4.0
M-3	STORMWATER PLANTER	S/D

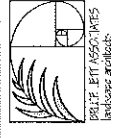


LIGHTING SYMBOLS LEGEND	
L-1	POLE LIGHT
L-3	WALL LIGHT
L-4	OUTDOOR OUTLET



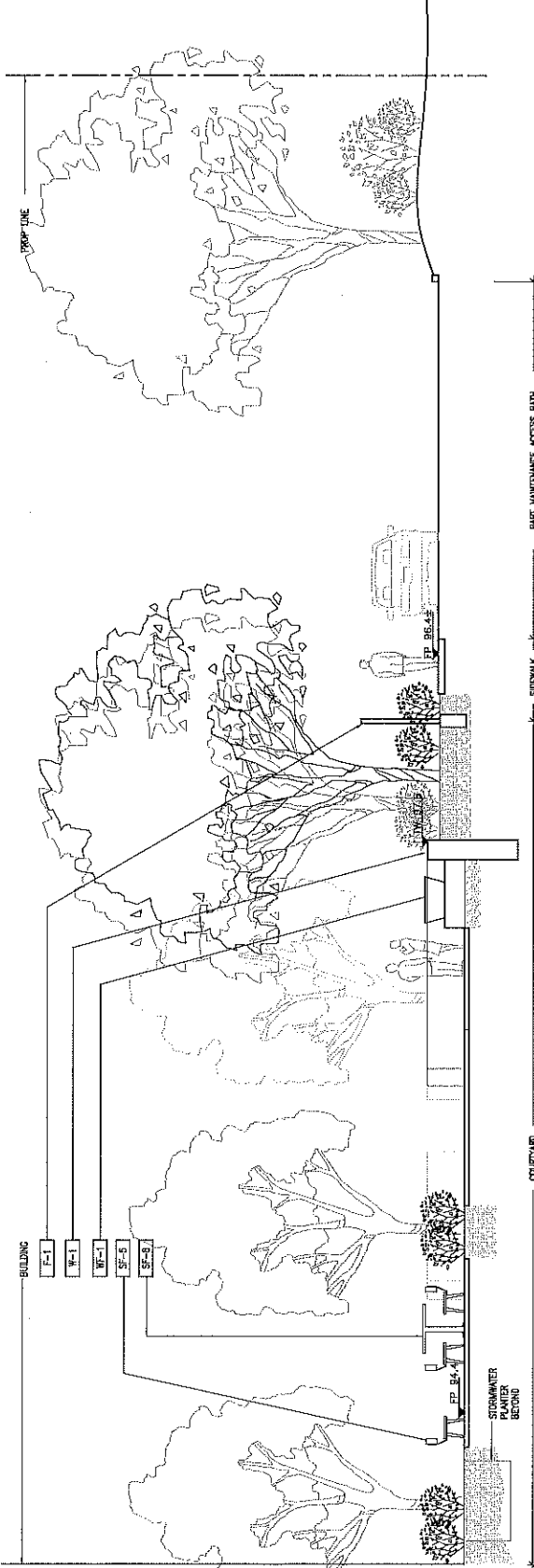
# VETERANS VILLAGE | L1.6 PARTIAL LIGHTING PLAN

COLMA, CA | 10/17/16 | MERCY HOUSING | #1502

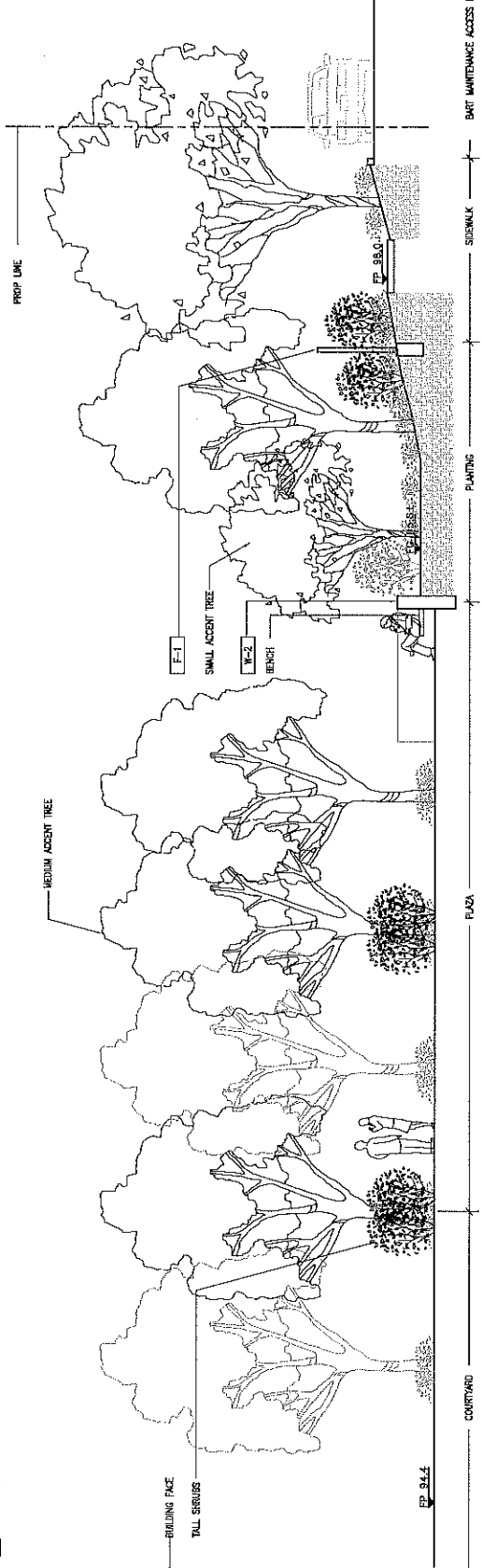


**VAN METER  
WILLIAMS  
POLLACK III**

ITEM	DESCRIPTION	DETAIL
<b>PAVING</b>		
P-1	STANDARD PAVING	5/14.0, 7/4.1
P-2	SPECIALTY PAVING	5/14.0, 7/4.1
P-3	SPECIALTY PAVING	5/14.0, 7/4.1
P-4	DECOMPOSED GRANITE	7/4.0
P-5	MULCH	-
<b>WALLS &amp; CURBS</b>		
W-1	CONCRETE SAWN WALL	7/4.0
W-2	CONCRETE BECH WALL	TBD
W-3	CONCRETE PLANTER WALL	3/4.0
W-4	6" HI CONCRETE CURB	4/4.0
<b>WATER FEATURE</b>		
WF-1	FOUNTAIN	13/4.1
WF-2	ENTRY WATER FEATURE	TBD
<b>SITE FURNISHINGS</b>		
SF-1	FIRE PIT	14/4.1
SF-2	DRINKING FOUNTAIN W/ODDSE EDNHL	1/4.1
SF-2.5	DOC WASH STATION	8/4.1
SF-3	BICYCLE RACK	3/4.1
SF-4	2 BIN TRASH & RECYCLING RECEPTACLES	12/4.1
SF-4A	3 BIN TRASH & RECYCLING & ORGANIC RECEPTACLES	16/4.1
SF-5	BENCH	8/4.1
SF-5A	PICNIC TABLE	-
SF-6	TREE GRATE	9-5/4.1
SF-7	BOULDERS	4/4.1
SF-8	TABLE AND CHAIRS	-
SF-9	LOUNGE CHAIRS	-
SF-10	DOC WASTE STATION	-
<b>LIGHTS</b>		
L-1	POLE LIGHT	14/4.0
L-2	WALL LIGHT	16/4.0
L-4	OUTDOOR OUTLET	-
<b>FENCE &amp; GATE</b>		
F-1	FENCE 6'-0" HIGH	10/4.0
F-2	FENCE 4'-0" HIGH	10/4.0
F-3	GATE	12/4.0
<b>MISCELLANEOUS</b>		
M-2	HOOPER	9/4.0
M-3	STORMWATER PLANTER	SD



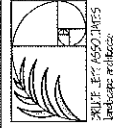
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2 SECTION  
SCALE: 1/4" = 1'-0"

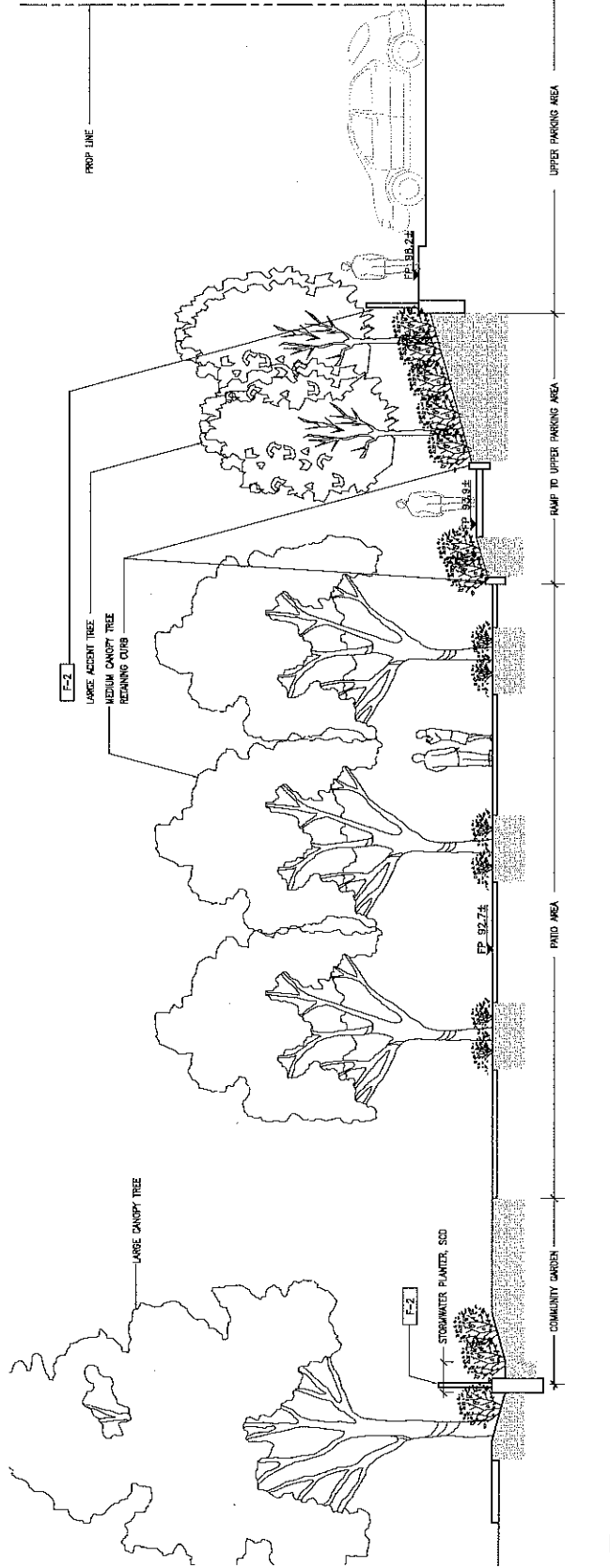
# VETERANS VILLAGE | L2.0 SECTIONS

COLMA, CA | 10/17/16 | MERCY HOUSING | #1502

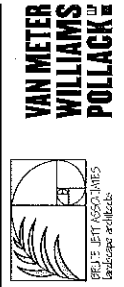


**VAN METER  
WILLIAMS  
POLLACK**

KEY	DESCRIPTION	DETAIL
<b>SCHEDULE OF MATERIALS</b>		
<b>PAVING</b>		
P-1	STANDARD PAVING	5/4.0, 7/4.1
P-2	SPECIALTY PAVING	5/4.0, 7/4.1
P-3	SPECIALTY PAVING	5/4.0, 7/4.1
P-4	DECOMPOSED GRANITE	7/4.0
P-5	MULCH	-
<b>WALLS &amp; CURBS</b>		
W-1	CONCRETE SEAWALL	1/2.9
W-2	CONCRETE BRICK WALL	TBD
W-3	CONCRETE PLANTER WALL	3/4.0
W-4	8" FT. CONCRETE CURB	4/4.0
<b>WATER FEATURE</b>		
WF-1	FOUNTAIN	1/7.4.1
WF-2	ENTRY WATER FEATURE	TBD
<b>SITE FURNISHINGS</b>		
SF-1	FIRE PIT	14/4.1
SF-2	DRINKING FOUNTAIN W/ DOGGIE BOWL	1/4.1
SF-2.5	DOG WASH STATION	8/4.1
SE-3	BICYCLE RACK	3/4.1
SF-4	2 BIN TRASH & RECYCLING RECEPTACLES	12/4.1
SF-4A	3 BIN TRASH & RECYCLING & ORGANICS RECEPTACLES	16/4.1
SF-5	BENCH	8/4.1
SF-5A	PICNIC TABLE	-
SF-6	TREE GRATE	5-6/4.1
SF-7	BOULDERS	4/4.1
SF-8	TABLE AND CHAIRS	-
SF-9	LOUNGE CHAIRS	-
SF-10	DOG WASTE STATION	-
<b>LIGHTS</b>		
L-1	POLE LIGHT	14/4.0
L-3	WALL LIGHT	16/4.0
L-4	OUTDOOR OUTLET	-
<b>FENCE &amp; GATE</b>		
F-1	FENCE 6'-0" HIGH	10/4.0
F-2	FENCE 4'-0" HIGH	10/4.0
F-3	GATE	12/4.0
<b>MISCELLANEOUS</b>		
M-2	HOLDER	9/4.0
M-3	STORMWATER PLANTER	SCD



1 SECTION  
SCALE 1/4" = 1'-0"



# VETERANS VILLAGE | L2.1 SECTIONS

COLMA, CA | 10/17/16 | MERCY HOUSING | #1502

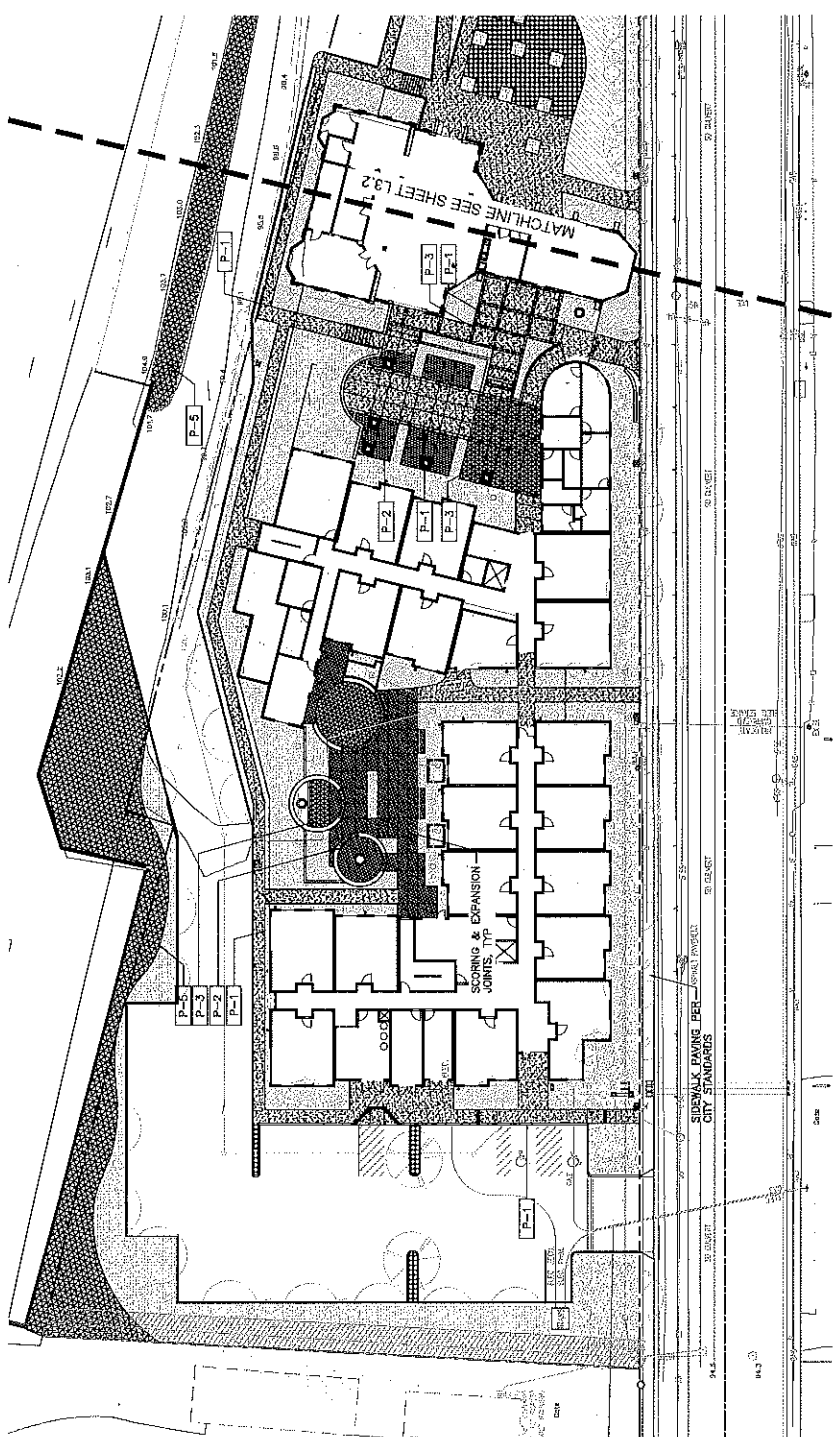
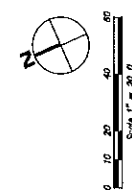
SITE FURNISHINGS	
WF-2	ENTRY WATER FEATURE
SF-1	FIRE PIT
SF-2	DRINKING FOUNTAIN W/DOGGIE BOWL
SF-2.5	DOG WASH STATION
SF-3	BICYCLE RACK
SF-4	2 BIN TRASH & RECYCLING RECEPTACLES
SF-4A	3 BIN TRASH & RECYCLING & ORGANIC RECEPTACLES
SF-5	BENCH
SF-6A	PICNIC TABLE
SF-6	TREE GRATE
SF-7	BOULDERS
SF-8	TABLE AND CHAIRS
SF-9	LOUNGE CHAIRS
SF-10	DOG WASTE STATION
LIGHTS	
L-1	POLE LIGHT
L-3	WALL LIGHT
L-4	OUTDOOR OUTLET
FENCE & GATE	
F-1	FENCE 6'-0" HIGH
F-2	FENCE 4'-0" HIGH
F-3	GATE
MISCELLANEOUS	
M-2	HENNER
M-3	STORMWATER PLANTER



**VAN METER  
WILLIAMS  
POLLACK** 

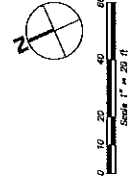
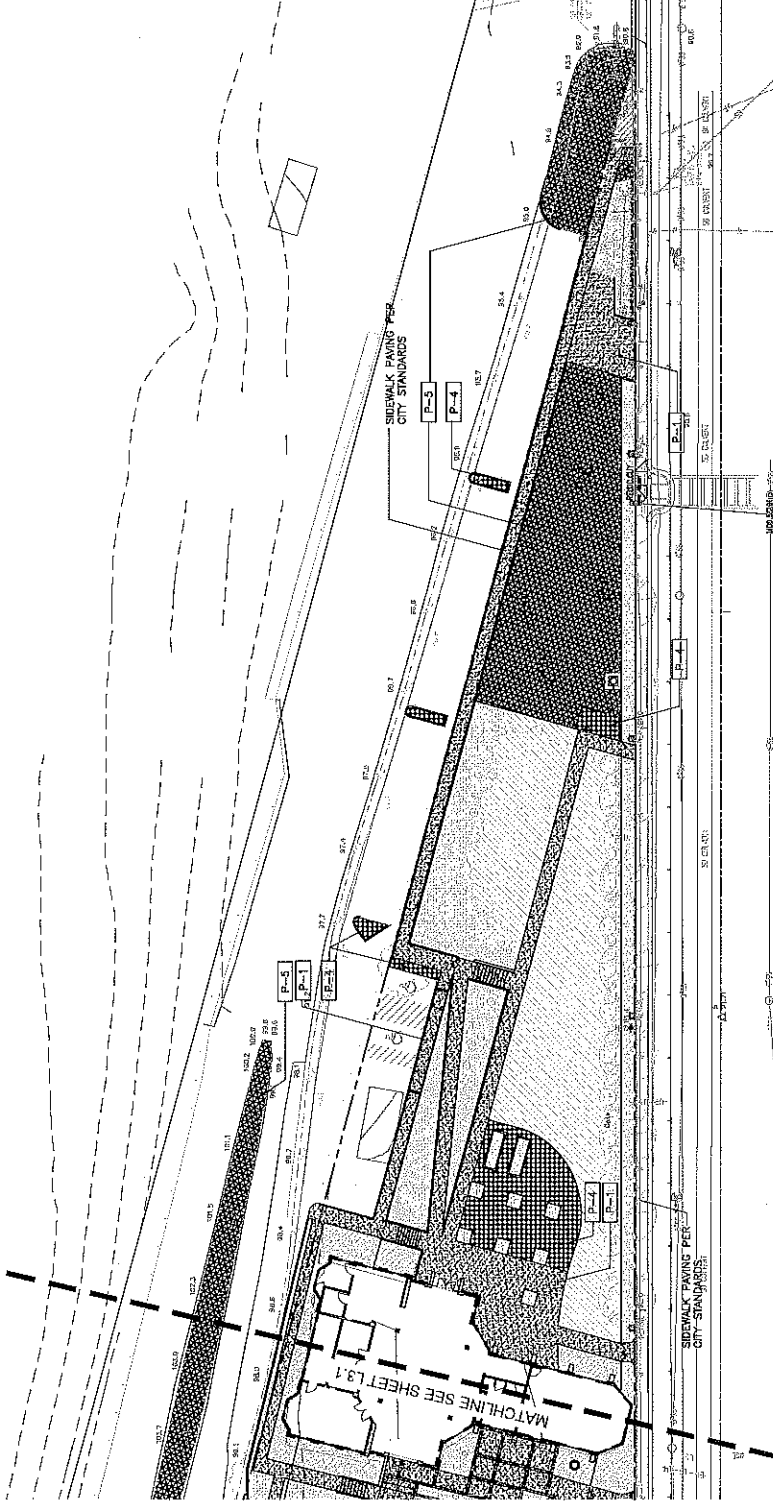
# VETERANS VILLAGE | L3.1 PARTIAL PAVING PLAN

COLMA, CA | 10/17/16 | MERCY HOUSING | #1502



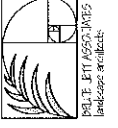


WF-2	ENTRY WATER FEATURE
SITE FURNISHINGS	
SF-1	FIRE PIT
SF-2	DRINKING FOUNTAIN W/DOUGE BOWL
SF-2S	DOG WASH STATION
SF-3	BICYCLE RACK
SF-4	2 BIN TRASH & RECYCLA & ORGANICS RECEPTACLES
SF-4A	3 BIN TRASH & RECYCLA & ORGANICS RECEPTACLES
SF-5	BENCH
SF-5A	PICNIC TABLE
SF-6	TREE GRATE
SF-7	BOULDERS
SF-8	PALE AND CHAIRS
SF-9	LOUNGE CHAIRS
SF-10	DOG WASTE STATION
LIGHTS	
L-1	POLE LIGHT
L-3	WALL LIGHT
L-4	OUTDOOR OUTLET
FENCE & GATE	
F-1	FENCE 5'-0" HIGH
F-2	FENCE 4'-0" HIGH
F-3	GATE
MISCELLANEOUS	
M-2	HENNER
M-3	STORMWATER PLANTER



# VETERANS VILLAGE | L3.2 PARTIAL PAVING PLAN

COLMA, CA | 10/17/16 | MERCY HOUSING | #1502



**VAN METER  
WILLIAMS  
POLLACK III**







9 BENCH  
SCALE: NTS



10 CONCRETE RAISED PLANTER  
SCALE: NTS



11 CONCRETE SCORING  
SCALE: NTS



13 WATER FEATURE  
SCALE: NTS



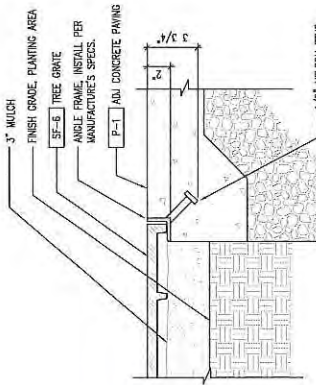
14 FIRE PIT  
SCALE: NTS



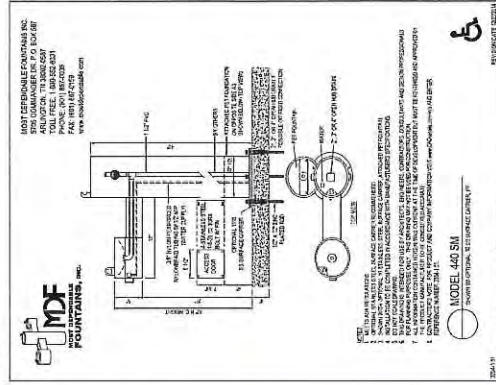
16 3. BIN - RECEPTACLE  
SCALE: NTS



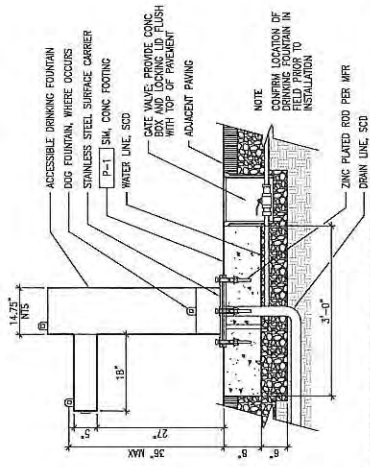
12 2. BIN - RECEPTACLE  
SCALE: NTS



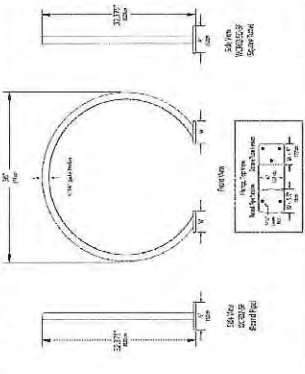
6 TREE GRATE - SECTION  
SCALE: 3/4"=1'-0"



8 DRINKING FOUNTAIN W/DOGIE BOWL  
SCALE: NTS

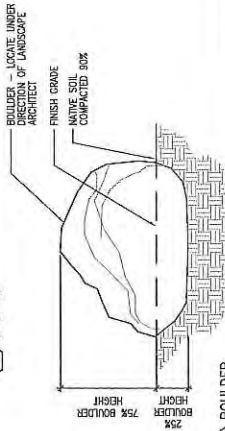


1 DRINKING FOUNTAIN WITH DOG BOWL  
SCALE: 1/4"=1'-0"



Item	Qty	Material	Notes
1	1	4" x 4" x 1/2" Galvalume	Circle
2	1	1/2" x 1/2" x 1/2" Galvalume	Circle
3	1	1/2" x 1/2" x 1/2" Galvalume	Circle
4	1	1/2" x 1/2" x 1/2" Galvalume	Circle
5	1	1/2" x 1/2" x 1/2" Galvalume	Circle
6	1	1/2" x 1/2" x 1/2" Galvalume	Circle
7	1	1/2" x 1/2" x 1/2" Galvalume	Circle
8	1	1/2" x 1/2" x 1/2" Galvalume	Circle
9	1	1/2" x 1/2" x 1/2" Galvalume	Circle
10	1	1/2" x 1/2" x 1/2" Galvalume	Circle
11	1	1/2" x 1/2" x 1/2" Galvalume	Circle
12	1	1/2" x 1/2" x 1/2" Galvalume	Circle
13	1	1/2" x 1/2" x 1/2" Galvalume	Circle
14	1	1/2" x 1/2" x 1/2" Galvalume	Circle
15	1	1/2" x 1/2" x 1/2" Galvalume	Circle
16	1	1/2" x 1/2" x 1/2" Galvalume	Circle
17	1	1/2" x 1/2" x 1/2" Galvalume	Circle
18	1	1/2" x 1/2" x 1/2" Galvalume	Circle
19	1	1/2" x 1/2" x 1/2" Galvalume	Circle
20	1	1/2" x 1/2" x 1/2" Galvalume	Circle
21	1	1/2" x 1/2" x 1/2" Galvalume	Circle
22	1	1/2" x 1/2" x 1/2" Galvalume	Circle
23	1	1/2" x 1/2" x 1/2" Galvalume	Circle
24	1	1/2" x 1/2" x 1/2" Galvalume	Circle
25	1	1/2" x 1/2" x 1/2" Galvalume	Circle
26	1	1/2" x 1/2" x 1/2" Galvalume	Circle
27	1	1/2" x 1/2" x 1/2" Galvalume	Circle
28	1	1/2" x 1/2" x 1/2" Galvalume	Circle
29	1	1/2" x 1/2" x 1/2" Galvalume	Circle
30	1	1/2" x 1/2" x 1/2" Galvalume	Circle
31	1	1/2" x 1/2" x 1/2" Galvalume	Circle
32	1	1/2" x 1/2" x 1/2" Galvalume	Circle
33	1	1/2" x 1/2" x 1/2" Galvalume	Circle
34	1	1/2" x 1/2" x 1/2" Galvalume	Circle
35	1	1/2" x 1/2" x 1/2" Galvalume	Circle
36	1	1/2" x 1/2" x 1/2" Galvalume	Circle
37	1	1/2" x 1/2" x 1/2" Galvalume	Circle
38	1	1/2" x 1/2" x 1/2" Galvalume	Circle
39	1	1/2" x 1/2" x 1/2" Galvalume	Circle
40	1	1/2" x 1/2" x 1/2" Galvalume	Circle
41	1	1/2" x 1/2" x 1/2" Galvalume	Circle
42	1	1/2" x 1/2" x 1/2" Galvalume	Circle
43	1	1/2" x 1/2" x 1/2" Galvalume	Circle
44	1	1/2" x 1/2" x 1/2" Galvalume	Circle
45	1	1/2" x 1/2" x 1/2" Galvalume	Circle
46	1	1/2" x 1/2" x 1/2" Galvalume	Circle
47	1	1/2" x 1/2" x 1/2" Galvalume	Circle
48	1	1/2" x 1/2" x 1/2" Galvalume	Circle
49	1	1/2" x 1/2" x 1/2" Galvalume	Circle
50	1	1/2" x 1/2" x 1/2" Galvalume	Circle

3 BIKE RACK  
SCALE: NTS



4 BOULDER  
SCALE: 1/2"=1'-0"

DETAILS & IMAGES

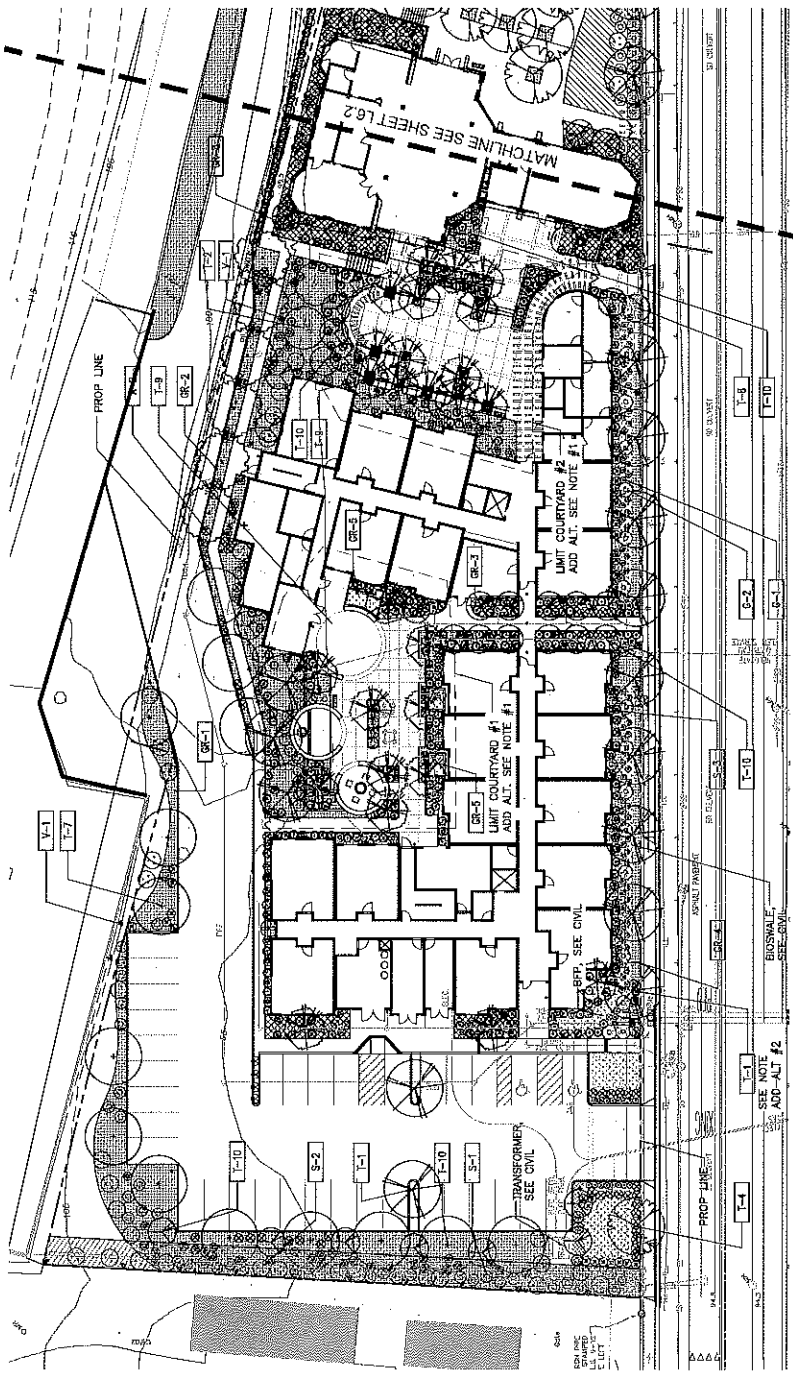
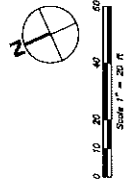
VETERANS VILLAGE | L4.1

COLMA, CA | 10/17/16 | MERCY HOUSING | #1502



VAN METER  
WILLIAMS  
POLLACK LLP  
LANDSCAPE ARCHITECTS

- NOTES:**
- IRRIGATION SYSTEM TO BE FULLY INSTALLED WITH MAIN LINE, SUB MAINS, LOW FLOW DRIP AND BUBBLER DISTRIBUTION.
  - THESE PLANS COMPLY WITH THE WATER EFFICIENCY ORDINANCE AND APPLY THOSE CRITERIA FOR THE EFFICIENT USE OF WATER IN THE LANDSCAPE DESIGN PLAN.
- ADD ALTERNATES:**
- ALL TREES IN COURTYARDS (#1 & #2) TO BE 24" BOX.
  - ALL STREET TREES TO BE 24" BOX.



**PLANT LIST**

KEY	SYMBOL	QNTY	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	COMMENTS
T-1	(Symbol)	EA	ACER RUBRUM	SCARLET MAPLE	15 DAL	AS SHOWN	STANDARD
T-2	(Symbol)	EA	DIWID BULOBA	WANDERING TREE	15 DAL	AS SHOWN	STANDARD
T-3	(Symbol)	EA	LOPHOSTEMON CONFERTUS	BROSBANE BOX	15 DAL	AS SHOWN	STANDARD
T-4	(Symbol)	EA	PIRUS CALIFORNICA	ORNAMENTAL PEAR	15 DAL	AS SHOWN	STANDARD
T-5	(Symbol)	EA	TROSTANIA LAURINA	WATER GUIL	15 DAL	AS SHOWN	STANDARD
T-6	(Symbol)	EA	ABERBUS ARBITRIFOLIA	COAST LIME OAK	15 DAL	AS SHOWN	STANDARD
T-7	(Symbol)	EA	LIQUIS PARAFOLIA	CHINESE ELM	15 DAL	AS SHOWN	STANDARD

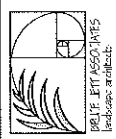
**PLANT LIST**

KEY	SYMBOL	QNTY	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	COMMENTS
T-8	(Symbol)	EA	ARBITUS MARINA	STRAWBERRY TREE	15 DAL	AS SHOWN	STANDARD
T-9	(Symbol)	EA	CORNUS SSP	FLOWERING DOGWOOD	15 DAL	AS SHOWN	STANDARD
T-10	(Symbol)	EA	CERCIS COCCINEA	WESTERN REDBUD	15 DAL	AS SHOWN	STANDARD
MEDIUM SHRUBS							
S-1	(Symbol)	EA	FRUTICOSA	COAST ROSEMARY	5 DAL	AS SHOWN	SUN/SHADE
S-2	(Symbol)	EA	CALIFORNICA	YUING	5 DAL	AS SHOWN	SUN/SHADE
S-3	(Symbol)	EA	RIBES SANGUINEUM	PINK FLOWERING CURRANT	5 DAL	AS SHOWN	SUN/SHADE
ACCENT							
A-1	(Symbol)	EA	FULVULENTIS	ROCKROSE	1 DAL	AS SHOWN	SUN
A-2	(Symbol)	EA	DIETES BROIDES	FORGETTICK LILY	1 DAL	AS SHOWN	SUN/SHADE
A-3	(Symbol)	EA	WOODWARDIA PARVIFLORA	WOOD PERN			SHADE

**PLANT LIST**

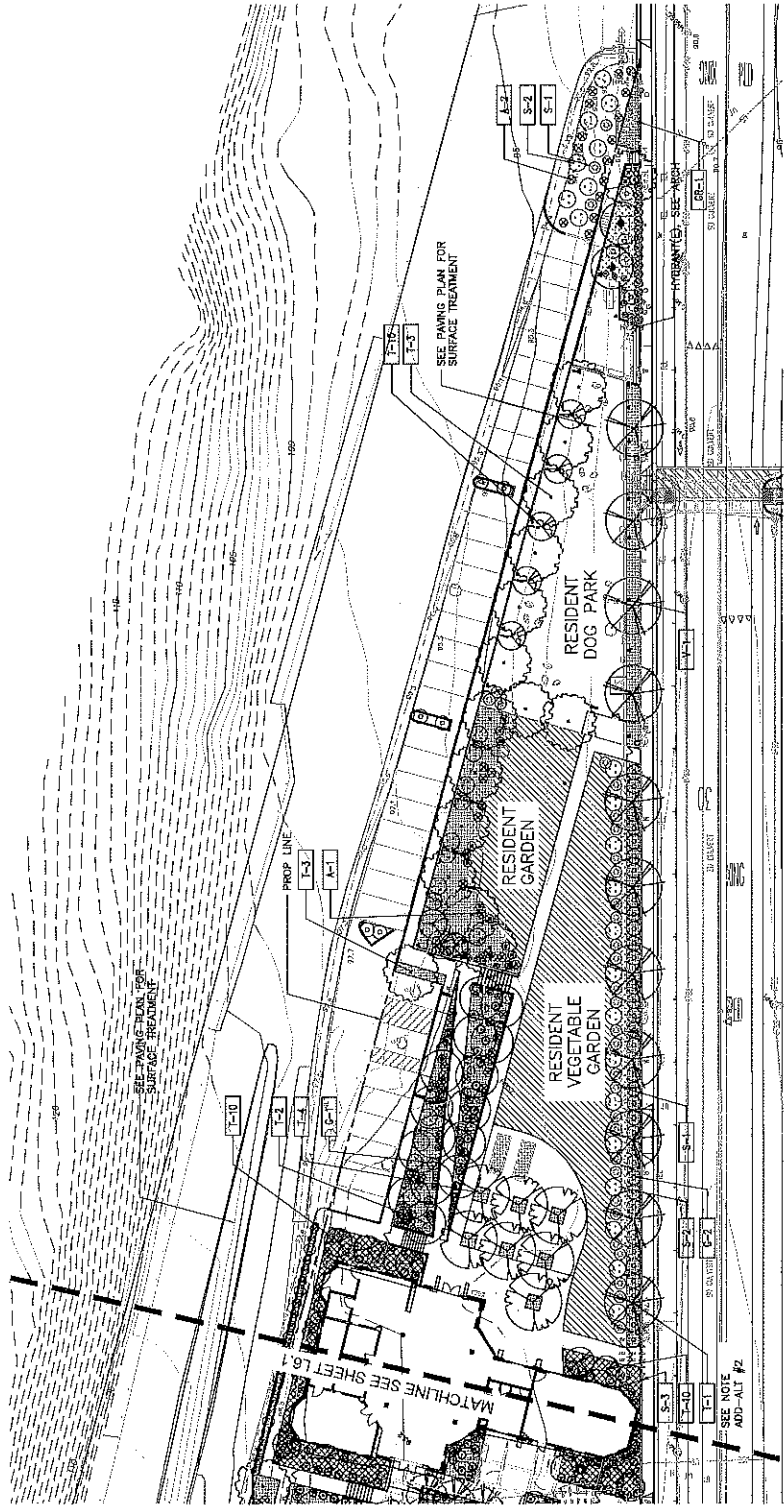
KEY	SYMBOL	QNTY	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	COMMENTS
GR-1	(Symbol)	EA	BESLERIA AUTUMNALIS	MULTI-COLOR GRASS	1 DAL	AS SHOWN	SUN/SHADE
GR-2	(Symbol)	EA	MULLENBERGIA REGENS	REEFER GRASS	5 DAL	AS SHOWN	SUN
V-1	(Symbol)	EA	PAKISTANENSIS	VIRGINIA CREPHER	5 DAL	AS SHOWN	
GROUNDCOVERS							
GR-1	(Symbol)	SF	ACTINOTAPHYLOS EMANANSIS	CARPET GRASS	5 DAL	18" O.C.	SEAL ME BETWEEN EACH SPECIES
GR-3	(Symbol)	SF	DIEMALIA COASTAL OEN	COASTAL GRASS	1 DAL	12" O.C.	SEAL ME BETWEEN EACH SPECIES
GR-3	(Symbol)	SF	CENOTHAUS GREENS 'YANKEE POINT'	YANKEE POINT CENOTHAUS	1 DAL	24" O.C.	
GR-3	(Symbol)	SF	FRAGRARIA CHILENSIS	SECRET FRAGRARIA	1 DAL	12" O.C.	50-50 MIX BETWEEN BOTH SPECIES
GR-5	(Symbol)	SF	MYOPORIUM PHANFOLIUM	MYOPORIUM	1 DAL	24" O.C.	STORMWATER
GR-5	(Symbol)	SF	BARK MULCH	BARK MULCH			3" MAX DEPTH

**VETERANS VILLAGE | L6.1 PARTIAL PLANTING PLAN**



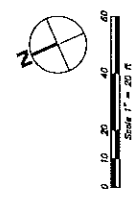
**VETERANS VILLAGE | L6.2 PARTIAL PLANTING PLAN**

COLMA, CA | 10/17/16 | MERCY HOUSING | #1502



- NOTES:**
- 1) IRRIGATION SYSTEM TO BE FULLY INSTALLED AND OPERATIONAL USING LOW FLOW DRIP AND BUBBLER DISTRIBUTION.
  - 2) THESE PLANS COMPLY WITH THE WATER EFFICIENCY ORDINANCE AND APPLY THOSE CRITERIA FOR THE EFFICIENT USE OF WATER IN THE LANDSCAPE DESIGN PLAN.

- ADD ALTERNATES:**
- 1) ALL TREE IN COURTYARDS (#1 & #2) TO BE 24" BOX.
  - 2) ALL STREET TREES TO BE 24" BOX.



**PLANT LIST**

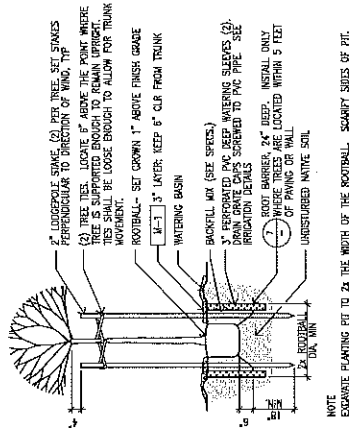
KEY	SYMBOL	QNTY	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	COMMENTS
T-1	(Symbol)	EA	ASER RUBRUM	SCARLET MAPLE	15 GAL	AS SHOWN	STANDARD
T-2	(Symbol)	EA	QUINO BILCHA	WANDERING TREE	15 GAL	AS SHOWN	STANDARD
T-3	(Symbol)	EA	OPHIOSTEMON CONGESTUS	BROSBANE BUSH	15 GAL	AS SHOWN	STANDARD
T-4	(Symbol)	EA	PIRUS CALIFORNICA	ORNAMENTAL PEAR	15 GAL	AS SHOWN	STANDARD
T-5	(Symbol)	EA	TRISTANTIA LAURINA	WATER CUMI	15 GAL	AS SHOWN	STANDARD
T-6	(Symbol)	EA	QUERCUS AGROFOLIA	COAST LIVE OAK	15 GAL	AS SHOWN	STANDARD
T-7	(Symbol)	EA	LIQUID AMARANTH	CHINESE ELM	15 GAL	AS SHOWN	STANDARD

**PLANT LIST**

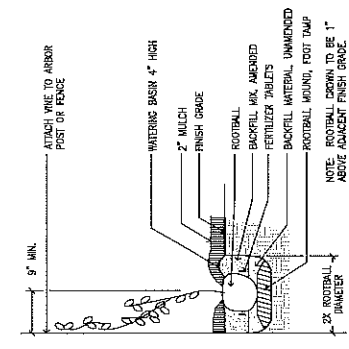
KEY	SYMBOL	QNTY	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	COMMENTS
T-8	(Symbol)	EA	ARBUUS MARINA	STRAWBERRY TREE	15 GAL	AS SHOWN	STANDARD
T-9	(Symbol)	EA	COMUS SPP	DOCKWOOD	15 GAL	AS SHOWN	STANDARD
T-10	(Symbol)	EA	CERCIS OCCIDENTALIS	WESTERN REDBUD	15 GAL	AS SHOWN	STANDARD
MEDIUM SHRUBS							
S-1	(Symbol)	EA	WESTRICA FRUTICOSA	COAST ROSEMARY	5 GAL	AS SHOWN	SUN/SHADE
S-2	(Symbol)	EA	CALIFORNICA VINO	COFFEEBERRY	5 GAL	AS SHOWN	SUN/SHADE
S-3	(Symbol)	EA	RIBES SANDWICHENSE	PINK FLOWERING CURRANT	5 GAL	AS SHOWN	SUN/SHADE
ACCENT							
A-1	(Symbol)	EA	PUERILENTIS	ROCKROSE	1 GAL	AS SHOWN	SUN
A-2	(Symbol)	EA	BIBES BRIDGES	FORNYRILL LY	1 GAL	AS SHOWN	SUN/SHADE
A-3	(Symbol)	EA	WICKHAMIA BARBATA	WOOD FERN			SHADE

**PLANT LIST**

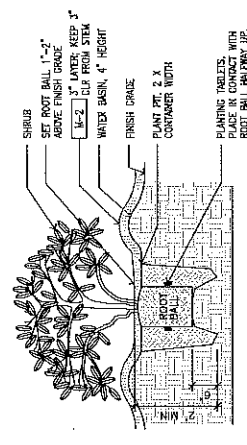
KEY	SYMBOL	QNTY	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	COMMENTS
GR-1	(Symbol)	EA	BESLERIA AUTUMNALIS	MULTI-COLOR GRASS	1 GAL	AS SHOWN	SUN/SHADE
GR-2	(Symbol)	EA	VALUENBERGER BEGRAS	DEER GRASS	5 GAL	AS SHOWN	SUN
GR-3	(Symbol)	EA	PARTICHOSSUS VIRGINIA	CREEPER	5 GAL	AS SHOWN	
GR-4	(Symbol)	EA	QUINQUEFOIDA				
GR-5	(Symbol)	EA	ARCTOSTAPHYLOS EDMONDI	CHERRY	5 GAL	18" O.C.	EDUM. MIX BETWEEN EACH SPECIES
GR-6	(Symbol)	SF	BREVILEA 'CONSTANT GEM'	CHRYSLER	1 GAL	12" O.C.	
GR-7	(Symbol)	SF	YANKEE POINT GENANTHUS	YANKEE POINT GENANTHUS	1 GAL	24" O.C.	
GR-8	(Symbol)	SF	FRANCOA CALIFORNICA	STRAWBERRY	1 GAL	12" O.C.	50-50 MIX BETWEEN BOTH SPECIES
GR-9	(Symbol)	SF	SATUREIA POLYGASII	YERBA BUENA	18" POT	24" O.C.	
GR-10	(Symbol)	SF	WYODORUM PANICULUM	WYODORUM	1 GAL	24" O.C.	STORMWATER
GR-11	(Symbol)	SF	BARK MULCH	BARK MULCH			3" MIN DEPTH



1 TREE PLANTING  
SCALE: NTS

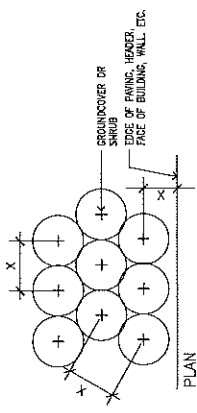


2 VINE PLANTING  
SCALE: NTS

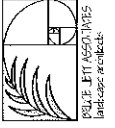


3 SHRUB PLANTING  
SCALE: NTS

O.C. SPACING (IN.)	4"	6"	9"	12"	18"
PLANTS PER 100 S.F.	600	400	225	176	100
O.C. SPACING (IN.)	19"	24"	30"	36"	48"
PLANTS PER 100 S.F.	45	23	18	11.1	6.25



4 GROUNDCOVER PLANTING  
SCALE: NTS





EXISTING CONCRETE STRUCTURE INCLUDING WALLS, COLUMNS, AND BEAMS TO REMAIN



REMOVE EXISTING ROLL UP & SWING DOORS



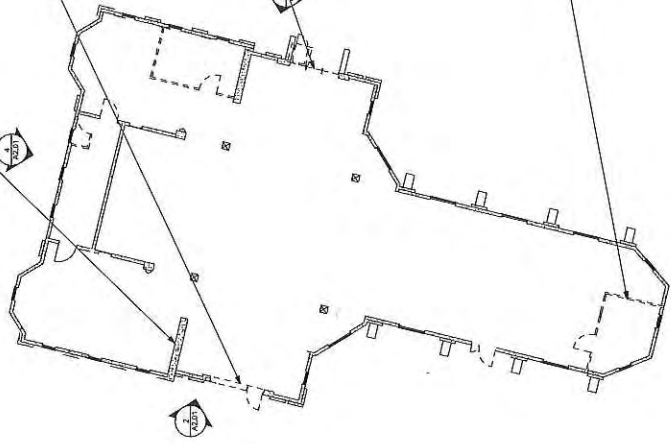
REMOVE EXISTING DOORS AND STORAGE SHED



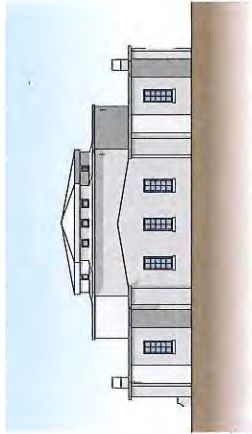
REMOVE ALL WOOD FRAMED WALLS, INCLUDING DOORS & GLAZING



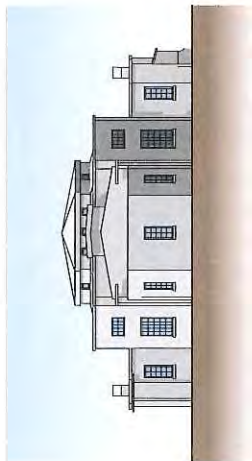
**LEGEND**  
 (E) WOOD FRAMED WALLS TO BE REMOVED  
 (C) CONCRETE WALLS TO REMAIN



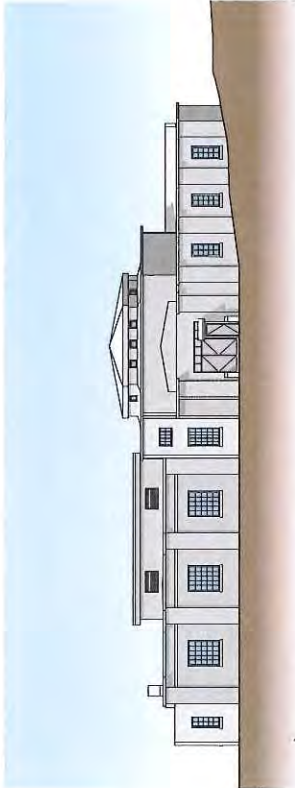
1 EXISTING/DEMOLITION PLAN  
 A-2.01 SCALE: 3/32" = 1'-0"



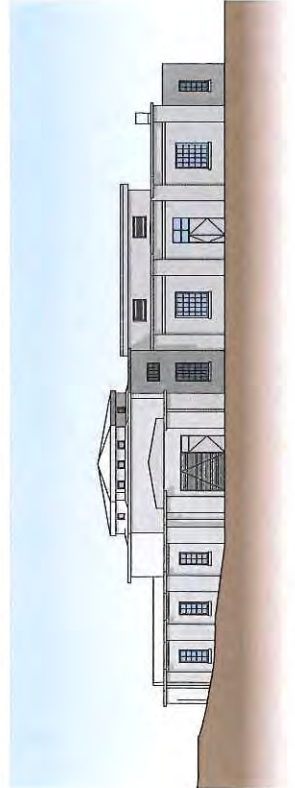
5 EXISTING WEST ELEVATION  
 A-2.01 SCALE: 3/32" = 1'-0"



4 EXISTING EAST ELEVATION  
 A-2.01 SCALE: 3/32" = 1'-0"



3 EXISTING SOUTH ELEVATION  
 A-2.01 SCALE: 3/32" = 1'-0"

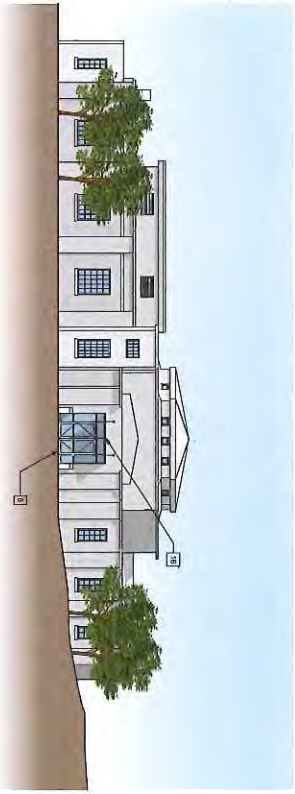


2 EXISTING NORTH ELEVATION  
 A-2.01 SCALE: 3/32" = 1'-0"



6 PROPOSED WEST ELEVATION  
SCALE: 3/32" = 1'-0"

5 PROPOSED EAST ELEVATION  
SCALE: 3/32" = 1'-0"



4 PROPOSED SOUTH ELEVATION  
SCALE: 3/32" = 1'-0"



3 PROPOSED NORTH ELEVATION  
SCALE: 3/32" = 1'-0"

**GENERAL NOTES**

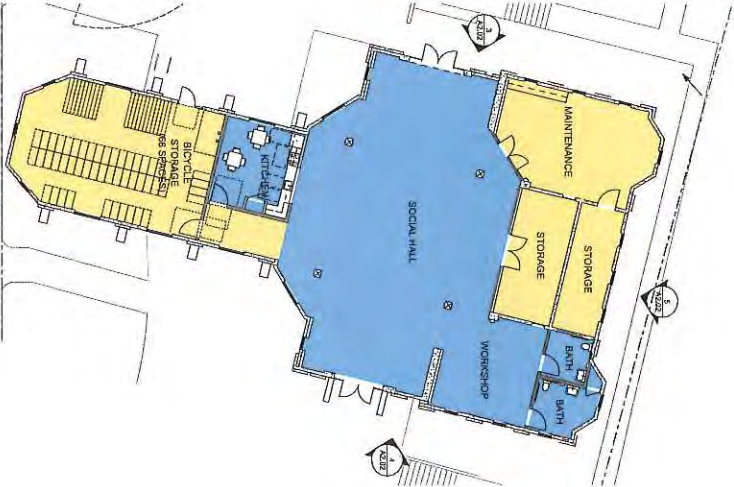
1. WINDOWS TO BE REPLACED AS DEEMED NECESSARY BASED ON EXISTING CONDITION
2. VOLUNTARY STRUCTURAL IMPROVEMENTS TO BE BASED ON SEISMIC ANALYSIS.
3. CONCRETE FLOOR TO BE REPAIR/RECAST TO MEET ACCESSIBILITY REQUIREMENTS

**LEGEND**

- (N) WALLS
- (E) CONCRETE WALLS TO REMAIN
- IRCULATION MAINTENANCE/STORAGE
- COMMON AREAS

**MATERIALS & SYSTEMS**

- [1] CEMENT PLASTER
- [2] HORIZONTAL CEMENT BOARD SIDING
- [3] FIBER CEMENT BOARD & BATTEN SIDING, BATTENS EVENLY SPACED
- [35] FIBER CEMENT BOARD & BATTEN SIDING, BATTENS RANDOMLY SPACED
- [4] FIBER CEMENT PANEL
- [5] CORRUGATED METAL SIDING
- [6] CORRUGATED METAL ROOF
- [7] FIBERGLASS COMPOSITION SHINGLE ROOF
- [8] ALUMINUM STOREFRONT SYSTEM
- [9] WOOD TRELLIS
- [10] ALUMINUM WINDOW
- [11] EXPOSED CONCRETE BASE
- [12] COVERED ENTRY STRUCTURE W/ STEEL POST
- [13] CONCRETE SEAT WALLS
- [14] METAL GATE WITH ALUMINUM PERGOLA PANEL
- [15] NOT USED
- [16] SQUIPPER AND DOWNSPOUT
- [17] GUTTER AND DOWNSPOUT
- [18] ALUMINUM SUNSHADE
- [19] PTAC (HMAO) LOUVER
- [20] CONCRETE LOW WALL W/ ENTRY SIX SEE A-3



1 PUMP BUILDING PLAN  
SCALE: 3/32" = 1'-0"

# VETERANS VILLAGE | A-2.02 PROPOSED PUMP BUILDING

COLMA, CA | 10/17/16 | MERCY HOUSING | #1502



**VETERANS VILLAGE** | **A-2.1 GROUND FLOOR PLAN**

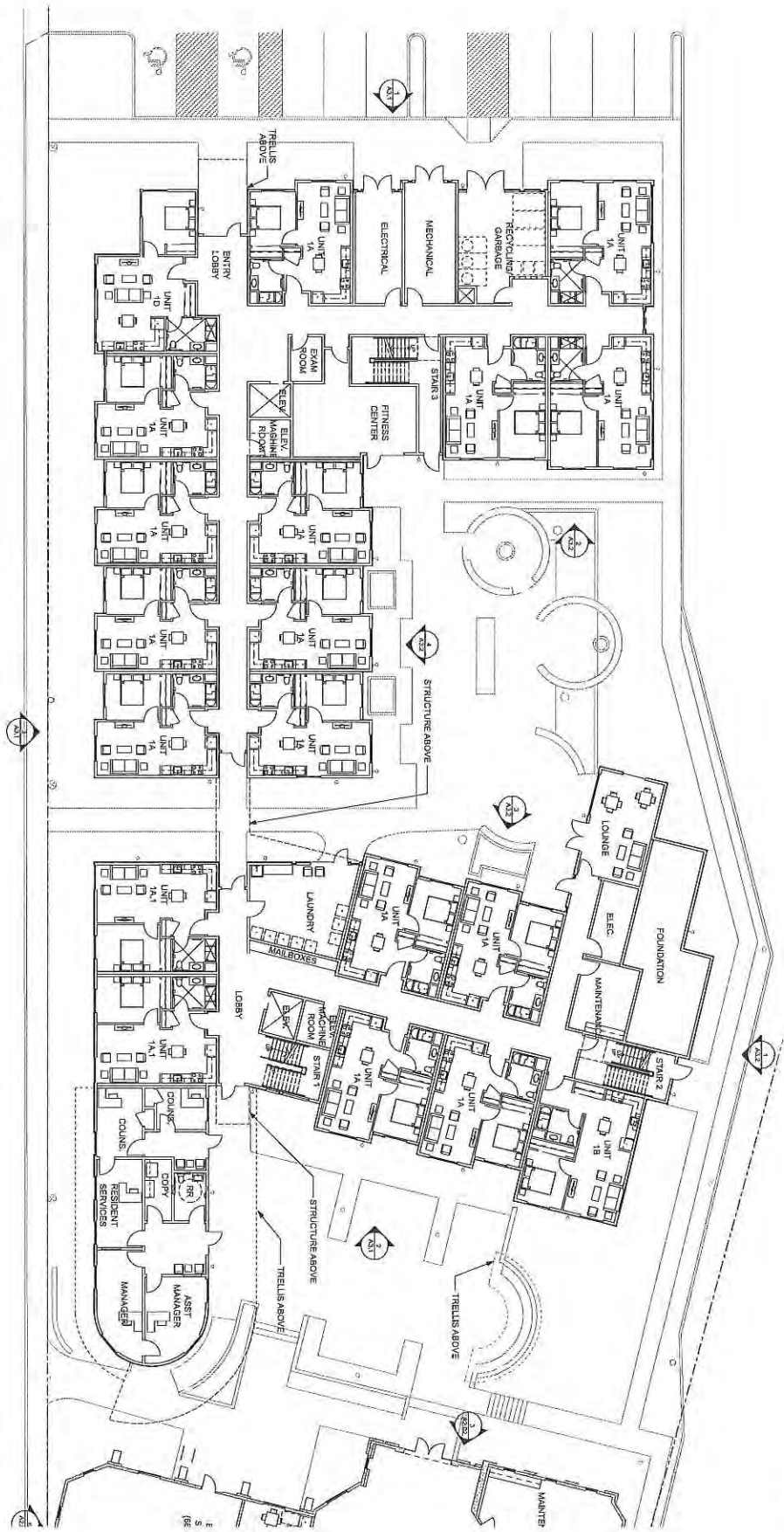
COLMA, CA | 10/17/18 | MERCY HOUSING | #1902

**VAN METER  
WILLIAMS  
POLLACK**

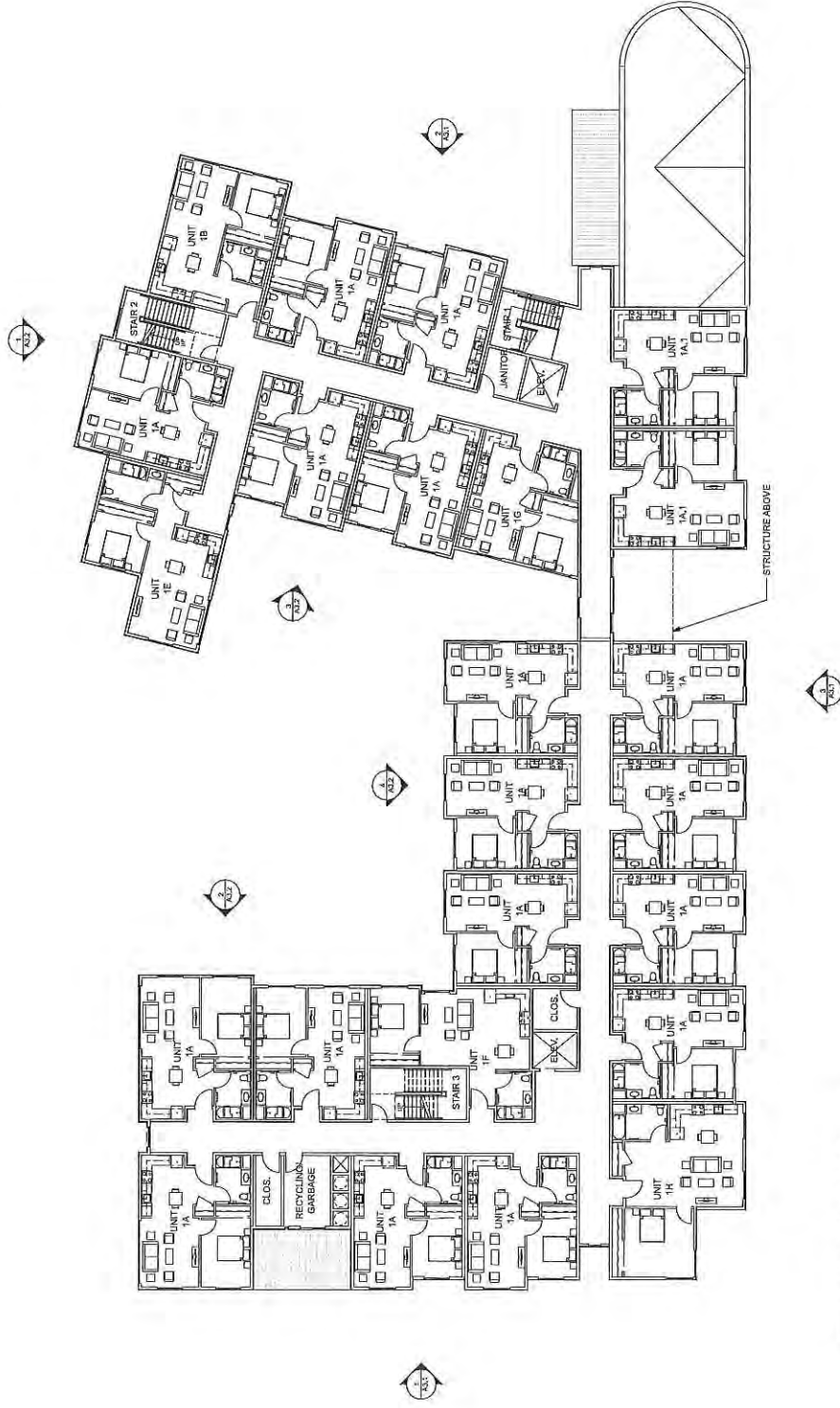
6 1/2" = 1'-0"  
1/8" = 1'-0"

1 GROUND FLOOR PLAN  
A-2.1

SCALE: 3/32" = 1'-0"



**LEGEND**  
 ○ WALL MOUNTED LIGHTING FIXTURE  
 ○ BOTTOM OF FIXTURE 7' AFF.  
 SEE LANDSCAPE DRAWINGS  
 FOR SITE FIXTURES.



SCALE: 3/32" = 1'-0"

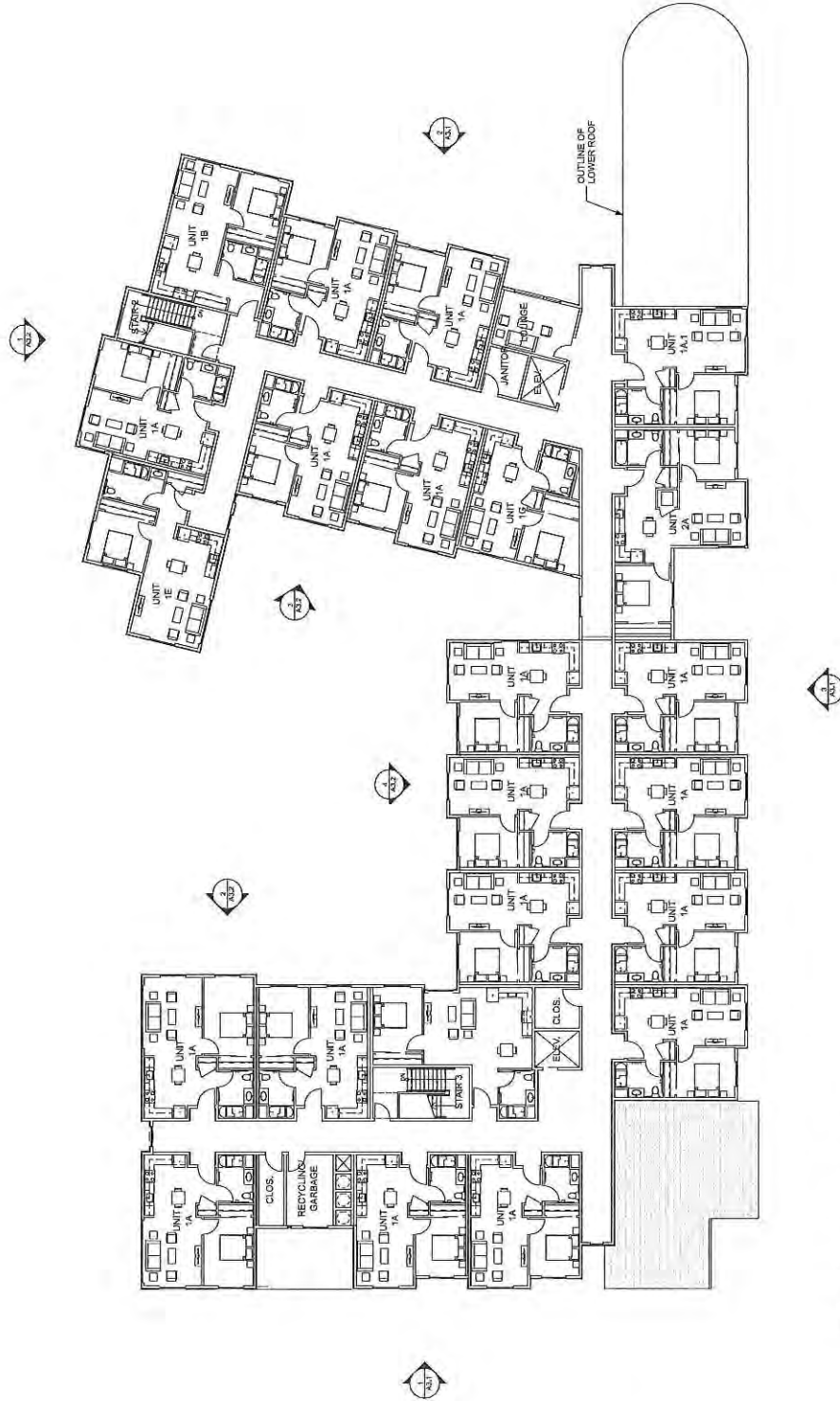
1 SECOND FLOOR PLAN

A-2.2

0 5.00' 10.00' 20.00'

# VETERANS VILLAGE | A-2.2 SECOND FLOOR PLAN

COLMA, CA | 10/17/16 | MERCY HOUSING | #1502



1 THIRD FLOOR PLAN

SCALE 3/32" = 1'-0"

0 5'0" 10'0" 15'0" 20'0"

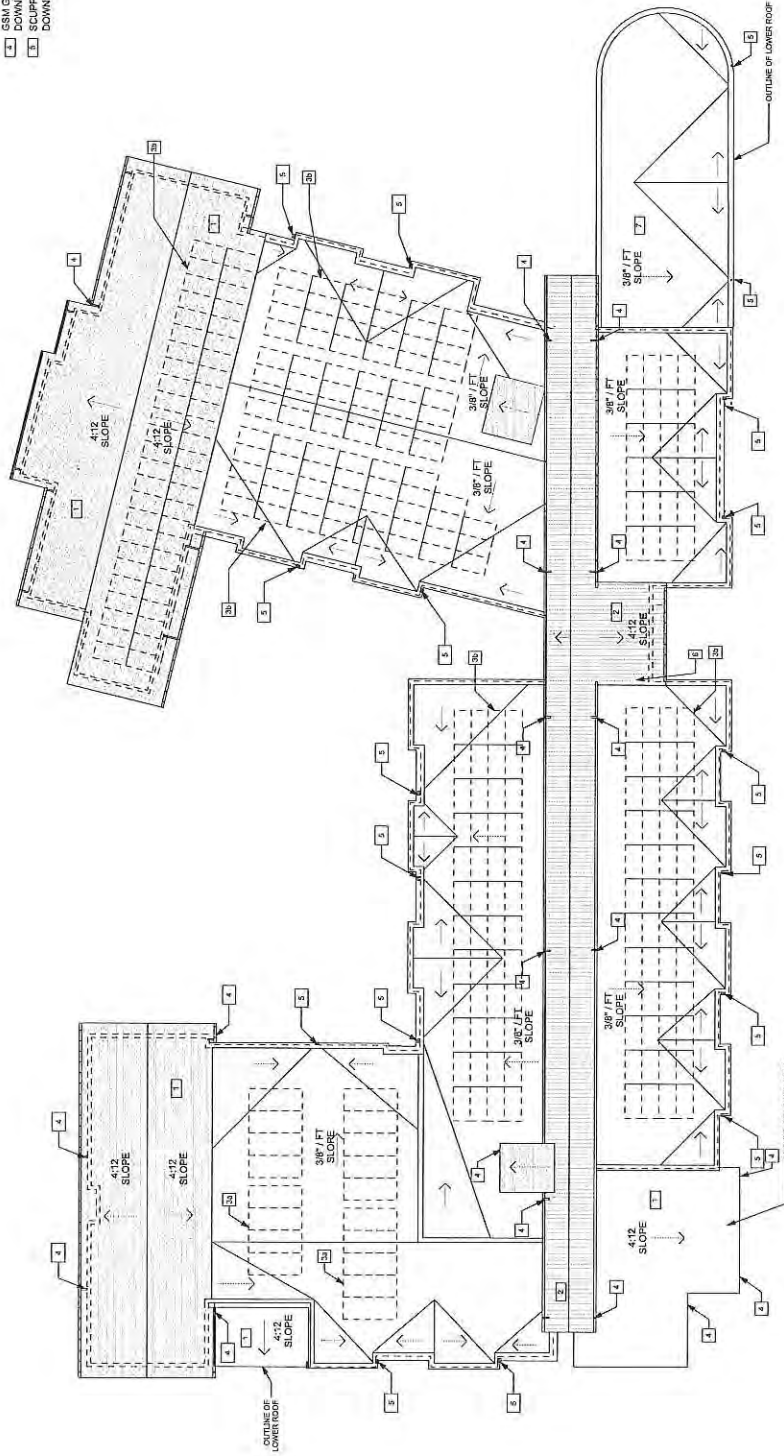
# VETERANS VILLAGE | A-2.3 THIRD FLOOR PLAN

COLMA, CA | 10/17/16 | MERCY HOUSING #1502



**SHEET NOTES**

- 1 COMP. SHINGLE ROOF
- 2 STANDING SEAM METAL ROOF
- 3 SOLAR THERMAL PANELS
- 4 PHOTOVOLTAIC PANELS
- 5 DOWNSPOUTS & SCUPPERS & GSM
- 6 DOWNSPOUTS, FTD.



2 ROOF PLAN

7/2/24

SCALE: 3/32" = 1'-0"



**VETERANS VILLAGE | A-2.4 ROOF PLAN**

COLMA, CA | 10/17/16 | MERCY HOUSING #1502

**COLORS**

- [A.] KELLY MOORE HUSZ78 "BRITISH KHAKI"
- [B.] KELLY MOORE KM57M "MERCOCINO HILLS"
- [C.] KELLY MOORE KM44Z7 "RADRAKSHA BEADS"
- [D.] KELLY MOORE KM62B "HARE FOND"
- [E.] KELLY MOORE KM55B "VOLCANIC ROCK"
- [F.] BARRIDGE "CHARCOAL GREY"

**MATERIALS & SYSTEMS**

- [1.] CEMENT PLASTER
- [2.] HORIZONTAL CEMENT BOARD SIDING
- [3B] FIBER CEMENT BOARD & BATTEN SIDING, BATTENS EVENLY SPACED
- [3C] FIBER CEMENT BOARD & BATTEN SIDING, BATTENS RANDOMLY SPACED
- [4.] FIBER CEMENT PANEL
- [5.] CORRUGATED METAL SIDING
- [6.] CORRUGATED METAL ROOF
- [7.] FIBERGLASS COMPOSITION SHINGLE ROOF
- [8.] ALUMINUM STOREFRONT SYSTEM
- [9.] WOOD TRELLIS
- [10.] ALUMINUM WINDOW
- [11.] EXPOSED CONCRETE BASE
- [12.] COVERED ENTRY STRUCTURE W/ STEEL POST
- [13.] CONCRETE SEAT WALLS
- [14.] METAL GATE WITH ALUMINUM PERFORATED PANEL
- [15.] NOT USED
- [16.] SCUPPER AND DOWNSPOUT
- [17.] GUTTER AND DOWNSPOUT
- [18.] ALUMINUM SUNSHADE
- [19.] PTAC (HACO) LOUVER
- [20.] CONCRETE LOW WALL W/ ENTRY SIGNAGE, SEE AS1



3 WEST ELEVATION

A-3.1

SCALE: 3/32" = 1'-0"



2 SOUTH ELEVATION

A-3.1

SCALE: 3/32" = 1'-0"



1 NORTH ELEVATION

A-3.1

SCALE: 3/32" = 1'-0"

# VETERANS VILLAGE | A-3.1 EXTERIOR ELEVATIONS

COLMA, CA | 10/17/16 | MERCY HOUSING | #1502

**VAN METER  
WILLIAMS  
POLLACK**





4 EAST ELEVATION COURTYARD

A-3.2



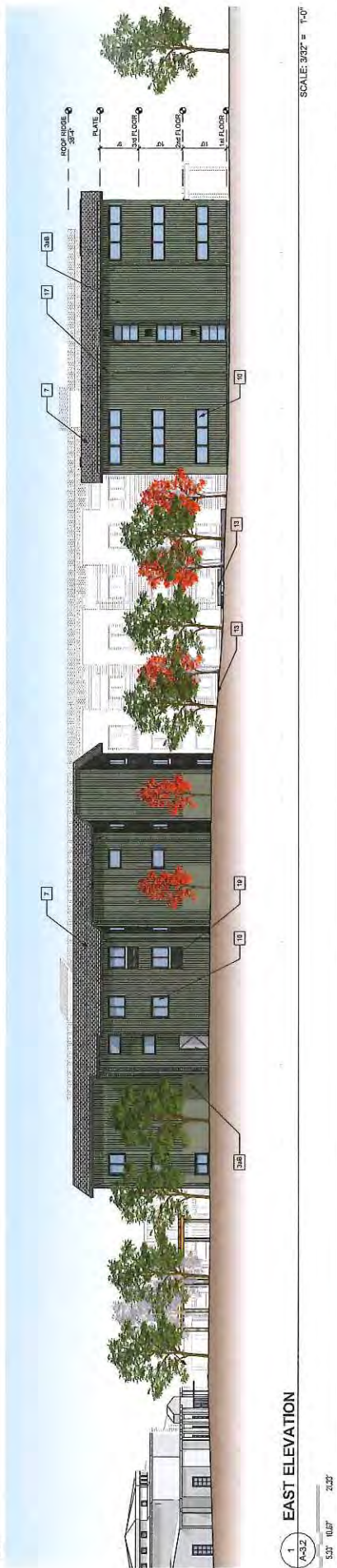
3 SOUTH ELEVATION COURTYARD

A-3.2



2 NORTH ELEVATION COURTYARD

A-3.2



1 EAST ELEVATION

A-3.2

0 5.0' 10.0' 2.00'

COLORS

- A. KELLY MOORE HLS4279 "BRITISH KHANI"
- B. KELLY MOORE KM574 "MENDOCINO HILLS"
- C. KELLY MOORE KM427 "RADRAKSHA BEADS"
- D. KELLY MOORE KM289 "RARE FIND"
- E. KELLY MOORE KM826 "VOLCANIC ROCK"
- F. BARRIDGE "CHARCOAL GREY"

MATERIALS & SYSTEMS

- 1. CEMENT PLASTER
- 2. HORIZONTAL CEMENT BOARD SIDING
- 3. FIBER CEMENT BOARD & BATTEN SIDING, SNT 1/8" EVELU, SPACED
- 3A. FIBER CEMENT BOARD & BATTEN SIDING, BATTENS RANDOMLY SPACED
- 4. FIBER CEMENT PANEL
- 5. CORRUGATED METAL SIDING
- 6. CORRUGATED METAL ROOF
- 7. FIBERGLASS COMPOSITION SINGLE ROOF
- 8. ALUMINUM STOREFRONT SYSTEM
- 9. WOOD TRULLIS
- 10. ALUMINUM WINDOW
- 11. EXPOSED CONCRETE BASE
- 12. COVERED ENTRY STRUCTURE W/ STEEL POST
- 13. CONCRETE SEAT WALLS
- 14. METAL GATE WITH ALUMINUM PERFORATED PANEL
- 15. NOT USED
- 16. SCUPPER AND DOWNSPOUT
- 17. GUTTER AND DOWNSPOUT
- 18. ALUMINUM SUNSHADE
- 19. PTAC (P/VA) LOUVER
- 20. CONCRETE LOW WALL W/ ENTRY SIGNAGE. SEE AS.1

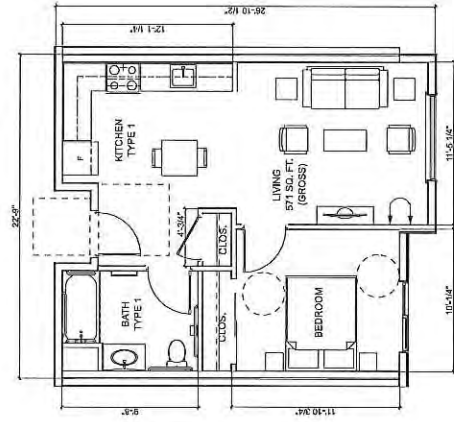
VETERANS VILLAGE | A-3.2 EXTERIOR ELEVATIONS

COLMA, CA | 10/17/16 | MERCY HOUSING | #1502

VAN METER  
WILLIAMS  
POLLACK

# VETERANS VILLAGE | A-4.1 TYPICAL UNIT PLAN

COLMA, CA | 10/17/16 | MERCY HOUSING | #1502



1  
A-4.1  
UNIT TYPE 1A SCALE: 1/4" = 1'-0"









12  
A-5.2  
**COLOR A**  
@ CEMENT PLASTER  
KELLY MOORE HL54279 "BRITISH KHAKI"



9  
A-5.2  
**COLOR D**  
@ FIBER CEMENT BOARD & BATTEN (RANDOMLY SPACED)  
KELLY MOORE KM6268 "HARB FINE"



6  
A-5.2  
**FIBER CEMENT BOARD & BATTEN**  
REGULARLY SPACED, TYP.



8  
A-5.2  
**RANDOMLY SPACED @ COMMON AREAS**  
**FIBER CEMENT BOARD & BATTEN**



3  
A-5.2  
**HORIZONTAL CEMENT BOARD SIDING**



11  
A-5.2  
**COLOR B**  
@ FIBER CEMENT HORIZONTAL SIDING & FIBER CEMENT BOARD & BATTEN  
KELLY MOORE KM6764 "MENDOCINO HILLS"



8  
A-5.2  
**COLOR F**  
@ FIBER CEMENT HORIZONTAL SIDING  
KELLY MOORE KM6268 "VOLCANIC ROCK"



5  
A-5.2  
**ALUMINUM STOREFRONT SYSTEM**



2  
A-5.2  
**FIBER CEMENT PANEL AT WINDOW**



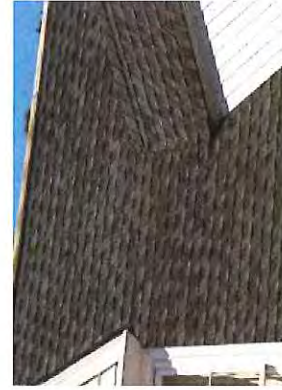
10  
A-5.2  
**COLOR C**  
@ CEMENT PLASTER  
KELLY MOORE KM4427 "PADRANKSHA BEAGS"



7  
A-5.2  
**CORR. METAL SIDING/ROOF**  
BARRIDGE "CHARCOAL GREY"



4  
A-5.2  
**CEMENT PLASTER**

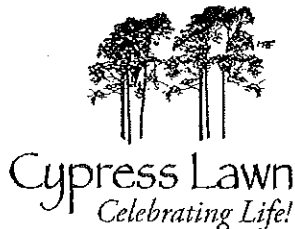


1  
A-5.2  
**COMPOSITION SHINGLE ROOF**

# VETERANS VILLAGE | A-5.2 MATERIALS AND COLORS

COLMA, CA | 110/17/16 | MERCY HOUSING | #1502





**Kenneth E. Varner**  
President and Chief Executive Officer

October 10, 2016

BOARD OF DIRECTORS

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Chairman and Secretary

*Charles C. Crocker*  
Vice Chairman and  
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*Morris H. Nable Jr.*  
Director

*Kenneth E. Varner*  
President and  
Chief Executive Officer

Michael Kaplan  
Mercy Housing California  
1360 Mission, Suite 300  
San Francisco, CA 94103

Re: Colma Veterans Village

Dear Michael,

With respect to Colma Veterans Village project, I am very supportive of the plan to build affordable veterans housing on the Holy Cross Cemetery site adjacent to Cypress Lawn and the site plan and renderings for the proposed project look nice. The location of the project is behind our base yard at the corner of our property, which is away from the main areas of the cemetery. In our discussions, I mentioned a landscape buffer on the northern property line between Cypress Lawn and Holy Cross, and I am glad to see this feature is in the landscaping plans. This landscaping will help screen the building from view and prevent any negative visual impacts to visitors at Cypress Lawn. It will also help to screen the existing BART ventilation structure, which is currently visible. Because of this, I do not foresee any negative impacts to historic Cypress Lawn Cemetery due to the construction of this project.

Sincerely,

Kenneth E. Varner  
President & Chief Executive Officer

RECEIVED

OCT 26 2016

Town of Colma  
Planning Dept

Attachment E

## Peninsula Reflections Assisted Living & Memory Care

205 Collins Avenue, Colma, California 94014, 650-731-4670

October 24, 2016

To Whom it May Concern:

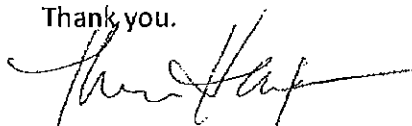
I am writing to you in support of the veteran housing project proposed by Mercy Housing for the Holy Cross site in Colma. I have attended many of the hearings held by City Council to review this project and think it would be a wonderful addition to the caring and concerned "home town" nature of Colma.

As a provider of residential care for the elderly, we at Peninsula Reflections share a similar mission with Mercy Housing. Some of our elderly residents are veterans but there are so many more veterans who need the safe, secure housing and programs that Mercy Housing's project will provide for them.

The design of the project appears to meet the concerns of the City while also being attractive and user-friendly.

I encourage you to approve the project. Please feel free to contact me if you have any questions.

Thank you.



Theresa Hart

Executive Director

RECEIVED

OCT 26 2016

Town of Colma  
Planning Dept

Attachment E





## Mercy Housing Veterans Village Project

# Final CEQA Environmental Impact Report and NEPA Environmental Assessment - Finding of No Significant Impact

SCH# 2016052068

October 19, 2016





# Mercy Housing Veterans Village Project

## Final CEQA Environmental Impact Report and NEPA Environmental Assessment - Finding of No Significant Impact

SCH# 2016052068

October 19, 2016



Prepared for:

Town of Colma Planning Department  
1190 El Camino Real  
Colma, CA 94014-3212

Housing Authority of the County of San Mateo  
264 Harbor Boulevard, Bldg. A  
Belmont, CA 94002

Prepared by:

MIG | TRA Environmental Sciences, Inc.  
2635 N. First Street, Suite 149  
San Jose, CA 95134  
(650) 327-0429

[www.traenviro.com](http://www.traenviro.com) | [www.migcom.com](http://www.migcom.com)



TRA ENVIRONMENTAL  
SCIENCES





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**ACRONYMS, ABBREVIATIONS, AND SYMBOLS**

<b>Acronym / Symbol</b>	<b>Full Phrase or Description</b>
ACHP	Advisory Council on Historic Preservation
CEQA	California Environmental Quality Act
EA	Environmental Assessment
EIR	Environmental Impact Report
FONSI	Finding of No Significant Impact
Housing Authority	Housing Authority of the County of San Mateo
HUD	Housing and Urban Development
NOC	Notice of Completion
NOIRROF	Notice of Intent to Request Release of Funds
NOP	Notice of Preparation
OHP	Office of Historic Preservation
OPR	Governor's Office of Planning and Research
SCH	State Clearinghouse
SHPO	State Historic Preservation Officer
Town	Town of Colma
§	Section

## 1.0 INTRODUCTION

---

This document is the Final Environmental Impact Report/Environmental Assessment – Finding of No Significant Impact (Final EIR/EA-FONSI) for the Mercy Housing Veterans Village Project. This new veterans housing development would be located on approximately 2.2 acres of land at 1670-1692 Mission Road in the Town of Colma, San Mateo County, California. In general, this project would:

- Remove existing built features on-site including a concrete water storage reservoir and three other concrete structures which are considered historic resources;
- Rehabilitate the historic pump house building for use as a social hall/community space and/or storage;
- Remove most of the site’s existing vegetation including 47 trees over 12-inches in diameter;
- Construction of a 66-unit, two- to three-story apartment building containing laundry and fitness facilities;
- Construction of a single-story wing with offices; and
- On-site improvements including foundation, drainage, utility connections, minor circulation modifications, parking, and residential courtyard, landscaping, and garden spaces.

Per California Environmental Quality Act (CEQA) Guidelines section 15132, the Final EIR shall consist of:

- The Draft EIR or a revision of the draft;
- Comments and recommendations on the Draft EIR either verbatim or in summary;
- A list of persons, organizations, and public agencies commenting on the Draft EIR;
- The responses of the Lead Agency to significant environmental points raised in the review and consultation process; and
- Any other information added by the Lead Agency.

There is no “Final” EA-FONSI document equivalent required by National Environmental Policy Act (NEPA) like there is for a Final EIR in CEQA. Instead, the NEPA lead agency is only required to respond to valid “objections,” raised during public review and since no comments were received (see section 1.2, below), no changes are proposed for the EA-FONSI portion of the document.

### 1.1 CEQA ENVIRONMENTAL REVIEW PROCESS

The Town determined that the implementation of the proposed Mercy Housing Veterans Village Project would have the potential to have a significant impact on the environment and that an EIR would be prepared pursuant to CEQA. Accordingly, the Town prepared and filed or posted the Notice of Preparation (NOP) of an EIR with the San Mateo County Clerk’s Office and three Town bulletin boards on May 19, 2016 (SCH 2016052068). The NOP was also filed at the State Clearinghouse on May 24, 2016. The NOP was included in Appendix A to the Draft EIR. The

Town distributed the NOP to three Native American Tribes, potential local responsible agencies and other interested organizations, as well as property owners within 300 feet of the project site and other individuals who have expressed interest in the project.

The Town provided a 32-day public review period for the NOP from May 19, 2016 to June 20, 2016. The State Clearinghouse NOP comment period ran from May 24, 2016 to June 25, 2016. Written comments in response to the NOP were received from one Native American tribe, and the California Department of Transportation. No other organizations, municipalities, or other interested individuals responded to the NOP. These written comments are summarized in Section 3.2.1 of the Draft EIR/EA-FONSI.

Preparation of the Draft EIR involved addressing comments on the NOP, reviewing project plans and documents, conducting additional research, and evaluating potentially significant adverse impacts pursuant to CEQA. The Draft EIR/EA-FONSI included an analysis of cumulative impacts and alternatives that could reasonably achieve most of the objectives for the project and avoid or substantially lessen the significant environmental impacts associated with implementation of the project.

The Town issued a Notice of Completion (NOC) and Notice of Availability (NOA) for the Draft EIR/EA-FONSI for the proposed project on August 17, 2016. The Town distributed the NOC, NOA, and the Draft EIR/EA-FONSI (on compact disc) to state agencies via the State Clearinghouse. The Town directly mailed the NOA to three Native American Tribes, the agencies that were provided the NOP, and more than 60 other potentially interested agencies, organizations, and individuals. The Town also posted the NOA for review at the San Mateo County Clerk's Office and the Town's main office bulletin boards. The Town posted the full Draft EIR/EA-FONSI on the Town's website for public review. Finally, the Town provided hardcopies of the Draft EIR for review at the Town's main office. The distribution lists for the NOA and Draft EIR/EA-FONSI are included as new Appendix H.

No written comments were received during the 45-day public review comment period (August 17 to September 30, 2016). A letter from the State Clearinghouse dated October 8, 2016 confirmed that no state agencies submitted comments before the end of the comment period (see Appendix H). The Final EIR/EA-FONSI, together with the Draft EIR/EA-FONSI, will be considered by the City Council when deciding whether or not to certify the Final EIR and approve the Mercy Housing Veterans Village Project.

## **1.2 NEPA ENVIRONMENTAL REVIEW PROCESS**

The Housing Authority of San Mateo County (Housing Authority) is the NEPA lead agency for the project. Notice for the FONSI and Notice of Intent to Request Release of Funds (NOIRROF) was published in the San Mateo Daily Journal on August 22, 2016. The NEPA public comment period ran from August 22, 2016 to September 5, 2016. On September 8, 2016, the San Mateo County Department of Housing, issued a letter request for Release of Funds and Certification for the Mercy Housing Veterans Village Project to the U. S. Department of Housing and Urban Development, Region IX. The letter indicated that no comment letters were received during the comment period. Both the proof of publication in the San Mateo Daily Journal and letter Request for Release of Funds and Certification can be found in Appendix H.

### 1.3 CHANGES TO THE DRAFT EIR/EA-FONSI

CEQA anticipates that the public review process will elicit information that can result in modification of the project design and refined impact analysis to reduce potential environmental effects of the project. As provided in CEQA Guidelines Section 15088.5, when significant new information is added to the EIR after public noticing of the Draft EIR, the EIR must be recirculated to give the public a meaningful opportunity for review. Significant new information is defined as 1) a new significant environmental impact, 2) a substantial increase in the severity of an environmental impact requiring new mitigation, or 3) a feasible project alternative or mitigation measure considerably different from those previously analyzed that would clearly reduce environmental impacts. Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR.

This Final EIR/EA-FONSI includes the following modifications to the Draft EIR/EA-FONSI:

- Minor text errors and revisions to the Draft EIR/EA-FONSI and
- Additional information regarding the public review and circulation of the Draft EIR/EA-FONSI and NEPA Section 106 process.

These revisions do not constitute considerably different changes in the project description, environmental setting, conclusions of the environmental analysis, or in the mitigation measures proposed to be implemented or otherwise provide significant new information that would require recirculation of the Draft EIR pursuant to CEQA Guidelines section 15088.5.

There is no “Final” EA-FONSI document equivalent required by NEPA like there is for a Final EIR in CEQA. Instead, the NEPA lead agency is only required to respond to valid “objections,” raised during public review and since no comments were received (see section 1.2, above), no changes are proposed for the EA/FONSI portion of the document.

### 1.4 FINAL EIR/EA-FONSI DOCUMENT ORGANIZATION

The Final EIR/EA-FONSI for the Mercy Housing Veterans Village Project is organized as follows:

- **Chapter 1, Introduction**, explains the contents of this Final EIR/EA-FONSI and the environmental review process for the Mercy Housing Veterans Village Project.
- **Chapter 2, Errata and Revisions**, describes the text changes to the Draft EIR/EA-FONSI needed to address minor text errors.
- **Chapter 3, Additional Information**, includes information related to the project;
- **Appendix H, Public Notices and Distribution List**, contains the notices that were published to circulate the document for public review and includes a list of agencies, organizations, and members of the public that were sent the NOA for the Draft EIR/EA-FONSI and / or NOIRROF.
- **Appendix I, Section 106 Additional Information**, includes the Draft Memorandum of Agreement, between the Housing Authority and State Historic Preservation Officer (SHPO), for the treatment of the historic property identified in the Draft EIR/EA-FONSI and the letter from the Advisory Council on Historic Preservation (ACHP) noting no further formal consultation is required with them.

In accordance with Section 15132 of the CEQA Guidelines, the Final EIR/EA-FONSI for the Mercy Housing Veterans Village Project consists of this document and the July 2016 Draft EIR/EA-FONSI.

## 2.0 ERRATA AND REVISIONS

---

This chapter presents errata and revisions to the text provided in the Draft EIR/EA-FONSI for the Mercy Housing Veterans Village Project. None of the revisions result in new significant environmental impacts or substantially increases the severity of the environmental impacts evaluated in the Draft EIR/EA-FONSI, and the revisions do not involve feasible mitigation measures or project alternatives that the applicant is not electing to implement. As such, these errata and revisions are not considered significant pursuant to CEQA Guidelines Section 15088.5 and do not require recirculation of the Draft EIR/EA-FONSI.

### 2.1 ERRATA AND REVISIONS

This section provides amended text for the Mercy Housing Veterans Village Project Draft EIR/EA-FONSI. The changes addressed in this section are in response to three general text changes that appear throughout the document. These changes are:

- 1) Correcting a table number from Table 2-1 to Table S-1. See Section 2.1.1 below.
- 2) Revising/updating the title of a mitigation measure from “Salvage Buildings to be Removed” to “Salvage Elements of Buildings to be Demolished” to more accurately reflect the intent of the measure. See Section 2.1.2, below.
- 3) Revising/updating the number of trees removed from 46 to 47. See Section 2.1.3, below.

Additions to the Draft EIR/EA-FONSI text are shown with underlining and text removed from the Draft EIR is shown with ~~striketrough~~.

#### 2.1.1 Text Edit: References to Table 2-1

In several instances, labeling of and references to, the summary of significant impacts and mitigation table contained in the Summary chapter were mislabeled as Table 2-1. The correct table number should be Table S-1. Incorrect references to Table 2-1 occur on the following pages:

Page S-1, Section S.2, 1<sup>st</sup> paragraph: “This EIR identifies that the proposed Veterans Village Project could result in potentially significant environmental impacts in two different resource areas, as summarized in Table ~~2~~S-1.”

Page S-1, Section S.2, 2<sup>nd</sup> paragraph: The inclusion of mitigation measures into the proposed project renders four of the six impacts listed in Table ~~2~~S-1 less than significant;...”

Pages S-3 to S-7, Table heading titles: “Table ~~2~~S-1 Summary of Veterans Village Project Significant Environmental Impacts and Mitigation Measures”

Page 3-4, Section 3.4.4, 1<sup>st</sup> paragraph: “...and implementation of Mitigation Measures BIO-1 and BIO-2 to prevent construction-related impacts to nesting birds and roosting bats (see Table ~~2~~S-1 and Section 1.4 Biological Resources of Appendix B).”

Page 7-1, 1<sup>st</sup> paragraph: “The significant impacts of the project are summarized in Table ~~2~~S-1.”

Page 7-3, Section 7.1.2, “A list of the significant and potentially significant impacts associated with the project is presented above ~~below~~ in Table ~~2~~S-1.”

Page 8-1, Section 8.1, 3<sup>rd</sup> paragraph: “The significant environmental effects of the proposed project are listed in Table 2S-1.”

Page 8-1, Section 8.1, 7<sup>th</sup> paragraph: “The mitigation measures CUL-2A and CUL-2B presented in Chapter 4 and Table 2S-1 are proposed to minimize project impacts.”

### **2.1.2 Text Edit: References to “Salvage Buildings to Be Removed”**

Mitigation Measure CUL-2a shall be updated to more accurately reflect the intent of the measure. The text shall be revised as follows: “Salvage Elements of Buildings to be Demolished ~~Removed~~”. These text changes occur on the following pages:

Page S-6, top line of mitigation measure text.

Page 4-16, paragraph 7 title

Page 9-14, mitigation measures, paragraph 1 title

### **2.1.3 Text Edit: Other References to “Removed” or “Removal”**

Text references to buildings that will be “removed” shall be revised to state the buildings will be “demolished”. One text references to “the removal” shall be revised to state “demolishing” is indicated with an “\*”. These text changes occur on the following pages:

Page S-9, Section S.3.3, second sentence

Page S-10, first paragraph, first sentence

Page 2-9, Section 2.4.1, first sentence \*

Page 7-5, Section 7.4, second sentence

Page 9-35: second paragraph, third sentence

Page 9-36: first paragraph, first sentence

Appendix B, Initial Study page 32, second paragraph, second sentence

### **2.1.4 Text Edit: References to 46 Trees to be Removed**

The text in the Draft EIR/EA-FONSI shall be updated to state 47 trees shall be removed by the project instead of 46 trees. These text changes occur on the following pages:

Page 1-1, Section 1.1, third bullet

Page 2-1, second paragraph, third bullet

Page 2-3, Section 2.2.2, first paragraph, third sentence

Page 2-5, Section 2.3.6, second paragraph, first sentence

Page 2-9, Section 2.4.1, first paragraph, third sentence

Page 9-3, Statement of Proposal and Need, third bullet

Page 9-4, Existing Conditions and Trends, fifth bullet, second sentence



## **3.0 ADDITIONAL INFORMATION**

---

The information provided in this chapter is related to the project, however the items do not provide comments or questions related to the Draft EIR/EA-FONSI and, therefore, no response is provided in this Final EIR/EA-FONSI.

### **3.1 ADDITIONAL SECTION 106 INFORMATION**

The Section 106 process is a federal NEPA process to evaluate potential adverse effects on cultural resources. Additional information related to this process is provided here for informational purposes only. The documents discussed below (and provided in Appendix I) are separate from, and do not provide comments related to, the Draft EIR/EA-FONSI.

#### **3.1.1 Advisory Council on Historic Preservation**

The Advisory Council on Historic Preservation (ACHP) provided a letter to the County of San Mateo, Department of Housing stating that they do not believe their participation in the consultation to resolve adverse effects is needed. The ACHP also states that they should be provided the final Memorandum of Agreement with the California SHPO and any other related documentation at the end of the consultation process. This letter is provided in Appendix I.

#### **3.1.2 Memorandum of Agreement**

The Housing Authority of the County of San Mateo is in the process of entering into a Memorandum of Agreement with the SHPO for the treatment of the historic property that will be affected by the proposed project. The agreement specifies how the Housing Authority will proceed with preservation of the existing pump house building and photo documentation of the buildings to be removed. The Draft Memorandum of Agreement is provided as Appendix I and may be revised as the document is finalized.

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**Mercy Housing Veterans Village Project  
Final Environmental Impact Report**

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**APPENDIX H**

**DRAFT EIR/EA-FONSI CIRCULATION MATERIALS**

- **Notice of Availability (NOA)**
- **Town of Colma NOA Distribution List**
- **Newspaper Notice**
- **Cover Letter for Request for Release of Funds**
- **Letter from the State Clearinghouse**

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**NOTICE OF FINDING OF NO SIGNIFICANT IMPACT  
NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS  
NOTICE OF AVAILABILITY OF AN ENVIRONMENTAL IMPACT REPORT**

Date: August 17, 2016

To: State responsible and trustee agencies, federal agencies, and interested parties

Subject: Finding of No Significant Impact, Notice of Intent to Request Release of Funds, and Notice of Availability of an Environmental Impact Report for the Veterans Village Project in the Town of Colma, California.

These notices are circulated jointly by the:

and the:

**Housing Authority of the County of San Mateo**  
264 Harbor Boulevard, Bldg A  
Belmont, California 94002

**Town of Colma**  
1190 El Camino Real  
Colma, California 94014

These notices shall satisfy the two separate but related procedural requirements for activities to be undertaken by the Housing Authority of the County of San Mateo (Housing Authority) pursuant to the National Environmental Policy Act (NEPA). These notices shall also satisfy the procedural requirements of the California Environmental Quality Act (CEQA) for notification of the availability of the Draft Environmental Impact Report/Environmental Assessment-Finding of No Significant Impact (DEIR/EA-FONSI) for public review and comment.

**NEPA: REQUEST FOR RELEASE OF FUNDS**

On or about September 06, 2016, the Housing Authority of the County of San Mateo will submit a request to the United States Department of Urban Development (HUD) for the release of Project-Based Voucher funds under Title I/Section 8(0)(13) and (19) of the United States Housing Act of 1937, as amended, and HOME Investment Partnerships Program funds under Title II of the Cranston-Gonzales National Affordable Housing Act of 1990 to undertake a project known as Mercy Housing Colma Veterans Village for the purpose of providing 66 apartments for low-income families in the Town of Colma with preference given to homeless veterans. Requested funds include \$2,720,000 in PBV funds (Section 8 and VASH) and \$1,196,467 in HOME funds, with a total project cost of \$36,000,000. The project is located at 1670-1692 Mission Road, Colma, California.

## **CEQA: PROJECT DESCRIPTION**

The Town of Colma, the CEQA lead agency for the project, has prepared a draft Environmental Impact Report (EIR) for the proposed Veterans Village Project to evaluate the project's potential effects on the environment. Additionally, the Housing Authority of the County of San Mateo (Housing Authority), the NEPA lead agency, has prepared an Environmental Assessment (EA) under the National Environmental Policy Act), because the applicant, Mercy Housing is seeking federal funding through the U.S. Department of Housing and Urban Development (HUD). The Housing Authority is the local agency responsible for implementing HUD's NEPA requirements. Thus, the Town of Colma is the lead agency under CEQA and the Housing Authority is the lead agency under NEPA and a joint EIR/EA has been prepared.

The Veterans Village Project is a proposed 66-unit affordable housing community in the Town of Colma (Town). One of Mercy Housing's missions is to provide housing to underserved populations, including Veterans. The project will provide affordable housing to Veterans and provide on-site services to the residents.

The project proposal includes a new three story residential building and the preservation of a historic building for use by residents. Two large residential courtyards, a garden area, and park area are also planned as part of the proposed development. The project would provide a total of 69 parking spaces in two parking areas; one adjacent to Cypress Lawn Cemetery and another along the BART maintenance road immediately east of the project site.

## **CEQA: PROJECT LOCATION AND EXISTING CONDITIONS**

The proposed affordable housing community would be located at 1670-1692 Mission Road in the Town of Colma (37°40'18" north latitude and 122°27'07" west longitude). The project site is triangular shaped with frontage along Mission Road and is approximately 2.23 acres in size (Assessor's Parcel Number 011-370-220). The project is located within an area of the Town that contains a mix of land uses including cemetery, industrial (auto repair) and residential uses. A maintenance road to a BART ventilation shaft bounds the project site on the east, travels behind the project site and terminates at the BART ventilation shaft. In general, the project parcel is surrounded to the north and east by cemetery and BART uses and to the west and south by auto repair and commercial uses.

Access to the area is provided by nearby major roadways including Mission Road, El Camino Real, Junipero Serra Boulevard, Hickey Boulevard and Collins Avenue. Regional access to the project site is provided by State Route 280. The proposed project site contains vacant land, two unpaved areas used for automobile parking by nearby auto repair shops, and five historic structures associated with the Holy Cross Cemetery pump station (no longer in use). The site contains unmanaged vegetated areas and numerous trees. The project location (1670-1692 Mission Road) is not on any lists enumerated under Government Code section 65962.5 (the Cortese list).

## **NEPA: FINDING OF NO SIGNIFICANT IMPACT**

The County of San Mateo Department of Housing has determined that the project will have no significant impact on the human environment. Therefore, an Environmental Impact Statement

under the National Environmental Policy Act of 1969 (NEPA) is not required. Additional project information is contained in the Environmental Review Record (ERR) on file at the County of San Mateo Department of Housing, 264 Harbor Boulevard, Building A, Belmont, California 94002, incorporated by reference, and may be examined or copied weekdays 8:00 AM to 5:00 PM.

### **CEQA: ANTICIPATED SIGNIFICANT ENVIRONMENTAL EFFECTS**

The Draft EIR identifies potentially significant impacts on the following resources: Biological Resources (nesting birds, roosting bats, and tree removal), Cultural Resources (unrecorded cultural resources, demolition of historic structures, changes in the historic character of the site, and tribal resources). Mitigation measures are proposed to avoid and /or substantially reduce the project's potential effects on Biological Resources and Cultural Resources. However, the demolition of historic structures and the change in the character of the site remain significant and unavoidable CEQA impacts of the project.

### **CEQA: DOCUMENT AVAILABILITY**

A hardcopy of the Draft EIR is available for review at the Colma Planning Department 1190 El Camino Real Colma, California 94014. An Electronic Copy of the Draft EIR can be accessed on the Town's website ([www.colma.ca.gov](http://www.colma.ca.gov)) on the Planning Department's Current Projects Page (Current Projects – 1670-1692 Mission Road).

### **NEPA: PUBLIC COMMENTS**

Any individual, group, or agency may submit written comments on the Environmental Assessment or ERR to the County of San Mateo Department of Housing, 264 Harbor Boulevard, Building A, Belmont, California 94002. All comments received by September 05, 2016 will be considered by the Housing Authority prior to authorizing submission of a request for release of funds. Comments should specify which Notice they are addressing.

### **CEQA: REQUEST FOR COMMENTS**

The purpose of this Notice of Availability is to request comments on the Draft EIR the Town has prepared for the project from state responsible and trustee agencies, federal agencies, and any other person or organization concerned with the environmental effects of the project. The starting and ending dates for the review period during which time the Town will receive comments on the Draft EIR are August 17, 2016 and September 30, 2016, respectively. Please send your written response by the earliest possible date, but no later than 5 PM on September 30, 2016 to:

Mr. Michael Laughlin, City Planner  
Town of Colma Planning Department  
1190 El Camino Real  
Colma, CA 94014-3212

or to [michael.laughlin@colma.ca.gov](mailto:michael.laughlin@colma.ca.gov) (enter "Veterans Village Project Draft EIR" in the 'Subject' line). Agency responses should include the name of a contact person at the agency.

## **NEPA: ENVIRONMENTAL CERTIFICATION**

The Housing Authority certifies to HUD that Kenneth Cole, in his capacity as Executive Director, and as the Director of the County of San Mateo Department of Housing consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. HUD's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and Mercy Housing California 66, LP to use Program funds.

## **NEPA: OBJECTIONS TO RELEASE OF FUNDS**

HUD will accept objections to its release of fund and the Housing Authority's certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of the Housing Authority; (b) the Housing Authority has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR part 58; (c) the grant recipient or other participants in the development process have committed funds, incurred costs or undertaken activities not authorized by 24 CFR Part 58 before approval of a release of funds by HUD; or (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed to the HUD San Francisco Regional Office at 600 Harrison Street, Third Floor, San Francisco, California 94107. Potential objectors should contact HUD to verify the actual last day of the objection period.

Kenneth Cole, Executive Director, Housing Authority of the County of San Mateo; Director,  
County of San Mateo Department of Housing  
Michael Laughlin, City Planner, Town of Colma Planning Department



San Francisco Bay Region Water  
Quality Control District  
1515 Clay Street, #1400  
Oakland, CA 94612

Mr. Patrick Sweetland  
No. San Mateo County Sanitation District  
153 Lake Merced Boulevard  
Daly City, CA 94015

Jefferson Union High School District  
699 Serramonte Boulevard, # 100  
Daly City, CA 94015

San Francisco Water Department  
1990 Newcomb Avenue  
San Francisco, CA 94124

Executive Officer  
San Bruno Mountain Watch  
P.O. Box 53  
Brisbane, CA 94005

Director of Planning  
CalTrans District 4  
P.O. Box 23660  
Oakland, CA 94623-0660

South San Francisco Sewer Department  
400 Grand Avenue  
South San Francisco, CA 94080

City of Daly City  
Planning Department  
333 - 90th Street  
Daly City, CA 94015

City Engineer  
City of South San Francisco  
P.O. Box 711, 400 Grand Avenue  
South San Francisco, CA 94083

BART  
Real Estate & Property Dev.Dept.  
300 Lakeside Drive, 22nd Floor  
Oakland, CA 94612

Planning Director  
San Mateo County Planning Dept.  
455 County Center, 4th Floor  
Redwood City, CA 94063

Service Planning Department  
PG&E  
275 Industrial Road  
San Carlos, CA 94070

Jefferson Elementary School District  
101 Lincoln Avenue  
Daly City, CA 94014

Eugene Ma  
AT&T  
359 Washington St  
Daly City, CA 94015

South San Francisco  
Sewer Department  
400 Grand Avenue  
South San Francisco, CA 94080

Ms. Ann Stillman  
Colma Lighting District, San Mateo  
Public Works  
555 County Center, 5th Floor  
Redwood City, CA 94063

PG&E  
450 Eastmoor Avenue  
Daly City, CA 94015

Planning Division  
Association of Bay Area Governments  
101 Eighth Street  
Oakland, CA 94604

Mr. Geoff Balton  
Colma Fire Protection District  
50 Reiner Street  
Colma, CA 94014

State Clearinghouse  
1400 Tenth Street  
Sacramento, CA 95814

So. San Francisco Unified School Dist.  
398 B Street  
South San Francisco, CA 94080

City of South San Francisco  
Planning Department  
315 Maple Avenue  
South San Francisco, CA 94080

Regional Clearinghouse Coordinator  
c/o ABAG  
P.O. Box 2050  
Oakland, CA 94604-2050

Mr. Francisco Gomez  
County of San Mateo Department of Housing  
264 Harbor Boulevard, Bldg. A  
Belmont, CA 94002

District Manager  
California Water Service  
341 North Delaware Street  
San Mateo, CA 94401-1727

Leigh Jordan  
Northwest Info. Ctr. Sonoma State  
University  
150 Professional Center Drive, Suite E  
Rohnert Park, CA 94928

Transportation Planning  
C/CAG  
455 County Center, 5th Floor  
Redwood City, CA 94063

Bay Area Air Quality Management  
District  
939 Ellis Street  
San Francisco, CA 94109

San Mateo County  
Environmental Health Director  
2000 Alameda de las Pulgas, Suite 100  
San Mateo, CA 94403

Les McDonald  
Archdiocese of San Francisco  
1301 Post Street, Suite 102  
San Francisco, CA 94109

Monica Williams  
Holy Cross Cemetery  
P.O. Box 1577  
Colma, CA 94014

John Bermudez  
Holy Cross Cemetery  
P.O. Box 1577  
Colma, CA 94014

Kenneth Cole  
Department of Housing  
264 Harbor Blvd, Blding A  
Belmont, CA 94002

Janet Stone  
Department of Housing  
264 Harbor Blvd, Blding A  
Belmont, CA 94002

Doug Frederick  
Department of Housing  
264 Harbor Blvd, Blding A  
Belmont, CA 94002

Francisco Gomez  
Department of Housing  
264 Harbor Blvd, Blding A  
Belmont, CA 94002

Cindy Chan  
Department of Housing  
264 Harbor Blvd, Blding A  
Belmont, CA 94002

Steve Michaelis  
Baca's Machine Shop  
1690 Mission Road  
South San Francisco, CA 94080

Phil Weaver  
Image Auto  
1687 Mission Road  
South San Francisco, CA 94080

Mohammad Ahmad  
Royal Auto Body  
1681 Old Mission Road  
South San Francisco, CA 94080

Lupe Gutierrez  
Colma Floral Shop  
1360 El Camino Real  
Colma, CA 94014

Ken Varner  
Cypress Lawn Cemetery  
1370 El Camino Real  
Colma, CA 94014

James Carlson  
Hills of Eternity Memorial Park  
1299 El Camino Real  
Colma, CA 94014

Charlie's Trucking Company  
1755 Mission Road  
South San Francisco, CA 94080

Owen Molloy  
Molloy's Tavern  
1655 Mission Road  
South San Francisco, CA 94080

Steve Reeves  
Andy's Wheels & Tires  
1685 Mission Road  
South San Francisco, CA 94080

John's Automotive  
1711 Mission Road  
South San Francisco, CA 94080

David & James Dito  
Ditos Motors  
1715 Mission Road  
South San Francisco, CA 94080

Ken Whelan  
Pacific Supply  
1675 Mission Road  
South San Francisco, CA 94080

John Goodwin  
1357 Mission Road  
South San Francisco, CA 94080

Laura and Thomas Walsh  
1319 Mission Road  
South San Francisco, CA 94080

Colma Historical Association  
1500 Hillside Blvd  
Colma, CA 94014

Patricia Hatfield  
475 D Street  
Colma, CA 94014

Richard Rocchetta  
1255 Hillside Blvd  
Daly City, CA 94014

Michael Rocchetta  
1263 Hillside Blvd  
Daly City, CA 94014

Ed Harper  
513 C Street  
Colma, CA 94014

Charito Casanas  
318 Hoffman Street  
Colma, CA 94014

Rommel Medina  
Lucky Chances Casino  
1700 Hillside Blvd  
Colma, CA 94014

Anthony Clifford  
First National Bank  
975 El Camino Real  
South San Francisco, CA 94080

Theresa Hart  
Peninsula Reflections  
205 Collins Avenue  
Colma, CA 94014

Bob McHugh  
Jaeger McHugh & Co.  
500 Washington Street, Suite 450  
San Francisco, CA 94111

San Mateo County Transit District  
1250 San Carlos Avenue  
San Carlos, CA 94070

Steve Valkanoff Trust  
1707 Old Mission Road  
South San Francisco, CA 94080

Public Storage, Inc.  
P.O. Box 25025  
Glendale, CA 91221

Carol Jeanne McLaughlin Trust  
19 Veracruz  
Dana Point, CA 92629

Dorothy McLennan  
2945 Junipero Serra Blvd  
Daly City, CA 94014

Stonefield, Inc  
355 Boxington Way  
Sparks, NV 89434

City & County of San Francisco Water  
Department  
525 Golden Gate Avenue, 10th Fl  
San Francisco, CA 94102

Eric Steeg Trust  
56 Northgate Ave  
Daly City, CA 94015

Peter Christiansen  
1700 El Camino Real, #12, Sp #9  
South San Francisco, CA 94080

Cyril Carvaho  
1700 El Camino Real Rue 12, Sp #11  
South San Francisco, CA 94080

Katherine Grace Kabahit  
1700 El Camino Real, Rue 16, Sp #7  
South San Francisco, CA 94080

Julita Sosa  
1700 El Camino Real, Rue 14, Sp #15  
South San Francisco, CA 94080

Dora Ponce  
1700 El Camino Real, Rue 18, Sp #8  
South San Francisco, CA 94080

Castro Salvador Altamirano  
1700 El Camino Real, Rue 15, Sp #9  
South San Francisco, CA 94080

Vladimir Antonio Salgado Jr.  
1700 El Camino Real, Rue 12, Sp #15  
South San Francisco, CA 94080

Benson Bennett  
1700 El Camino Real, Rue 12, Sp #14  
South San Francisco, CA 94080

Blanid Molloy Trust  
2380 Tipperary Ave  
South San Francisco, CA 94080

Manager  
1707 Mission Road  
South San Francisco, CA 94080

Manager  
1711 Mission Road  
South San Francisco, CA 94080

Manager  
1773 Mission Road  
South San Francisco, CA 94080

Manager  
1675 Mission Road  
South San Francisco, CA 94080

Manager  
1685 Mission Road  
South San Francisco, CA 94080

Resident  
1655 Mission Road A  
South San Francisco, CA 94080

Resident  
1655 Mission Road B  
South San Francisco, CA 94080

Resident  
1655 Mission Road C  
South San Francisco, CA 94080

Resident  
1655 Mission Road D  
South San Francisco, CA 94080

Winston Manor Community Association  
P.O. Box 5103  
South San Francisco, CA 94083

Dorothy Hillman  
511 B Street  
Colma, CA 94014

Manager  
1900 El Camino Real  
Colma, CA 94014

Mary Brodzin  
516 B Street  
Colma, CA 94014

Perla Denina  
423 E Street  
Colma, CA 94014

Maureen O'Connor  
613 F Street  
Colma, CA 94014

Annie Wong  
1227 Isabelle Circle  
South San Francisco, CA 94080

Amy Bayley  
1360 Mission Street, Suite 300  
San Francisco, CA 94103

Don Smith  
DCS Consulting Inc  
3182 Campus Drive, Suite 138  
San Mateo, CA 94403

George R. Tr. Et Al Lagomarsino  
1777 Borel Place, #100  
San Mateo, CA 0

**FINDING OF NO SIGNIFICANT IMPACT  
AND  
NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS**

August 22, 2016

**Housing Authority of the  
County of San Mateo  
264 Harbor Blvd., Bldg. A  
Belmont, CA 94002**

This Notice shall satisfy the above-cited two separate but related procedural notification requirements for activities to be undertaken by the Housing Authority of the County of San Mateo and the City of Colma.

**REQUEST FOR RELEASE OF FUNDS**

On or about September 06, 2016, the Housing Authority of the County of San Mateo will submit a request to the U.S. Department of Housing and Urban Development (HUD) for the release of approximately thirty (30) Project-Based Section 8 Vouchers under Title I/Section 8(0)(13), as authorized by the United States Housing Act of 1937, as amended, and approximately thirty five (35) Veterans Affairs Supportive Housing (VASH) vouchers, and HOME Investment Partnerships Program (HOME) funds, as authorized by the Housing and Community Development Act of 1974, Title I, Public Law 93-383, as amended, and under Title II of the Cranston-Gonzales National Affordable Housing Act of 1990 to undertake a project known as Mercy Housing Veterans Village Project for the purpose of providing supportive housing units serving homeless, formerly homeless, extremely low and low income veterans.

Mercy Housing Veterans Village Project, a 2.23-acre project site located at 1670-1692 Mission Rd., Colma, CA, has partnered with the Archdiocese of San Francisco whereby Mercy Housing would enter into a long-term land lease with the Archdiocese to develop the 66-unit apartment complex. All 66 units will be covered by Veterans Affairs Supportive Housing (VASH) and Project-Based Section 8 Vouchers (PBV) with preference given to homeless veterans.

The project proposes the development of 66-units of affordable housing with a Project-Based Section Contract covering 30 units and VASH funding covering 35 units. The manager unit will be excluded from the Contracted units.

Total estimated cost is estimated to be \$36,000,000.

**FINDING OF NO SIGNIFICANT IMPACT**

The Housing Authority of the County of San Mateo has determined that the project will have no significant impact on the human environment. Therefore, an Environmental Impact Statement under the National Environmental Policy Act (NEPA) of 1969 is not required. Additional project information is contained in the Environmental Review Record (ERR) on file at the Housing Authority of the County of San Mateo, 264 Harbor Blvd., and Bldg. A, Belmont, CA 94002, and may be examined or copied weekdays 8 a.m. to 5 p.m., Monday through Friday.

**PUBLIC COMMENTS**

Any individual, group or agency disagreeing with this determination or wishing to comment on the project may submit written comments to Cindy Chan, Rental Programs Manager, Housing Authority of the County of San Mateo, 264 Harbor Blvd., and Bldg. A, Belmont, CA 94002. All comments received by 5:00 PM on September 5, 2016 will be considered by the County of San Mateo prior to submission of a request for release of funds. Comments should specify which Notice they are addressing.

**ENVIRONMENTAL CERTIFICATION**

The Housing Authority of the County of San Mateo certifies to HUD that Kenneth Cole, in his capacity as Executive Director, in his capacity as NEPA Certifying Officer consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. HUD's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities, and allows the County of San Mateo to use Program funds.

**OBJECTIONS**

HUD Office will accept objections to the Responsible Entity's (RE) Request for Release of Funds and Environmental Certification for a period of fifteen days following the submission date specified above or the actual receipt of the request (whichever is later) only if they are on the following bases: (a) the certification was not executed by the Certifying Officer or other officer of the County of San Mateo approved by HUD; (b) the RE has omitted a step or failed to make a determination or finding required by HUD regulations at 24 CFR Part 58 or by CEQ regulations at 40 CFR 1500-1508, as applicable; (c) the RE has omitted one or more steps in the preparation, completion or publication of the Environmental Assessment or Environmental Impact Study per 24 CFR Subparts E, F or G of Part 58, as applicable; (d) the grant recipient or other participants in the development process has committed funds for or undertaken activities not authorized by 24 CFR Part 58 before release of funds and approval of the environmental certification; (e) another Federal, State or local agency has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58, Section 58.75) and shall be addressed to Miguel Correa, Office of Public and Indian Housing, U.S. HUD - San Francisco Regional Office, Region IX, One Sansome Street, Suite 1200, San Francisco, CA 94104-4430. Potential objectors should contact HUD to verify the actual last day of the objection period.

NEPA Certifying Officer  
Kenneth Cole  
Executive Director, Housing Authority of the County of San Mateo  
Director, County of San Mateo Department of Housing

**AFFIDAVIT OF PUBLICATION  
SAN MATEO DAILY JOURNAL**

**STATE OF CALIFORNIA  
County of San Mateo**

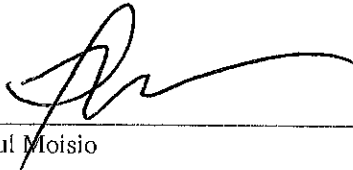
The undersigned declares: That at all times hereinafter mentioned, affiant was a permanent resident of the United States, over the age of eighteen years old, and was at and during all said times. The Office Manager of the San Mateo Daily Journal, a newspaper published daily in the County of San Mateo, State of California. The notice mentioned was set in type no smaller than nonpareil and was preceded with words printed in black face type not smaller than size 6, describing and expressing in general terms, the purpose and character of the notice intended to be given; that the

**PUBLIC NOTICE**

**CITY OF BELMONT**

Of which the annexed is a printed copy was published and printed in said newspaper on the 22nd Day of August 2016.

I declare under penalty of perjury that the foregoing is true and correct.



\_\_\_\_\_  
Paul Moisio

Dated at San Mateo, California,  
this 22nd day of Aug 2016.



Main Office - Department of Housing  
264 Harbor Blvd., Building A Belmont, CA 94002-017

Housing Community Development  
Tel: (650) 802-5050

Housing Authority of the County of San Mateo  
Tel: (650) 802-3300

**Board of Supervisors:**

Dave Pine  
Carole Groom  
Don Horsley  
Warren Slocum  
Adrienne J. Tissier

**Director:** Ken Cole

September 8, 2016

HUD

Attn: Wayne E. Sauseda, Acting Regional Administrator  
Or Acting Director  
Public and Indian Housing,  
U.S. HUD Region IX  
1 Sansome Street, Suite 1200  
San Francisco, CA 94104.


Subject: Request for Release of Funds and Certification-  
Mercy Housing Veterans Village Project

Mr. Sauseda or Acting Director:

Enclosed is the Request for Release of Funds and Certification form signed by Executive Director, Ken Cole, Proof of Publication, and As-Mailed Version of the Notice of Intent to Request Release of Funds for the **Mercy Veterans Village Project (1670-1692 Mission Road) in Colma, CA**. The public comment period has closed and we received no comments. The original signature documents are being transmitted to your office via Fed Ex Mail. The documents are being provided to facilitate remaining NEPA processing actions to be conducted by your agency. We look forward to receiving the Authority to Use Grant Funds for this project as soon as possible.

Please feel free to contact me at 650-802-3322 with any questions regarding any of the materials and/or need for more information. I can also be reached via e-mail at [CChan@smchousing.org](mailto:CChan@smchousing.org).

Sincerely,

  
Cindy Chan  
Rental Programs Manager

For: Ken Cole,  
Executive Director, Housing Authority of the County of San Mateo & NEPA Certifying Officer



EDMUND G. BROWN JR.  
GOVERNOR

STATE OF CALIFORNIA

GOVERNOR'S OFFICE of PLANNING AND RESEARCH  
STATE CLEARINGHOUSE AND PLANNING UNIT



KEN ALEX  
DIRECTOR

October 3, 2016

Michael Laughlin  
City of Colma  
1190 El Camino Real  
Colma, CA 94014

Subject: Mercy Housing Veterans Village Project  
SCH#: 2016052068

Dear Michael Laughlin:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on September 30, 2016, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Scott Morgan  
Director, State Clearinghouse

RECEIVED

OCT 05 2016



**Document Details Report  
State Clearinghouse Data Base**

**SCH#** 2016052068  
**Project Title** Mercy Housing Veterans Village Project  
**Lead Agency** Colma, City of

**Type** EIR Draft EIR

**Description** The project consists of a Planned Development Rezoning and Planned Development Use Permit to allow the construction and development of a 66-unit affordable housing development on an approx. 2.23 acre property. The project proposal includes a new three story residential building and the preservation of a historic building for use by residents. Two large residential courtyards, a garden area, and park area are also planned as part of the proposed development. The project would provide a total of 69 parking spaces in two parking areas; one adjacent to Cypress Lawn Cemetery and another along the BART maintenance road immediately east of the project site.

**Lead Agency Contact**

**Name** Michael Laughlin  
**Agency** City of Colma  
**Phone** 650-757-8896 **Fax**  
**email** michael.laughlin@colma.ca.gov  
**Address** 1190 El Camino Real  
**City** Colma **State** CA **Zip** 94014

**Project Location**

**County** San Mateo  
**City** Colma  
**Region**  
**Lat / Long** 37° 40' 16" N / 122° 27' 6" W  
**Cross Streets** Mission Road, El Camino Real  
**Parcel No.** 011-370-220  
**Township** **Range** **Section** **Base**

**Proximity to:**

**Highways** 82  
**Airports**  
**Railways**  
**Waterways** Colma Creek  
**Schools** El Camino HS  
**Land Use** Vacant Land, two unpaved areas use for auto parking and five historic structures.

**Project Issues** Aesthetic/Visual; Air Quality; Archaeologic-Historic; Biological Resources; Flood Plain/Flooding; Geologic/Seismic; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Landuse; Cumulative Effects

**Reviewing Agencies** Resources Agency; Department of Fish and Wildlife, Region 3; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; Office of Emergency Services, California; California Highway Patrol; Caltrans, District 4; Regional Water Quality Control Board, Region 2; Native American Heritage Commission

**Date Received** 08/17/2016 **Start of Review** 08/17/2016 **End of Review** 09/30/2016

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**Mercy Housing Veterans Village Project  
Final Environmental Impact Report**

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**APPENDIX I**

**ADDITIONAL INFORMATION**

- **Letter from the Advisory Council on Historic Preservation, Oct. 5, 2016**
- **Draft SHPO Memorandum of Agreement (subject to revision)**

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Preserving America's Heritage

October 5, 2016

Mr. Francisco Gomez, Jr.  
HCD Specialist  
County of San Mateo  
Department of Housing  
264 Harbor Blvd., Building A  
Belmont, CA 94002

Ref: *Proposed Construction of the Colma Veterans Village  
Colma, California*

Dear Mr. Gomez:

The Advisory Council on Historic Preservation (ACHP) has received your notification and supporting documentation regarding the adverse effects of the referenced undertaking on a property or properties listed or eligible for listing in the National Register of Historic Places. Based upon the information provided, we have concluded that Appendix A, *Criteria for Council Involvement in Reviewing Individual Section 106 Cases*, of our regulations, "Protection of Historic Properties" (36 CFR Part 800), does not apply to this undertaking. Accordingly, we do not believe that our participation in the consultation to resolve adverse effects is needed. However, if we receive a request for participation from the State Historic Preservation Officer (SHPO), Tribal Historic Preservation Officer (THPO), affected Indian tribe, a consulting party, or other party, we may reconsider this decision. Additionally, should circumstances change, and it is determined that our participation is needed to conclude the consultation process, please notify us.

Pursuant to 36 CFR §800.6(b)(1)(iv), you will need to file the final Memorandum of Agreement (MOA), developed in consultation with the California State Historic Preservation Office (SHPO), and any other consulting parties, and related documentation with the ACHP at the conclusion of the consultation process. The filing of the MOA, and supporting documentation with the ACHP is required in order to complete the requirements of Section 106 of the National Historic Preservation Act.

Thank you for providing us with the notification of adverse effect. If you have any questions or require further assistance, please contact Ms. Jaime Loichinger at 202-517- 0219 or via e-mail at [jloichinger@achp.gov](mailto:jloichinger@achp.gov).

Sincerely,

LaShavio Johnson  
Historic Preservation Technician  
Office of Federal Agency Programs

**MEMORANDUM OF AGREEMENT ("MOA")**  
**BETWEEN**  
**THE COUNTY OF SAN MATEO DEPARTMENT OF HOUSING AND**  
**THE CALIFORNIA STATE HISTORIC PRESERVATION OFFICER,**  
**REGARDING THE MITIGATION OF ADVERSE EFFECTS ON THE HISTORIC PROPERTY**  
**AFFECTED BY THE COLMA VETERANS VILLAGE PROJECT ON BEHALF OF THE DEPARTMENT OF**  
**HOUSING AND URBAN DEVELOPMENT PART 58 PROGRAMS**

**RECITALS**

WHEREAS, the County of San Mateo Department of Housing ["County"], a "Responsible Entity" under 24 C.F.R. Part 58, proposes to administer and fund projects and programs in the County of San Mateo, California with monies from the County's Affordable Housing Fund and any other U.S. Department of Housing and Urban Development ["HUD"] programs delegated to the County pursuant to 24 C.F.R. Part 58 or any other pertinent HUD regulations; and

WHEREAS, the County, through the Department of Housing, provides funding for housing and community development projects. The County is providing funding for the project known as Colma Veterans Village at 1670-1692 Mission Road, Colma, CA 94014; and

WHEREAS, the County has determined that the Project may have an Adverse Effect on the project site which is included in or eligible for inclusion in the National Register of Historic Places ("NRHP") ("Historic Properties") and has consulted with the California State Historic Preservation Officer ("THE SHPO ") pursuant to Section 800.14(b) of the regulations, 36 C.F.R. Part 800, implementing Section 106 of the National Historic Preservation Act (16 U.S.C. 470f) ("Section 106" or "Act"); and

WHEREAS, the County will conduct outreach and actively seek and request the comments and participation of Indian tribes that attach religious and cultural significance to Historic Properties that may be affected by Undertakings funded under the terms of this Agreement; and

WHEREAS, pursuant to the Council's Section 106 Regulations, the County has considered the nature of the project and its likely effect on the Historic Property and has taken steps to involve individuals, organizations and entities likely to be affected by the; and

WHEREAS, pursuant to the Council's Section 106 Regulations, the County has conducted public participation appropriate to the subject matter and scope of the Memorandum of Agreement (MOA) by providing notice to the public about the Affordable Housing Fund Programs and including the public in the consultation process; and

WHEREAS, the goals and objectives of this MOA are to: (1) provide a coordinated, clear and efficient process for implementation of Section 106; (2) identify and protect historic resources while facilitating the rehabilitation of existing homes as well as community and public facilities; (3) provide an orderly process for the resolution of conflicts, consideration of feasible alternatives and appropriate mitigation; and (5) provide for public participation in the local implementation of Section 106; and

NOW, THEREFORE, the County and the California THE SHPO agree that the Affordable Housing Fund Programs shall be administered in accordance with the following stipulations to satisfy the County's Section 106 responsibilities for all individual Undertakings of the Rehab Programs.

### STIPULATIONS

The County of San Mateo Department of Housing will ensure that the following measures are carried out:

#### I. APPLICABILITY OF THE MEMORANDUM OF AGREEMENT (MOA)

- A. The County shall comply with the stipulations set forth in this MOA for all Undertakings which are limited to the development of buildings that (1) are assisted in whole or in part by revenues from HUD subject to 24 CFR Part 58 and that (2) can result in changes in the character or use of any Historic Properties that are located in an Undertaking's Area of Potential Effect (APE), as defined in **Stipulation IV**, below.
- B. The review process established by this MOA shall be completed before the County's final approval before the property is altered by either the County, a property owner, or a developer, and before the County, a property owner, or developer initiates construction or makes an irrevocable commitment to construction that may affect a property that is fifty (50) years of age or older, or that is otherwise eligible for listing in the National Register of Historic Places ("NRHP").
- C. Any Undertaking not qualifying for review under the terms of this MOA but nevertheless subject to Section 106 of the National Historic Preservation Act (16 U.S.C. 470f) shall be reviewed in accordance with 36 CFR Part 800, even if such Undertaking involves a building, structure, site or object that is less than 50 years old.
- D. For purposes of this MOA. The Secretary of the Interior's definition for Project shall be used: "The fundamental nature of a project is that it is a "temporary endeavor undertaken to create a unique product, service, or result." Projects are distinguished from operations and from programs."
- E. This MOA includes new construction, demolition of existing buildings, or

development of vacant land.

## II. DEFINITIONS

The definitions outlined at 36 CFR 800.16 apply to this MOA.

## III. UNDERTAKINGS NOT REQUIRING REVIEW BY THE STATE HISTORIC PRESERVATION OFFICER (SHPO) OR THE ADVISORY COUNCIL ON HISTORIC PRESERVATION (ACHP)

The following Undertakings do not require review by the SHPO and no signatory is required by this MOA to determine the National Register of Historic Places eligibility of properties affected by these Undertakings.

- A. Less than 50 years old. Undertakings only affecting properties that are less than fifty (50) years old.
- B. Development of new construction, demolition of existing buildings, or development of vacant land only. Undertakings limited exclusively to development of new construction, demolition of existing buildings, or development of vacant land.
- C. Appendix A Mitigation. Undertakings limited exclusively to the activities listed in Appendix "A" of this MOA. Undertakings not so limited shall be reviewed pursuant to this MOA. Undertakings involving Historic Properties but nevertheless exempt from review pursuant to Appendix "A" shall be designed to conform to the greatest extent feasible with the California State Historic Building Code, [State of California, Title 24, Building Standards, Part 8 ("SHBC")] as well as Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring & Reconstructing Historic Building, 1995.
- D. Documentation. The County shall document actions taken pursuant to this Stipulation in the manner prescribed in **Stipulation XVI**.

## IV. AREA OF POTENTIAL EFFECTS

- A. Within Legal Lot Lines. The Area of Potential Effects ("APE") for Undertakings covered by this MOA shall be limited to the legal lot lines of a property when the Undertaking consists exclusively of new construction, demolition of existing buildings, or development of vacant land.



- B. New Construction. The APE for installation of infrastructure associated with the new construction, demolition of existing buildings, or development of vacant land will be as follows:
1. Water and sewer lines: the APE shall be the trunk of the sewer and water line;
  2. Curb cuts for disability access: the actual curb area under construction shall be the APE;
  3. Pavements: the APE shall be the pavement structure and pavement base.
  4. Other: In all other infrastructure improvements the APE shall be analogous in purpose, structure and location to the APE of those listed in subsections 1 through 3 above.
- C. Public Objection. If a member of the public objects to the manner or scope in which the APE for an Undertaking has been delineated, the County shall seek to resolve the dispute in accordance with the procedures set forth in **Stipulation XIII**.

**V. IDENTIFICATION AND EVALUATION OF HISTORIC PROPERTIES**

- A. APE review. The County shall review all existing information on any property within an Undertaking's APE, as required by 36 C.F.R. 800.4, to determine if such properties may be Historic Properties. At a minimum the County shall:
1. Review the current listing of the NRHP.
  2. Review lists of Historic Properties that may be maintained by the County, and any other information available in the County or as the case may be, the applicable County's records pertaining to any property within an Undertaking's APE.
  3. Review lists of Historic Properties maintained by the appropriate regional center of the California Historical Resources Information System or its successors.
  4. Visit the site and evaluate it in accordance with the Section 106 process.
  5. If the property is one to which Indian Tribes attach religious and cultural significance, those Indian tribes will be consulted by the County regarding the Undertaking.
- B. NRHP listing. If a property is listed or has already been determined eligible for listing in the NRHP, the County shall proceed in accordance with **Stipulation VIII**, unless exempted by **Stipulation III**.

- C. Ineligible for NRHP. If the County, in consultation with the SHPO, has determined a property to be ineligible for listing in the NRHP within a period of five (5) years prior to the County's approval of an Undertaking covered by this MOA and if no other provision of this MOA requires the County to take further steps with respect to the Undertaking, the County shall document the actions taken in the manner prescribed by **Stipulation XVI** and may authorize the Undertaking to proceed without further review.
- D. Evaluation. Unless exempt pursuant to **Stipulation III** or to Sections Band C of this Stipulation, the County shall evaluate the property that may be affected by an Undertaking using the National Register criteria set forth in 36 CFR Section 60.4. All evaluations shall be documented by the County on a State of California Historic Resources Inventory Form- DPR 523.
1. If a property proposed for new construction, demolition of existing buildings, or development of vacant land is not listed in the NRHP, has not been evaluated for National Register eligibility within the past five (5) years, and is at least 50 years old, the County shall submit the documentation required pursuant to 36 CFR 800.4, including a completed California Historic Resources Inventory Form (DPR 523) to the SHPO for review. The County shall seek information, as appropriate, from individuals and organizations likely to have knowledge or concerns with historic properties in the area. The SHPO may request additional information if necessary. The County shall apply the National Register criteria and notify the SHPO of its determination in this submittal.
    - a. If the SHPO concurs with the County that a property is eligible under the criteria, the property shall be considered a Historic Property under this MOA. The County shall continue consultation in accordance with the terms of this MOA for all such properties.
    - b. If the SHPO concurs with the County that the criteria are not met, the property shall be considered ineligible for inclusion in the NRHP for a period of five (5) years from the date of the SHPO's review. Such properties need not be reevaluated during this five (5) year period unless a party to this MOA notifies the other parties in writing that it has determined that changing perceptions of significance warrants a property reevaluation. Such properties require no further review under this MOA.
    - c. If the SHPO disagrees with the County's determination regarding eligibility, the County shall consult further with the SHPO to reach agreement. If agreement cannot be reached, the County shall obtain a final determination from

the Secretary of the Interior pursuant to the applicable National Park Service regulations found at 36 CFR Part 63.

- d. If SHPO does not respond to the County's determination within thirty (30) calendar days following receipt, the County may assume that SHPO does not object to the determination and shall proceed in accordance with any other applicable requirements of this MOA.

## VI. ASSESSMENT OF EFFECTS

The County shall ensure that scopes of work, plans and specifications for Undertakings that may affect Historic Properties and that are not exempt from review under this MOA conform to the recommended approaches in the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring & Reconstructing Historic Building, 1995 ("Standards") and to the greatest feasible extent, to the State Historic Building Code ("SHBC").

- A. For properties identified as Historic Properties under **Stipulation V** and prior to any activities that are not exempt under **Stipulation III**, the County shall review the SHPO-appropriate project documents to determine conformance of the Undertaking with the Standards and SHBC, including photographs and a general work description which adequately details the scope of work for each project that may affect a Historic Property that includes work write-ups, working drawings and specifications, as appropriate, and additional documentation necessary to understand the Undertaking. The County shall apply the criteria of adverse effect, 36 CFR 800.5, in consultation with SHPO to any Historic Property that may be affected by a project, and will review the scope of work to determine if the rehabilitation project conforms to the recommended approach contained in the Standards.
- B. If the County determines that the Undertaking conforms to the Standards and complies with the SHBC, the County shall notify the SHPO in writing of a finding of no adverse effect. If the SHPO does not object in writing to this determination within thirty (30) days, the Undertaking shall be considered to have "no adverse effect" on Historic Properties, and may proceed as submitted without further review.
- C. If the County determines that the Undertaking does not conform to the Standards and SHBC, or if the SHPO objects to a finding of "no adverse effect," the Undertaking will be considered to have an "adverse effect" on Historic Properties. The SHPO and the County shall consult and recommend modifications to the scope of work or

conditions under which the Undertaking would be found to conform to the Standards.

- D. If the County accepts the recommended modifications, the Undertaking will be considered to have "no adverse effect" on the Historic Property, and may proceed as modified without further review. If the modifications recommended are not accepted, then the County shall consult further with the SHPO for a period of time not to exceed thirty (30) days to seek ways to avoid, minimize, or mitigate the adverse effect. If all adverse effects cannot be avoided, the County shall proceed in accordance with 36 CFR 800.6.
- E. The County shall notify the SHPO of any changes to an approved scope of work, other than activities exempt under **Stipulation III**, and shall provide the SHPO with the opportunity to review and comment on such changes. If the changes do not conform to the Standards, the parties shall consult further to minimize or mitigate the adverse effects in accordance with 36 CFR 800.6(b)(1).
- F. The County shall retain documentation of the new construction, demolition of existing buildings, or development of vacant land as part of its permanent records.

## VII. CONSIDERATION AND TREATMENT OF ARCHEOLOGICAL RESOURCES

- A. Ground disturbing activities. The County shall consult in writing with the SHPO to determine if a rehabilitation project that includes ground disturbing activities has the potential to affect archeological properties that may be eligible for inclusion in the National Register. The County shall investigate pertinent information available at the Northwest Information Center of the California Historical Resources Information System, at Sonoma State College, in Rohnert Park, California ("Northwest Information Center" or "IC") and shall consider any further studies recommended by the SHPO to determine if the Undertaking has the potential to affect either archeological properties that may be eligible for inclusion in the National Register or properties for which Indian tribes may attach religious and cultural significance.
- B. Types of ground disturbing activities. The following types of ground-disturbing activities have the potential to affect archeological resources:
  - 1. Ground disturbing site preparation, such as grading or excavation.
  - 2. Footing and foundation work occurring more than two feet from any existing footings or foundations, including soils improvement/densification techniques.

3. Installation of underground utilities such as sewer and water lines, storm drains, electrical, gas or leach lines and septic tanks, except where installation is restricted to areas previously disturbed by installation of these utilities.
  4. Installation of underground irrigation or sprinkler systems, except where installation is restricted to areas previously disturbed by such systems.
- C. Records search by IC. When an Undertaking may include the foregoing types of ground-disturbing activities and the Undertaking does not qualify as an exception under this provision, the County shall request that the Northwest Information Center conduct a records search for the Undertaking's APE.

1. Exceptions

- a. The County is NOT required to request the IC for a records search under the following circumstances:
  - i. When the ground-disturbing activities set forth in Sections 8.2, 8.3 and 8.4 of this stipulation will occur exclusively within the legal lot lines of a parcel used as a single family residence, or
  - ii. When the ground-disturbing activities set forth in the Sections 8.2, 8.3 and 8.4 of this stipulation will be outside the legal lot lines of a single family residence and will be confined to areas previously disturbed by such activities.

D. IC response. The County shall promptly furnish the SHPO with a copy of the IC's response and request the comments of the SHPO.

- a. If the SHPO recommends that the APE should be surveyed or subject to archival research, the County shall engage a qualified archeologist to conduct the survey of the APE and prepare a written report.
- b. If the SHPO recommends that a survey is not necessary and the Undertaking's APE does not contain a known archeological resource, no further consideration of such resources by the County is required. If no other provisions of this MOA require the County to take further steps with respect to the Undertaking, the County shall document the actions taken in the manner prescribed by **Stipulation XVI** and may authorize the Undertaking to proceed without further review.

- c. If the Undertaking's APE contains known archeological resources or such resources are identified through a survey, the County shall cause the Undertaking to be redesigned if feasible to avoid said resources and shall notify the SHPO of these actions. If no other provisions of this MOA require the County to take further steps with respect to the Undertaking, the County shall document the actions taken in the manner prescribed by **Stipulation XVI** and may authorize the Undertaking to proceed without further review.
4. If the Undertaking cannot be redesigned to avoid the resources, the County shall develop a plan in consultation with the SHPO to complete the identification, evaluation and, if necessary, mitigation of the property. If the County and the SHPO cannot agree that the potential to affect archeological properties exists or cannot agree on a plan for the consideration of such properties, the County will initiate further consultation in accordance with 36 CFR § 800.6(b)(1).

#### VIII. EMERGENCY UNDERTAKINGS

- A. Emergency conditions. This stipulation shall apply only to situations in which a duly authorized local official has determined in accordance with applicable law, that an immediate threat to the public health and safety exists and that such threat must be removed forthwith (Emergency Conditions).
- B. Notification. The County shall notify the SHPO and afford the SHPO an opportunity to comment within seven (7) days of notification. If the County determines that circumstances do not permit seven (7) days for comment, the County shall notify the SHPO and invite comments within the time available. The County shall take into account any comments received in reaching a decision on how to proceed with the emergency Undertaking.
- C. Exemptions. Immediate rescue and salvage operations conducted to preserve life or property are exempt from the provisions of Section 106 and this Agreement.

#### IX. REVIEW OF CHANGES TO APPROVED UNDERTAKINGS

The County shall promptly notify the SHPO upon discovery if:

Previously approved scopes of work, plans or specifications for an Undertaking are changed so that the Undertaking is no longer exempt from review pursuant to **Stipulation III**.

## X. DISCOVERIES AND UNANTICIPATED EFFECTS

- A. Potential NRHP eligibility. The County shall notify the SHPO as soon as possible if it appears that an Undertaking may affect a previously unidentified property that may be eligible for inclusion in the NRHP or affect a known Historic Property in an unanticipated manner. The County may suspend construction of all or part of the Undertaking in the vicinity of the discovery and require that reasonable measures be taken to avoid or minimize harm to the property until the County concludes consultation with the SHPO.
- B. Presumption of eligibility. If the newly discovered property has not previously been included in or determined eligible for inclusion in the NRHP, the County may assume that the property is eligible for purposes of this MOA. The County shall notify the SHPO at the earliest possible time and consult to develop actions that take the effects of the Undertaking on the property into account. The County shall notify the SHPO of any time constraints, and the County and the SHPO shall mutually agree on the time frames for this consultation. The County shall provide the SHPO with written recommendations that take the effect of the Undertaking into account. If the SHPO does not object to the County's recommendations within the agreed upon time frame, the County shall require the scope of work for the Undertaking to be modified as necessary to implement its recommendations.

## XI. PUBLIC INVOLVEMENT

- A. Identification of public interest. The County shall identify any public interest in the Undertakings subject to this MOA by informing the public about Historic Properties when complying with the public participation requirements set forth in 24 CFR Part 58 and in the regulations for any other program delegated by HUD to the County as may be applicable.
- B. Consultation with SHPO. In consultation with the SHPO, the County shall identify any parties entitled to be consulting parties and invite them to participate.
- C. Information to public. The County shall, except where appropriate to protect confidentiality concerns of affected parties, provide the public with information about an Undertaking and its effects on historic properties and seek public comment and input. Members of the public may also provide views on their own initiative for the County agency official to consider in decision-making.
- D. Objection from public. At any time during implementation of the measures stipulated in this MOA, should a member of the public raise an objection pertaining to delineation of an APE or to treatment of a Historic

Property, the County shall notify the SHPO immediately of the objection and then proceed to consider the objection and consult, as needed, with the objecting party and the SHPO for a period of time not to exceed fifteen (15) calendar days. If the County is unable to resolve the conflict, the County shall forward all documentation relevant to the dispute to the Advisory Council on Historic Preservation ("ACHP") in accordance with 36 C.F.R. Section 800.2(b)(2). The County, in reaching a final decision regarding the dispute, shall take any ACHP comment provided into account. The County's responsibility to carry out all other actions under this MOA that are not the subject of the dispute shall remain unchanged.

**XII. TIME PERIODS FOR THE SHPO REVIEW**

Unless otherwise stipulated, the SHPO shall respond within thirty (30) calendar days of receipt to any documentation submitted by the County pursuant to the requirements of this MOA. If the SHPO does not respond within this time frame or within the time frames otherwise stipulated by this MOA, the County shall proceed in accordance with the specific Stipulation(s) that apply to the SHPO review of the documentation submitted.

**XIII. DISPUTE RESOLUTION**

Timeframes. Should any signatory object within the time frames specified in this MOA to any plans, specifications, documents or actions provided for review pursuant to this MOA, the County shall consult with the objecting party to resolve the objection. If the County determines within fifteen (15) calendar days of receipt of any such objection that such objection cannot be resolved, the County shall forward all documentation relevant to the dispute to the ACHP in accordance with 36 C.F.R. 800.2(b)(2).

1. Within thirty (30) calendar days after receipt of all pertinent documentation, the ACHP will either:
  - a. Provide the County with recommendations or comments that the County shall take into account in reaching a final decision regarding the dispute, or
  - b. Notify the County that it will comment in accordance with 36 CFR Section 800.7(c) and proceed to comment.
2. If the ACHP fails to provide recommendations or to comment within the specified time period, the County may implement that portion of the Undertaking subject to dispute under this Stipulation in accordance with any documentation as submitted and amended by the County.
3. Any ACHP comments provided to the County in response to such a request shall be taken into account by the County in accordance with 36



CFR 800.7(c)(4) with reference to the subject of the dispute. Any recommendation or comment provided by the ACHP will be interpreted to pertain only to the subject of the dispute. The responsibility of the County to carry out all actions under this MOA that are not the subject of the dispute shall remain unchanged.

#### XIV. ANTICIPATORY DEMOLITION

The County agrees that it will not assist any party in avoiding the requirements of this MOA or the National Historic Preservation Act, or, having legal power to prevent it, allow a significant adverse effect to a Historic Property to occur (National Historic Preservation Act of 1966, § 110k). The County may, after consultation with the ACHP, determine that circumstances justify granting such assistance despite the adverse effects created or permitted by the party to be assisted.

#### XV. MONITORING

The SHPO and the ACHP may monitor or review activities carried out pursuant to this MOA, and the ACHP shall review any activities if requested. The County shall cooperate with the SHPO and the ACHP in carrying out these monitoring and review activities by making all relevant non-privileged files available for inspection, upon reasonable notice from the SHPO and ACHP.

#### XVI. DOCUMENTATION, REPORTING AND REVIEW OF ACTIVITIES

- A. Compliance Reporting. The County shall document in writing all actions taken pursuant to this MOA, retain this documentation in its projects files, and include such documentation as necessary in the Programmatic Agreement Compliance Report(s) ("PACR") required pursuant to Section B of this Stipulation.
- B. Applicable Time Period. The PACR will cover the period from July 1 through June 30 each year. The County shall provide the SHPO and the ACHP with a PACR by September 30 of every year so long as this MOA is in effect. The PACR will identify the following by address:
1. Projects exempted from review under **Stipulation III**;
  2. Properties reviewed under this MOA that do not meet the NRHP criteria;
  3. Properties reviewed under this MOA that do meet the NRHP criteria;
  4. A summary of the treatment of each property that does meet the NRHP criteria; and
  5. A summary of the treatment of any archeological properties identified under this MOA.

- C. Report Availability. The County shall send a copy of the PACR to Lucinda Woodward, or whoever is serving as the Acting Supervisor of the Local Government Assistance Unit at SHPO. The County shall also make PACRs available for public inspection and comment on the County's website and invite the public to submit any comments to the ACHP, the SHPO and the County.
- D. Role of Signatories. The signatories to this MOA shall review PACRs and any comments submitted pursuant to **Section C** of this Stipulation. Based on that review, the signatories will determine whether this MOA should be amended in accordance with **Stipulation XVII.**

**XVII. AMENDMENTS**

- A. Any party to this MOA may request that it be amended whereupon the parties shall consult in accordance with 36 C.F.R. Sections 800.14 to consider such amendments.
- B. Any resulting amendments or addenda shall be developed and executed by the parties in the same manner as the original MOA.

**XVIII. COUNTY STAFFING**

The County will assign staff to assure that work is carried out as planned, and will maintain records for each project that documents compliance with the terms of this MOA, and will retain the services of a qualified archeologist as the need may arise in accordance with **Section VII.D** of this MOA.

**XIX. TERMINATION**

Any party to this MOA may terminate the MOA by providing one hundred eighty (180) calendar days notice to the other consulting parties, provided that the consulting parties shall consult during the period before termination to seek agreement on amendments or other actions that would avoid termination. In the event of termination, the County will comply with 36 C.F.R. Section 800 with respect to individual Undertakings covered by this MOA.

**XX. FAILURE TO COMPLY WITH THE PROGRAMMATIC AGREEMENT**

In the event the County cannot carry out the terms of this MOA, the County shall not take or sanction any action or make any commitment that would result in an adverse effect to Historic Properties or that would foreclose the ACHP's consideration of modifications or alternatives to the Undertakings, and the County will comply with 36 C.F.R. Section 800 with regard to each individual Undertaking subject to this MOA.

**XXI. DURATION**

This Agreement will be null and void **ten (10) years** from its effective date as described in **Stipulation XXII**. Prior to such time, the County may consult with the other signatory to reconsider the terms of the agreement and amend in accordance with **Stipulation XVII**.

**XXII. EXECUTION**

This Agreement may be executed in counterparts, with a separate page for each signatory, and the County will ensure that each party is provided with a fully executed copy. This Agreement shall become effective on the date of the last signature to this Agreement.

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DRAFT

**EXECUTION AND IMPLEMENTATION** of this MOA evidences that the County of San Mateo has afforded the ACHP a reasonable opportunity to comment on these Programs and that the County has satisfied its Section 106 responsibilities for all individual Undertakings of the Programs covered by this MOA.

**COUNTY OF SAN MATEO DEPARTMENT OF HOUSING**

BY: \_\_\_\_\_  
Ken Cole, Director

**CALIFORNIA STATE PRESERVATION OFFICER**

By: \_\_\_\_\_  
FAIA State Historic Preservation  
Officer

DRAFT

## APPENDIX A

The following Undertakings require only administrative review by the County and not the SHPO or the ACHP pursuant to **Stipulation III** of this MOA.

1. New Construction, demolition of existing building, or development of vacant land that are not Historic Properties, except when a proposed addition of such facilities may affect a surrounding or adjacent historic district;
2. Method of mitigation as proposed in the corresponding reports and studies submitted and provided by the developer for the Project;
3. Mitigation Measure 1 – Rehabilitation of the Pump House located on the current project sight in order to make use of it as a community space. Re-use of the current metal roll up door of the Pump House will be attempted. If item is to deteriorated for use, the item will be replaced with a matching size set of windows. Change will allow for repurposing without altering or destroying character defining features of the building.
4. Mitigation Measure 2 – Prior to any demolition or salvaging of materials at the project site, the water reservoir, the three associated buildings (two well houses and carpenter’s shop) and the site in general shall be documented according to the Outline Format described in the Photographic Specifications and The Guidelines for Preparing and Descriptive Data: American Building Survey (HABS).
5. Mitigation Measure 2 (Continued) - Photo documentation will be done in large format archival quality and shall be donated to the Colma Historical Association Museum, the San Mateo County Historical and other archives (as appropriate) accessible to the public.
6. Mitigation Measure 3 – Provide a permanent, interpretive exhibit on the project site regarding the “Water Works Lot” building structures and history. Information will be incorporated from the BART report and other sources regarding the history of the Holy Cross Cemetery, historic photos, and HABS documentation.
7. Mitigation Measure 3 (Continued) – A qualified team will be used to develop the exhibit and if it is unable to be incorporated and accommodated on the project, another appropriate venue would be considered such as the Colma Historic Association Museum.

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# STAFF REPORT

TO: Mayor and Members of the City Council  
 FROM: Michael P. Laughlin, AICP, City Planner  
 Turhan Sonmez, Associate Planner  
 VIA: Sean Rabé, City Manager  
 MEETING DATE: November 9, 2016  
 SUBJECT: Temporary Use Permit – 2001 Hillside Boulevard

## RECOMMENDATION

Staff recommends that the City Council adopt:

RESOLUTION APPROVING A TEMPORARY USE PERMIT FOR TWO (2) AUTOMOBILE DEALERSHIP VEHICLE INVENTORY STORAGE AREAS AT 2001 HILLSIDE BOULEVARD (APN: 011-440-010 & 011-440-020) PURSUANT TO CEQA GUIDELINE 15304(e)

## EXECUTIVE SUMMARY

The applicant, Cypress Abbey Company, is requesting a Temporary Use Permit (five-year term limit) to use two (2) separate portions of the property, located at 2001 Hillside Boulevard ("Subject Property"), as vehicle inventory storage areas, for use by automobile dealerships in Colma. Vehicles would be parked in a portion of the golf driving range parking lot and along the driveway leading to the landfill, in the areas shown on the diagram submitted with the application.

## FISCAL IMPACT

The Town will likely experience a fiscal benefit (in the form of increased sales tax revenue) from the project, as the proposed use would enable an automobile dealership to have a larger vehicle inventory in Colma. Staff has proposed a condition of approval which would require the automobile dealership making use of the vehicle storage area to be located in Colma.

## ANALYSIS

### *Background Regarding the Application*

The Subject Property is comprised of multiple parcels (including APN: 011-440-010 & 011-440-020) and is currently being used as a golf course driving range and is surrounded by the landfill and cemetery uses.

In July 2016 the Planning Department issued a short-term Temporary Use Permit to allow automobile dealership vehicle inventory to be parked on the Subject Property. The short-term Permit expired on September 30, 2016. Also, in March 2016 the City Council approved a five-year Temporary Use Permit to allow the property owner to establish an automobile dealership vehicle inventory storage lot on another portion of 2001 Hillside Boulevard (APN: 011-360-490) that is not the Subject Property.

With the current proposal, vehicles would be parked in a portion of the golf driving range parking lot and along the driveway leading to the landfill, in the areas shown on the diagram submitted with the application. There is an existing locking gate at the property's entrance to provide secure access in and out of the property. The Subject Property is accessed by a private driveway off of Hillside Boulevard.

The Subject Property has a General Plan land use designation of Cemetery and is zoned Cemetery ("G").

### *Proposal Description*

The proposed Temporary Use Permit would specifically authorize the use of a portion of the golf driving range parking lot and the parking spaces along the driveway leading to the landfill paved area, as designated on the attached site plan (Exhibit B) and site diagrams (Exhibit C), as vehicle inventory storage areas for automobile dealerships in Colma. The permit would be valid for five (5) years from the date of City Council approval. The permit would allow for a maximum vehicle inventory of 255 vehicles to be parked in the designated areas. Automobile dealerships would only have access to the site during Cypress Golf Course's Driving Range normal business hours (Monday – Sunday, 9am-7pm). Cars would be individually ferried to and from the site by auto dealer employees. Vehicle carrying trucks would be prohibited on the Subject Property. Parking of vehicles will not be readily visible from Hillside Boulevard.

### *Required Findings*

Section 5.03.230(b) of the Colma Municipal Code requires that certain findings be made for approval of a Temporary 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 15304(e) of the State CEQA Guidelines, Class 4, Minor Alterations to Land, the project is exempt. The project is Categorically Exempt from further environmental review because the temporary parking of cars is considered a minor temporary use of land having negligible or no permanent effects on the environment. Since the proposed parking will occur in areas that are fully paved with asphalt and historically used for parking, discontinuance of the use in the future will leave no permanent effects on the environment. Further, less than twenty (20) vehicles will be moved in or out of the site per day with the moving of vehicles occurring at different times during the day and not all at one time. This is a negligible increase over existing conditions.

#### *Findings Relating Granting a Temporary Use Permit*

- a) The proposed activity will not pose any significant land use consequences.



Discussion. The proposed use of the property for the parking of vehicle inventory belonging to Colma automobile dealerships will not pose any land use consequences. The Applicant is not proposing any improvements to the site except for delineating the vehicle storage area boundaries and fire lanes/emergency access routes onsite. Due to existing trees and shrubs in the immediate vicinity, the paved areas where the vehicles will be parked are not visible from Hillside Boulevard. Also, the automobile dealership will only access the property to move vehicles in and out during Cypress Golf Course's Driving Range normal business hours (Monday – Sunday, 9am-7pm). Car carriers will not off load at the site, cars will be ferried to the site by auto dealer employees. Staff is recommending a condition which limits the number of cars stored onsite to 255, and the proposed use of the property is temporary only (five-year term limit) and will end when the Temporary Use Permit expires. Furthermore, less than twenty (20) vehicles will be moved in or out of the site per day with the moving of vehicles occurring at different times during the day and not all at one time.

- b) The proposed activity has direct access from a major or secondary thoroughfare.

Discussion. The Subject Property is directly accessible from Hillside Boulevard, identified as an arterial road in the Colma General Plan.

- c) Provision has been made to minimize noise and dust from the activity.

Discussion. Since the areas the Applicant proposes to use for the parking of vehicles and the access driveway from Hillside Boulevard are paved, there will be no dust created by the use. The proposed use will generate a small amount of noise from engines and car doors being open and closed, but the project site is surrounded by only landfill and cemetery uses which would not be affected, and the anticipated noise would not be of a level that is inconsistent with common traffic noise.

- d) The property and principal building thereon is not in violation of any applicable zoning or building codes.

Discussion. With the proposed Temporary Use Permit, there would be no zoning or building code violations since the proposed vehicle inventory parking lot use is outdoors and not associated with a building. Also, existing uses and buildings on the Subject Property are consistent with the zoning code.

- e) The granting of the 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 granting of the Temporary Use Permit will not be detrimental to the public health, safety or public welfare, or materially injurious to properties in the vicinity as conditioned. A condition has been added that limits the use of the site to new vehicles or used vehicles that are operable, have no body damage, are not leaking oil or other fluids and are in good overall condition. A condition has been added which prohibits any service/repairs to vehicles, or washing/painting of vehicles, to be conducted on the Subject Property. Storage of parts or inoperable wrecked cars would be prohibited. The areas where vehicle storage will be conducted are screened by trees and vegetation and will not be readily apparent from Hillside Boulevard or adjoining properties. Further, as noted in the CEQA Finding above, no

environmental impacts are associated with the Project and the Project is exempt from environmental review pursuant to State CEQA Guideline 15304(e).

- f) Existing property uses, large or small, will not be detrimentally affected by the proposed use.

Discussion. The existing paved areas were previously used as spill-over parking when the golf course was in use; however, since the golf course is closed and parking for the driving range is plentiful, vehicles do not currently park in these areas. The project site is surrounded by the landfill and cemetery uses which would not be affected by the proposed use, as the site will only be used for parking purposes and no impacts to surrounding properties will result from this type of use.

- g) The granting of the permit will not constitute a grant of special privilege inconsistent with the limitations imposed by this subchapter on the existing use of properties, large or small, within the Town of Colma.

Discussion. As a temporary use, and as conditioned, the proposed use would be allowed and would be an appropriate use on the Subject Property since it is compatible with the surrounding land uses. The Town has previously granted similar limited-duration land use permits for vehicle parking.

- h) The proposed use will not constitute a nuisance as to neighboring persons or properties.

Discussion. The project site is surrounded by the landfill and cemetery uses which would not be affected by the proposed use as the site will only be used for parking purposes and no impacts to surrounding properties will result from this type of use. It is anticipated that less than twenty (20) vehicles will be moved in or out of the site per day, occurring at varying times of the day, and this is a small increase over existing conditions such that it would not be noticeable to neighboring persons or properties.

- i) Provisions have been made, to the satisfaction of the City Council, to discontinue the temporary use, to clean the property, and to maintain future operations in compliance with all permits.

Discussion: A condition of approval is recommended that when the vehicle storage use ceases, any vehicles still stored onsite would be removed and the site would be cleaned, if necessary, by the property owner and/or automobile dealerships. Also, the Applicant is not proposing any improvements to the site except for delineating the vehicle storage area boundaries and the fire lanes/emergency access routes onsite.

Staff believes that, subject to certain conditions of approval, all the required findings can be made to grant the Temporary Use Permit. The proposed basis of the findings and the recommended conditions are set out in the attached Resolution.

### *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 to assure that the use will be conducted in an appropriate manner. The proposed resolution contains conditions that limit the duration of the permit, the number of vehicles that can be stored, the hours of the day vehicles can be moved in and out of the site, and the type of vehicles stored onsite. Additional conditions are included which require the delineation of fire-lane/emergency service access and the use of a Knox Box on the gate for emergency access.

### **Council Adopted Values**

The recommendation is consistent with the Council value of *fairness* because the recommended decision on the Temporary 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 vehicle storage use within Colma will have a limited sustainability impact. Allowing the use of this property for car storage will have less of an impact than if a site further from auto row was proposed for this purpose.

### **Alternatives**

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

1. Approve the Temporary Use Permit with modified or additional conditions of approval which would allow the proposed vehicle storage use. This alternative may increase or reduce restrictions on the Temporary Use Permit to satisfy specific City Council concerns.
2. Deny the Temporary Use Permit. This alternative is not recommended since it will not allow for needed vehicle storage by Colma auto dealers.

### **CONCLUSION**

Staff recommends that the City Council approve the Temporary Use Permit application with the recommended conditions of approval.

### **ATTACHMENTS**

- A. Resolution
- B. Site Plan
- C. Site Diagrams



**RESOLUTION NO. 2016-\_\_**  
**OF THE CITY COUNCIL OF THE TOWN OF COLMA**

**RESOLUTION APPROVING A TEMPORARY USE PERMIT FOR TWO (2) AUTOMOBILE  
DEALERSHIP VEHICLE INVENTORY STORAGE AREAS AT 2001 HILLSIDE BOULEVARD  
(APN: 011-440-010 & 011-440-020) PURSUANT TO CEQA GUIDELINE 15304(e)**

*Property Owner/Applicant: Cypress Abbey Company*  
*Location: 2001 Hillside Boulevard*  
*Assessor's Parcel Number: 011-440-010 & 011-440-020*

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

**1. BACKGROUND**

(a) The Town has received an application from Cypress Abbey Company ("Permittee") requesting a Temporary Use Permit for automobile dealership vehicle inventory storage lots at Cypress Golf Course Driving Range, 2001 Hillside Boulevard (APN: 011-440-010 & 011-440-020).

(b) A notice of public hearing was mailed to all property owners within 300 feet of the subject property on October 28, 2016. In addition, a notice of public hearing was posted on the three Town of Colma bulletin boards, on October 28, 2016.

(c) The City Council has considered the Temporary Use Permit application, the accompanying staff report, and all relevant evidence presented at the November 9, 2016 public meeting.

**2. FINDINGS**

The City Council finds that:

*Findings Relating to CEQA Review*

(a) Pursuant to the Section 15304(e) of the State CEQA Guidelines, Class 4, Minor Alterations to Land, the project is exempt. The project is Categorically Exempt from further environmental review because the temporary parking of cars is considered a minor temporary use of land having negligible or no permanent effects on the environment. Since the proposed parking will occur in areas that are fully paved with asphalt and historically used for parking, discontinuance of the use in the future will leave no permanent effects on the environment. Further, less than twenty (20) vehicles will be moved in or out of the site per day with the moving of vehicles occurring at different times during the day and not all at one time. This is a negligible increase over existing conditions.

*Findings Relating to Granting a Conditional Use Permit*

(b) The proposed activity will not pose any significant land use consequences.

Discussion. The proposed use of the property for the parking of vehicle inventory

belonging to Colma automobile dealerships will not pose any land use consequences. The Applicant is not proposing any improvements to the site except for delineating the vehicle storage area boundaries and fire lanes/emergency access routes onsite. Due to existing trees and shrubs in the immediate vicinity, the paved areas where the vehicles will be parked are not visible from Hillside Boulevard. Also, the automobile dealership will only access the property to move vehicles in and out during Cypress Golf Course's Driving Range normal business hours (Monday – Sunday, 9am-7pm). Car carriers will not off load at the site, cars will be ferried to the site by auto dealer employees. Staff is recommending a condition which limits the number of cars stored onsite to 255, and the proposed use of the property is temporary only (five-year term limit) and will end when the Temporary Use Permit expires. Furthermore, less than twenty (20) vehicles will be moved in or out of the site per day with the moving of vehicles occurring at different times during the day and not all at one time.

- (c) The proposed activity has direct access from a major or secondary thoroughfare.

Discussion: The Subject Property is directly accessible from Hillside Boulevard, identified as an arterial road in the Colma General Plan.

- (d) Provision has been made to minimize noise and dust from the activity.

Discussion: Since the areas the Applicant proposes to use for the parking of vehicles and the access driveway from Hillside Boulevard are paved, there will be no dust created by the use. The proposed use will generate a small amount of noise from engines and car doors being open and closed, but the project site is surrounded by only landfill and cemetery uses which would not be affected, and the anticipated noise would not be of a level that is inconsistent with common traffic noise.

- (e) The property and principal building thereon is not in violation of any applicable zoning or building codes.

Discussion: With the proposed Temporary Use Permit, there would be no zoning or building code violations since the proposed vehicle inventory parking lot use is outdoors and not associated with a building. Also, existing uses and buildings on the Subject Property are consistent with the zoning code.

- (f) The granting of the 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 granting of the Temporary Use Permit will not be detrimental to the public health, safety or public welfare, or materially injurious to properties in the vicinity as conditioned. A condition has been added that limits the use of the site to new vehicles or used vehicles that are operable, have no body damage, are not leaking oil or other fluids and are in good overall condition. A condition has been added which prohibits any service/repairs to vehicles, or washing/painting of vehicles, to be conducted on the Subject Property. Storage of parts or inoperable wrecked cars would be prohibited. The areas where vehicle storage will be conducted are screened by trees and vegetation and will not be readily apparent from Hillside Boulevard or adjoining properties. Further, as noted in the CEQA Finding above, no environmental impacts are associated with the Project and the Project is exempt from environmental review

pursuant to State CEQA Guideline 15304(e).

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

Discussion: The existing paved areas were previously used as spill-over parking when the golf course was in use; however, since the golf course is closed and parking for the driving range is plentiful, vehicles do not currently park in these areas. The project site is surrounded by the landfill and cemetery uses which would not be affected by the proposed use, as the site will only be used for parking purposes and no impacts to surrounding properties will result from this type of use.

- (h) The granting of the permit will not constitute a grant of special privilege inconsistent with the limitations imposed by this subchapter on the existing use of properties, large or small, within the Town of Colma.

Discussion: As a temporary use, and as conditioned, the proposed use would be allowed and would be an appropriate use on the Subject Property since it is compatible with the surrounding land uses. The Town has previously granted similar limited-duration land use permits for vehicle parking.

- (i) The proposed use will not constitute a nuisance as to neighboring persons or properties.

Discussion: The project site is surrounded by the landfill and cemetery uses which would not be affected by the proposed use as the site will only be used for parking purposes and no impacts to surrounding properties will result from this type of use. It is anticipated that less than twenty (20) vehicles will be moved in or out of the site per day, occurring at varying times of the day, and this is a small increase over existing conditions such that it would not be noticeable to neighboring persons or properties.

- (j) Provisions have been made, to the satisfaction of the City Council, to discontinue the temporary use, to clean the property, and to maintain future operations in compliance with all permits.

Discussion: A condition of approval is recommended that when the vehicle storage use ceases, any vehicles still stored onsite would be removed and the site would be cleaned, if necessary, by the property owner and/or automobile dealerships. Also, the Applicant is not proposing any improvements to the site except for delineating the vehicle storage area boundaries and the fire lanes/emergency access routes onsite.

### **3. CONDITIONS OF APPROVAL**

- (a) This permit specifically authorizes the use of the paved areas designated on the approved site plan and site diagrams (on file in the office of the City Planner) as vehicle inventory storage areas for automobile dealerships in Colma. Proof of use by a Colma auto dealer(s) shall be provided to the City Planner by providing a copy of a lease (or leases), with the lease amount crossed out.

- (b) This permit is valid for five (5) five years from the date of City Council approval.

- (c) A maximum vehicle inventory of 255 vehicles may be parked on the Subject Property at

any given time and only in the locations shown on the site plan and site diagrams submitted with the application.

(d) The automobile dealership shall only access the site to move vehicles in and out during Cypress Golf Course's Driving Range normal business hours (Monday – Sunday, 9am-7pm).

(e) Vehicle carrying trucks are prohibited on the Subject Property. All vehicle inventory shall be moved individually per vehicle between the Subject Property and the automobile dealership.

(f) Permittee shall delineate vehicle storage areas onsite and along Sand Hill Road with red line painted on the pavement to the satisfaction of the Fire Marshal. The Fire Marshal has determined that a 20' free and clear travel lane is required from Hillside Boulevard to the landfill, which only allows for parking of cars on one side of the road.

(g) Permittee shall clearly delineate firelane/emergency service access to the satisfaction of the Fire Marshal.

(h) The Permittee shall not allow vehicles to block firelane or required driveways/access. Ongoing violations of this provision will be cause for revocation of this Temporary Use Permit.

(i) No inoperable vehicles, vehicles with body damage, vehicles leaking fluids of any kind, or vehicles requiring repair shall be stored on the Subject Property.

(j) No service/repairs to vehicles, or washing/painting of vehicles, shall be conducted on the Subject Property.

(k) When the vehicle storage use ceases, any vehicles still stored on the Subject Property shall be removed and the site shall be cleaned by the property owner and/or automobile dealership to the satisfaction of the Public Works Director.

(l) The Permittee shall ensure that these conditions are imposed on any lessee and included in any lease agreement.

(m) The existing access gate shall be provided with a Knox Key-Lock Box if one is not already provided. Applications are available from Capt. Bill Pardini, who may be reached at (650) 740-2073 from 1pm-5pm, Monday through Friday.

#### **4. TERMS**

(a) *Permittee.* As used in this Permit, the word "Permittee" shall mean each person using the Property pursuant to the permit granted herein, including the owner, any lessees, and successors to the person first obtaining the permit.

(b) *Recordable Covenant; Transfer.* The Town may record this Use Permit with the San Mateo County Recorder. The Permit shall run with the land and shall be freely and automatically transferred to each user of the Property, subject to each of the specific and general conditions herein.

(c) *Modification or Revocation.* The Town may modify or revoke this Use Permit should it determine that (a) 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 (b) if the user fails to comply with and satisfy the conditions herein.

**5. GENERAL CONDITIONS**

This Use Permit is conditioned upon the Permittee and each user of the Property fully and faithfully performing each of the following generally-applicable obligations. Failure to comply with any of these conditions shall render the Use Permit null and void.

(a) *Duty to Comply With Laws.* 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 in the California Building Code. The Permittee and each user must comply with all applicable federal, state and municipal laws, codes and regulations, including the currently adopted California Building and Fire Codes. Specifically, but without limitation, the Permittee must pay the annual Town of Colma Business Registration fee and must keep in effect a Town of Colma Business Registration at all times. A failure to maintain the Colma Business Registration may result in termination of the Use Permit.

(b) *Indemnification.* 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 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 the Use Permit.

(c) *Agreement Required.* The Permittee must agree to comply with each and every term and condition 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 Temporary Use 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 Temporary Use Permit.

\* \* \* \* \*

**Certification of Adoption**

I certify that the foregoing Resolution No. 2016-## was duly adopted at a regular meeting of the City Council of the Town of Colma held on November 9, 2016, by the following vote:

Name	Counted toward Quorum			Not Counted toward Quorum	
	Aye	No	Abstain	Present, Recused	Absent
Diana Colvin, Mayor					
Helen Fiscaro					
Joanne F. del Rosario					

Joseph Silva					
Raquel Gonzalez					
<i>Voting Tally</i>					

Dated \_\_\_\_\_

\_\_\_\_\_

Diana Colvin, 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**

*Permitee/Property Owner*

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

Dated: \_\_\_\_\_

Cypress Abbey Company

By \_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name and Title

[Notarization of Property Owner's signature recommended]



**BASIS OF BEARINGS**

The Basis of Bearings N 34°13'45" E for this map is the center line of Hoffman Street between the centerline monuments as shown hereon and found in 1999 as shown on the Parcel Map recorded in Volume 72 of Parcel Maps at Page 23

Note: The bearing N 55°46'15" W of the Southwesterly line Lausanne Street (formerly Geneva Street) was most recently established by the Record of Survey recorded in Volume 7 of Licensed Land Surveyors Maps at page 36, San Mateo County Records.

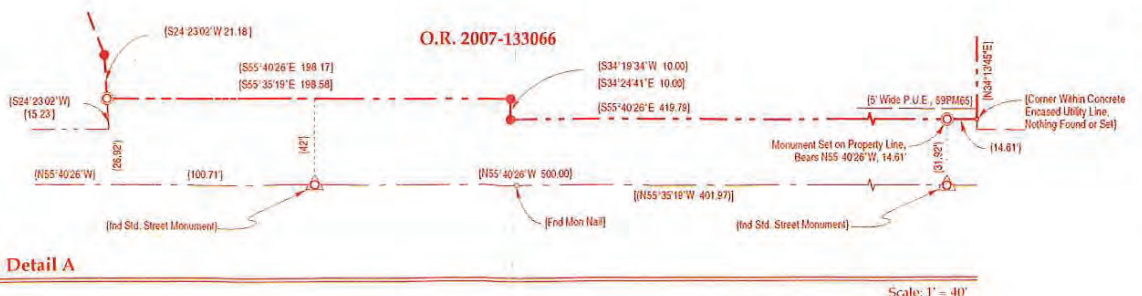
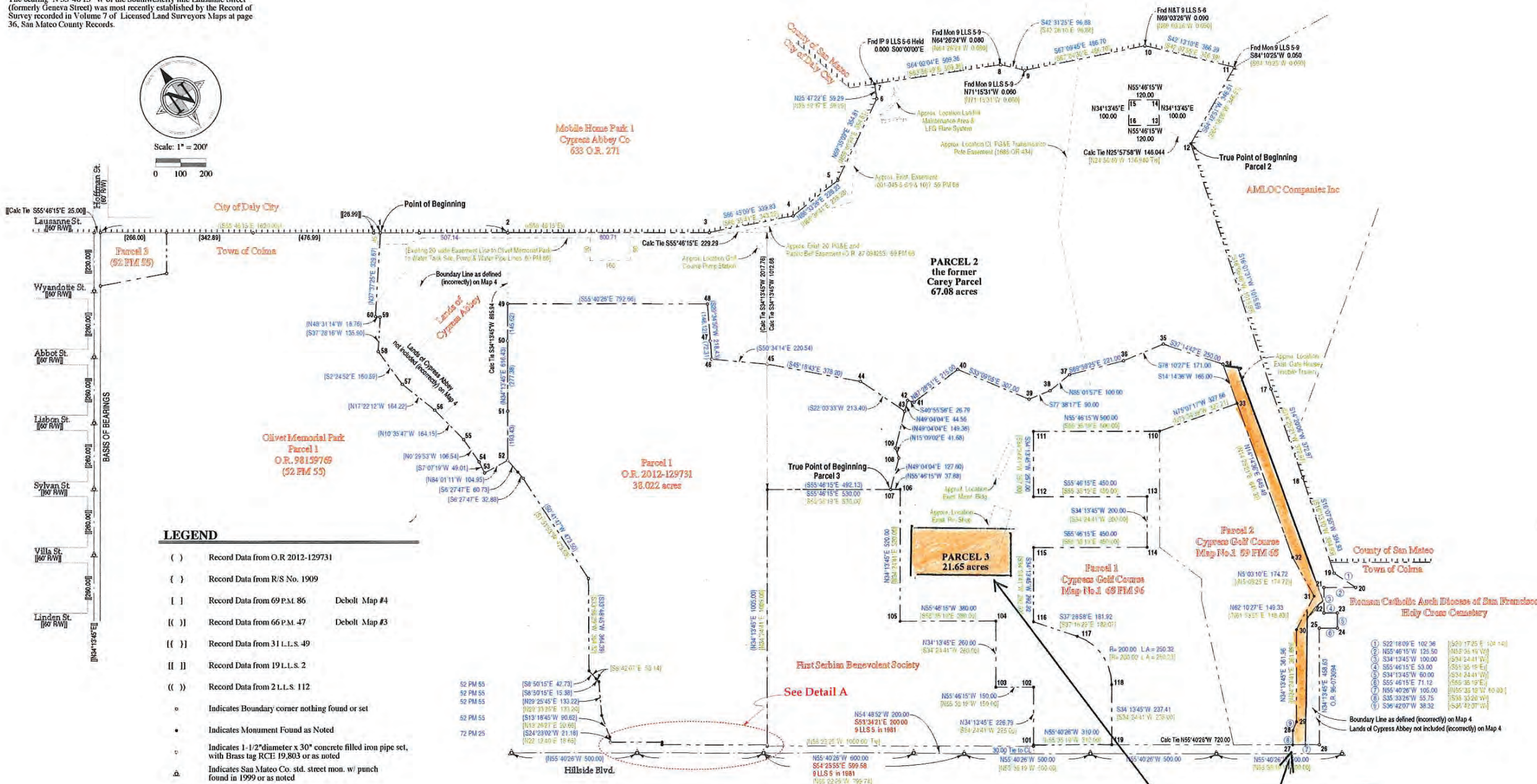


Scale: 1" = 200'

- BASIS OF BEARINGS**
- Hoffman St. [60' RW]
  - Lausanne St. [60' RW]
  - Wyandotte St. [60' RW]
  - Abbot St. [60' RW]
  - Lisbon St. [60' RW]
  - Sylvan St. [60' RW]
  - Villa St. [60' RW]
  - Linden St. [60' RW]

**LEGEND**

- ( ) Record Data from O.R. 2012-129731
- { } Record Data from R/S No. 1909
- [ ] Record Data from 69.P.M. 86 Debolt Map #4
- ( [ ] Record Data from 66.P.M. 47 Debolt Map #3
- ( [ ] Record Data from 31 L.L.S. 49
- [ [ ] Record Data from 19 L.L.S. 2
- ( [ [ ] Record Data from 2 L.L.S. 112
- o Indicates Boundary corner nothing found or set
- Indicates Monument Found as Noted
- Indicates 1-1/2" diameter x 30" concrete filled iron pipe set, with Brass tag RCE 19,803 or as noted
- △ Indicates San Mateo Co. std. street mon. w/ punch found in 1999 or as noted
- Subdivision Boundary Line



RECEIVED  
SEP 26 2016  
Town of Colma  
Planning Dept

PARKING  
AREAS



E. T. Easter, Inc.  
Professional Engineer  
P.O. Box 7629, San Francisco, CA 94120  
(415) 425-1001 Fax: (415) 425-1005

**Cypress Abbey Company**  
Lands of Cypress Abbey Golf Course / Landfill  
Survey Closure - Parcel 2 and Parcel 3  
Town of Colma California

**Closure Map**  
DRAWN: JAE, BAE  
DATE: January 2012  
SCALE: 1" = 200'  
JOB NO: 12002  
REVISION: 10.05.13, Released to Owner  
© 2013, E.T. Easter, Inc.

**EXHIBIT B**







EXHIBIT C



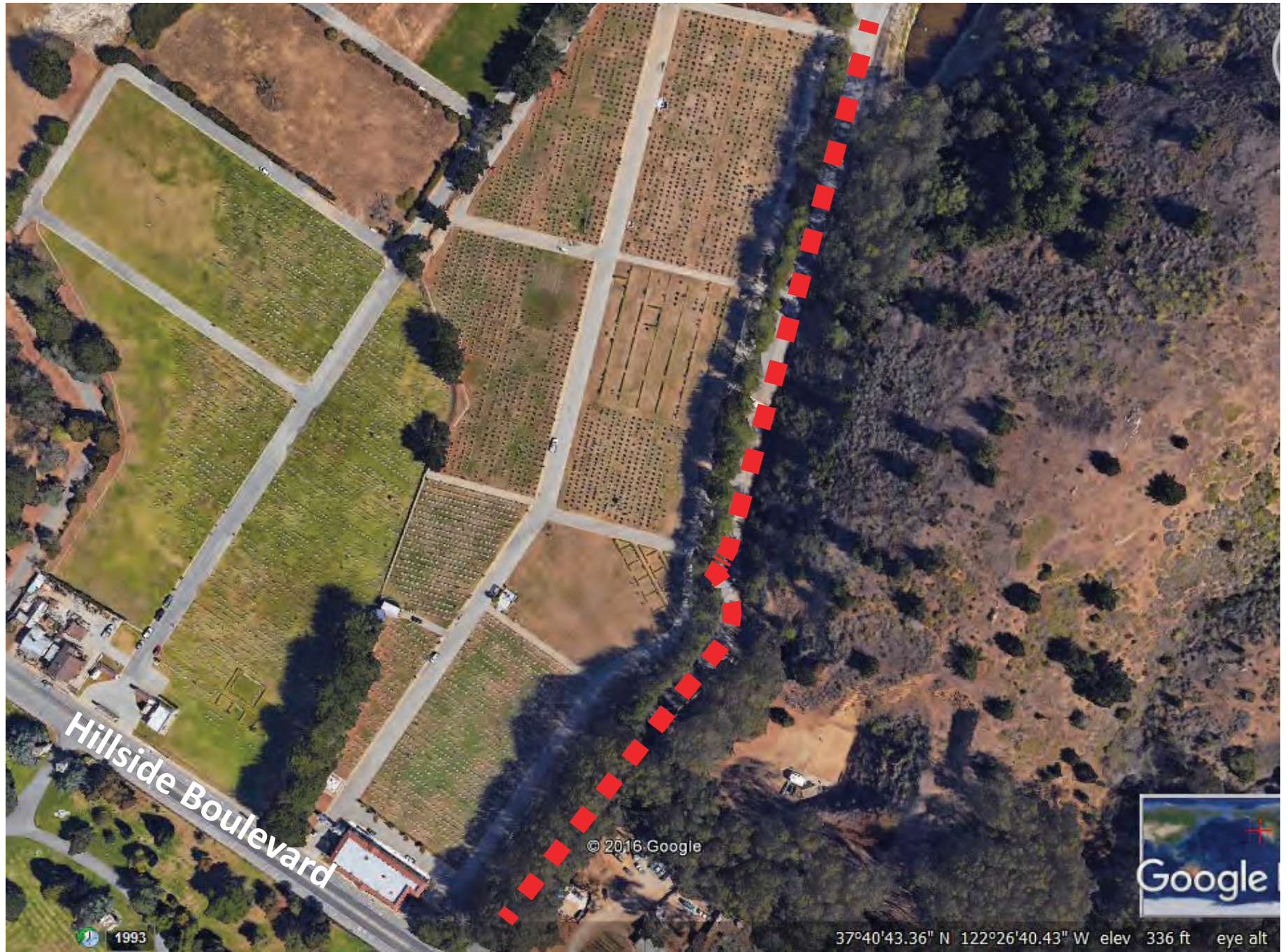


EXHIBIT C





# STAFF REPORT

TO: Mayor and Members of the City Council  
 FROM: Christopher J. Diaz, City Attorney  
 VIA: Sean Rabé, City Manager  
 MEETING DATE: November 9, 2016  
 SUBJECT: Recreational Marijuana Ordinance

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## RECOMMENDATION

Staff recommends that the City Council:

Introduce:

ORDINANCE AMENDING COLMA MUNICIPAL CODE SECTIONS 5.01.080 and 5.03.350 AND ADDING SECTION 5.03.355, TO REGULATE THE PERSONAL, MEDICAL, AND COMMERCIAL USE OF MARIJUANA, AND WAIVE A FURTHER READING

Adopt:

URGENCY ORDINANCE AMENDING COLMA MUNICIPAL CODE SECTIONS 5.01.080 and 5.03.350 AND ADDING SECTION 5.03.355, TO REGULATE THE PERSONAL, MEDICAL, AND COMMERCIAL USE OF MARIJUANA

## EXECUTIVE SUMMARY

The proposed ordinances would amend the Town's Municipal Code to regulate the personal, medical, and commercial use of marijuana. In addition, it would amend the definitions within Section 5.01.080 to more closely track the language used in State Proposition 64 known as the Adult Use of Marijuana Act (AUMA).

## FISCAL IMPACT

The proposed ordinance will have no fiscal impact on the Town as it concerns general policy and procedure making of which no financial gain or loss would flow to the Town.

## BACKGROUND

The City Council previously adopted an ordinance in January of 2016 banning medical marijuana dispensaries, delivery services, and cultivation under Colma Municipal Code Section 5.03.350. On June 28, 2016, the Secretary of State Certified Proposition 64, the Control, Regulate, and Tax Adult Use of Marijuana Act ("AUMA") for the November 8, 2016 ballot.

If AUMA passes, some of its provisions will take effect on November 9, 2016. AUMA would immediately legalize possession, transport, purchase, use, and transfer of recreational marijuana for individuals 21 years of age or older. Under AUMA, adults could possess up to 28.5 grams of marijuana, up to 8 grams of marijuana in the form of concentrated cannabis, which may be present in marijuana products such as edibles, and up to six living marijuana plants, and any marijuana produced by those plants. It would also legalize the cultivation of marijuana, marijuana delivery services, and recreational marijuana retail services.

However, AUMA allows for local control of marijuana uses. It will allow local governments to:

- Ban all marijuana-related businesses outright, including marijuana dispensaries, delivery services, and any recreational marijuana retail services.
- Ban outdoor cultivation of marijuana, unless the California Attorney General determines marijuana is no longer illegal under federal law (If marijuana is federally legalized, outdoor cultivation could be regulated, but not prohibited).
- Reasonably regulate indoor cultivation in private residences, but not ban it outright. AUMA would allow individuals to grow up to six marijuana plants in their home, and to possess all of the marijuana those plants provide.

Staff recommends that the City Council adopt an ordinance regulating the personal, medical, and commercial use of marijuana so that the Colma Municipal Code properly regulates these uses under newly passed Proposition 64 known as the AUMA. Staff is presenting both an urgency ordinance and regular ordinance for this purpose with the urgency ordinance going into effect immediately, and the regular ordinance serving as back-up. In addition, there are two options in each ordinance as follows:

- One option bans all marijuana businesses and uses to the extent allowed under the AUMA outright; and
- A second option would allow for medical marijuana delivery services to patients in the Town with a true medical need. This latter ordinance would not allow a marijuana delivery service to hold a physical place of business in the Town.

## **ANALYSIS**

If AUMA passes, it would allow for the development of many new marijuana-related businesses, including recreational dispensaries, recreational retail services, and recreational delivery. However, AUMA also gives local governments the authority to regulate these uses. While AUMA indicates a local government cannot prevent transportation of marijuana or marijuana products on public roads, AUMA authorizes cities to "reasonably regulate" indoor cultivation of marijuana in private residences, ban outdoor cultivation of marijuana entirely unless it is federally legalized, and prohibit any marijuana-related business entirely.

If AUMA becomes law, recreational use of marijuana will be legalized, as will recreational possession of marijuana and some level of indoor cultivation. The cultivation, transportation, and distribution of marijuana can create problems relating to public health and safety, crime, water and air quality, and energy consumption. Marijuana uses can create nuisance activity

such as loitering and criminal activity in business and residential districts. Specifically mobile delivery can create issues relating to responsibility and resources to monitor and enforce state law, questions of patient qualification, and risks relating to the high use of large sums of cash for mobile transactions. Cultivation can create air quality, energy, and water quality damage and impair building maintenance and safety. For example, the increased moisture necessary to grow indoors can create excessive mold growth and structural damage. Additionally, the equipment utilized to grow indoors can pose a risk of fire and electrical hazards due to dangerous electrical alterations and use. Further, inadequate ventilation combined with the use of pesticides and fertilizers in an enclosed space can lead to chemical contamination within structures.

The City Attorney's Office recommends the following: (a) the City Council adopt an ordinance banning or regulating these uses; and (b) that the Ordinance regulate or ban, to the extent allowable, (1) personal marijuana use and cultivation, (2) medical marijuana uses, and (3) commercial marijuana uses.

### *1) Regulation of Personal Marijuana Uses*

As indicated above, passage of AUMA would legalize recreational use of marijuana. However, the Ordinance staff recommends includes a provision banning personal recreational use of marijuana to the extent such use is illegal under California law.

The Town is also allowed to ban outdoor cultivation of marijuana entirely.

If AUMA passes, the Town cannot ban indoor cultivation of marijuana in private residences outright, but it may "reasonably regulate" such cultivation. The ordinance staff recommends bans all indoor cultivation entirely to the extent allowed by California law, and bans indoor cultivation in all structures that are not private residences entirely. It also allows for indoor cultivation, if a complete ban is deemed illegal in California, in private residences only after the individual has obtained an Indoor Cultivation Permit, which will allow the Town to place building code, fire code, and public safety restrictions on cultivation occurring in private residences. Alternatively, the Town could decline to regulate indoor cultivation entirely, or propose other regulations, such as:

- Indoor cultivation for personal use only

### *2) Regulation of Medical Marijuana Uses*

The Medical Marijuana Regulation and Safety Act ("MMRSA") that was enacted by the State Legislature in 2015 is left largely intact by AUMA, and so the potential for medical marijuana uses, including qualified patient or primary caregiver cultivation, still exists. Both ordinance options impose the same regulations on medical marijuana cultivation as on recreational cultivation banning all collectives, cooperatives, dispensaries, delivery services, operators, establishments, and providers. The one exception is the Council could choose to create an exemption for medical marijuana delivery services to serve the Town.

### *3) Regulation of Commercial Marijuana Uses*

If AUMA becomes law, it will likely lead to the creation of a variety of new commercial marijuana ventures, including recreational retail services. Both ordinance options ban all commercial marijuana activity, including commercial delivery, commercial cultivation, commercial manufacturing, commercial testing, and any commercial dispensaries or recreational retailers. Alternatively, the Town could allow some or all of these uses, with whatever regulations the Town sees fit.

### **CONCLUSION**

The City Council should introduce the regular ordinance and adopt the urgency ordinance. In doing so, it should choose whether it wants to allow for medical marijuana delivery services to patients in the Town with a true medical need.

### **ATTACHMENTS**

- A. Proposed Urgency Ordinance
- B. Proposed Regular Ordinance

**ORDINANCE NO. \_\_\_\_**  
**OF THE CITY COUNCIL OF THE TOWN OF COLMA**

**AN ORDINANCE AMENDING COLMA MUNICIPAL CODE SECTIONS 5.01.080  
AND 5.03.350 AND ADDING SECTION 5.03.355, TO REGULATE THE  
PERSONAL, MEDICAL, AND COMMERCIAL USE OF MARIJUANA**

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

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**ARTICLE 1. RECITALS.**

- (a) The Town of Colma, California (the "Town") is a municipal corporation, duly organized under the constitution and laws of the State of California.
- (b) California Government Code section 65800 et seq. authorizes the adoption and administration of zoning laws, ordinances, rules and regulations by cities as a means of implementing the General Plan.
- (c) The Town passed Ordinance No. 754 on January 13, 2016 to continue the Town's prohibition on marijuana dispensaries, but adding to the prohibition list medical marijuana manufacturers, cultivation, and delivery services.
- (d) The Town desires to continue to ban all marijuana dispensaries, cultivation, and delivery service land uses within Town Limits to the extent allowed by California law. This Ordinance updates the Municipal Code to effectuate that aim.
- (e) On June 28, 2016, the Secretary of State certified Proposition 64, the Control, Regulate, and Tax Adult Use of Marijuana Act ("AUMA"), for the November 8, 2016 ballot.
- (f) The AUMA would become law if a majority of the electorate votes "Yes" on the proposition.
- (g) The AUMA would regulate, among other items, the use of marijuana for personal and commercial purposes, including the recreational use of marijuana by adults over 21 years of age.
- (h) To regulate personal use of marijuana the AUMA would add Section 11362.1 to the Health and Safety Code, which makes it "lawful under state and local law" for persons 21 years of age or older to "possess, process, transport, purchase, obtain, or give away to persons 21 years of age or older without any compensation whatsoever" up to 28.5 grams of marijuana in the form of concentrated cannabis or not more than eight grams of marijuana in the form of concentrated cannabis contained in marijuana products.
- (i) The AUMA would make it lawful for those individuals to "possess, plant, cultivate, harvest, dry, or process not more than six living marijuana plants and possess the marijuana produced by the plants.

- (j) The AUMA would make it lawful for those individuals to smoke or ingest marijuana or marijuana products.
- (k) Should the AUMA pass, many of its provisions would take effect on November 9, 2016.
- (l) To regulate commercial use of marijuana, the AUMA would add Division 10 (Marijuana) to the Business & Professions Code, which grants state agencies "the exclusive authority to create, issue, renew, discipline, suspend, or revoke" licenses for businesses including the transportation, storage, distribution, sale, cultivation, manufacturing, and testing of marijuana.
- (m) The AUMA provides that the above state agencies shall promulgate rules and regulations and shall begin issuing licenses under Division 10 by January 1, 2018.
- (n) The AUMA states that a local jurisdiction shall not prevent transportation of marijuana or marijuana products on public roads by a licensee transporting marijuana or marijuana products in compliance with Division 10.
- (o) The AUMA would authorize cities to "reasonably regulate" without completely prohibiting cultivation of marijuana inside a private residence or inside an "accessory structure to a private residence located upon the grounds of a private residence that is fully enclosed and secure."
- (p) The AUMA would authorize cities to completely prohibit outdoor cultivation on the grounds of a private residence, up to and until a "determination by the California Attorney General that nonmedical use of marijuana is lawful in the State of California under federal law."
- (q) The AUMA would authorize cities to completely prohibit the establishment or operation of any marijuana business licensed under Division 10 within its jurisdiction, including marijuana dispensaries, marijuana retailers, and marijuana delivery services.
- (r) Absent appropriate local regulation authorized by the AUMA, state regulations will control.
- (s) The "Medical Marijuana Regulation and Safety Act" ("MMRSA"), which took effect January 1, 2016, regulates use of marijuana for medical purposes.
- (t) The MMRSA contains a provision which provides that the State shall become the sole authority for regulation under certain parts of the Act unless local governments pass their own regulations.
- (u) In May 2013, the California Supreme Court held in *City of Riverside v. Inland Empire Patients Health and Wellness Center, Inc.*, 56 Cal. 4th 729 (2013) that cities have the authority to regulate or ban outright medical marijuana land uses.
- (v) The California Attorney General's August 2008 Guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use recognizes that the cultivation or other concentration of marijuana in any location or premises without adequate security increases the risk that nearby homes or businesses may be negatively impacted by nuisance activity such as loitering or crime.

(w) Under the Federal Controlled Substances Act, the use, possession, and cultivation of marijuana are unlawful and subject to federal prosecution without regard to a claimed medical need.

(x) The indoor cultivation of marijuana has potential adverse effects to the health and safety of the occupants; including structural damage to the building due to increased moisture and excessive mold growth which can occur and can pose a risk of fire and electrocution; additionally, the use of pesticides and fertilizers can lead to chemical contamination within the structure.

(y) Based on the experiences of other cities, these negative effects on the public health, safety, and welfare are likely to occur, and continue to occur, in the Town due to the establishment and operation of marijuana cultivation, processing, and distribution uses.

(z) The subject Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2), 15060(c)(3) and 15061(b)(3). The activity is not subject to CEQA because it will not result in a direct or reasonably foreseeable indirect physical change in the environment; the activity is not a project as defined in Section 15378, and the activity is covered by the general rule that CEQA applies only to projects, which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment, the activity is not subject to CEQA.

(aa) This Ordinance would amend Chapters 5.01 and 5.03 to clarify the substantive objectives of the Municipal Code regarding the Town's regulation of marijuana within its Town limits and to preemptively address some proposed changes to California law as the AUMA passed on November 8, 2016.

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## **ARTICLE 2. INCORPORATION OF RECITALS.**

The City Council hereby finds that all of the foregoing recitals and the staff report presented herewith are true and correct and are hereby incorporated and adopted as findings of the City Council as if fully set forth herein.

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## **ARTICLE 3. CMC SECTION 5.01.080 AMENDED.**

Section 5.01.080 is amended to remove the following:

5.01.080 Definitions.

~~*Cannabis* means all parts of the plant *Cannabis sativa* Linnaeus, *Cannabis indica*, or *Cannabis ruderalis*, whether growing or not; the seeds thereof; the resin, whether crude or purified, extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. "Cannabis" also means the separated resin, whether crude or purified, obtained from marijuana. "Cannabis" also means~~

~~marijuana as defined by Section 11018 of the Health and Safety Code as enacted by Chapter 1407 of the Statutes of 1972.~~

~~*Cannabis dispensary* means a facility where cannabis, cannabis products, or devices for the use of cannabis or cannabis products are offered, either individually or in any combination, for retail sale, including an establishment that delivers cannabis and cannabis products as part of a retail sale.~~

~~*Cannabis manufacturer* means a person that conducts the production, preparation, propagation, or compounding of manufactured cannabis, or cannabis products either directly or indirectly or by extraction methods, or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis at a fixed location that packages or repackages medical cannabis or cannabis products or labels or relabels its container.~~

~~*Cannabis Cultivation* means any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of cannabis.~~

~~*Cannabis Delivery* means the commercial transfer of cannabis or cannabis products, and includes origination or termination within the Town as well as a delivery business.~~

~~*Medical Marijuana Dispensary* means any facility or location, whether fixed or mobile, where medical marijuana is made available to or distributed by or distributed to one (1) or more of the following: a primary caregiver, a qualified patient, or a patient with an identification card, as those terms are defined in California Health and Safety Code Section 11362.5 et seq. A "Medical Marijuana Dispensary" shall not include the following uses, as long as the location of such uses is otherwise regulated by this Code or applicable law: a clinic licensed pursuant to Chapter 1 of Division 2 of the Health and Safety Code; a healthcare facility licensed pursuant to Chapter 2 of Division 2 of the Health and Safety Code; a facility licensed pursuant to Chapter 2 of Division 2 of the Health and Safety Code; a residential care facility for persons with chronic life threatening illness licensed pursuant to Chapter 3.01 of Division 2 of the Health and Safety Code; a residential care facility for elderly licensed pursuant to Chapter 3.2 of Division 2 of the Health and Safety Code; a residential hospice, or a home health agency licensed pursuant to Chapter 8 of Division 2 of the Health & Safety Code, as long as such use complies strictly with applicable law, including but not limited to, Health & Safety Code Section 11362.5 et seq.~~

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#### **ARTICLE 4. CMC SECTION 5.01.080 AMENDED.**

Section 5.01.080 is amended to add the following:

5.01.080 Definitions.

"Commercial marijuana activity" includes the cultivation, possession, manufacture, distribution, processing, storing, laboratory testing, labeling, transportation, distribution, delivery or sale of marijuana and marijuana products.



"Cultivation" means any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of marijuana.

"Delivery" means the commercial transfer of marijuana or marijuana products to a customer. "Delivery" also includes the use by a retailer of any technology platform owned and controlled by the retailer, or independently licensed under California law, that enables customers to arrange for or facilitate the commercial transfer by a licensed retailer of marijuana or marijuana products.

"Distribution" means the procurement, sale, and transport of marijuana and marijuana products between entities for commercial use purposes.

"Licensee" means the holder of any state issued license related to marijuana activities, including but not limited to licenses issued under Division 10 of the Business & Professions Code.

"Manufacture" means to compound, blend, extract, infuse, or otherwise make or prepare a marijuana product.

"Marijuana" means all parts of the plant Cannabis sativa L., whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. It does not include:

1. Industrial hemp, as defined in Section 11018.5 of the California Health & Safety Code;  
or

2. The weight of any other ingredient combined with marijuana to prepare topical or oral administrations, food, drink, or other product.

"Marijuana accessories" means any equipment, products or materials of any kind which are used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, smoking, vaporizing, or containing marijuana, or for ingesting, inhaling, or otherwise introducing marijuana or marijuana products into the human body.

"Marijuana products" means marijuana that has undergone a process whereby the plant material has been transformed into a concentrate, including, but not limited to, concentrated cannabis, or an edible or topical product containing marijuana or concentrated cannabis and other ingredients.

"Person" includes any individual, firm, co-partnership, joint venture, association, corporation, limited liability company, estate, trust, business trust, receiver, syndicate, or any other group or combination acting as a unit, and the plural as well as the singular.

"Private residence" means a house, an apartment unit, a mobile home, or other similar dwelling.

"Sale" includes any transaction whereby, for any consideration, title to marijuana is transferred from one person to another, and includes the delivery of marijuana or marijuana products

pursuant to an order placed for the purchase of the same and soliciting or receiving an order for the same, but does not include the return of marijuana or marijuana products by a licensee to the licensee from whom such marijuana or marijuana product was purchased. et seq.

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**ARTICLE 5. CMC SECTION 5.03.350 AMENDED.**

Section 5.03.350(c) is amended to read in its entirety as follows:

(c) The following uses are prohibited in all districts: amusement parks or centers, circuses, carnivals, outdoor theaters, race tracks, commercial recreation centers, stockyards, and the slaughtering of animals ~~and cannabis dispensaries, cannabis manufacturers, cannabis cultivation, cannabis distribution, and cannabis delivery services.~~

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**ARTICLE 6. CMC SECTION 5.03.355 ADDED.**

Section 5.03.355 is added to read in its entirety as follows:

(a) *Purpose.* The purpose of this Section is to regulate personal, medical, and commercial marijuana uses. Nothing in this Section shall preempt or make inapplicable any provision of state or federal law.

(b) *Personal Use.*

(1) For purposes of this subsection, personal recreational use, possession, purchase, transport, or dissemination of marijuana shall be considered unlawful in all areas of the Town to the extent it is unlawful under California law.

(2) Outdoor Cultivation. A person may not plant, cultivate, harvest, dry, or process marijuana plants outdoors in any zoning district of the Town. No use permit, building permit, variance, or any other permit or entitlement, whether administrative or discretionary, shall be approved or issued for any such use or activity.

(3) Indoor Cultivation.

(i) A person may not plant, cultivate, harvest, dry, or process marijuana plants inside a private residence, or inside an accessory structure to a private residence located upon the grounds of a private residence, or inside any other enclosed structure within any zoning district of the Town. No use permit, building permit, variance, or any other permit or entitlement, whether administrative or discretionary, shall be approved or issued for any such use or activity.

(ii) To the extent a complete prohibition on indoor cultivation is not permitted under California law, a person may not plant, cultivate, harvest, dry, or process marijuana plants inside a private residence, or inside an accessory structure to a private residence located upon the grounds of a private residence, unless the

person is issued an indoor cultivation permit by the Planning Department. A person may not plant, cultivate, harvest, dry, or process marijuana plants inside any enclosed structure within any zoning district of the Town which is not either a private residence or an accessory structure to a private residence located upon the grounds of a private residence.

(iii) The Planning Department will issue application and processing guidelines for the indoor cultivation permit. No indoor cultivation permit shall be issued prior to the release of these guidelines, and no permit shall be granted which has not complied fully with the application and processing requirements.

(c) Medical Use.

(1) Cultivation of medical marijuana pursuant to Section 11362.77 of the California Health & Safety Code is subject to the cultivation requirements laid out in subsection (b) of this Section.

(2) The establishment or operation of any medical marijuana collective, cooperative, dispensary, delivery service, operator, establishment, or provider shall be considered a prohibited use in all zoning districts of the Town. No use permit, variance, building permit, or any other entitlement or permit, whether administrative or discretionary, shall be approved or issued for the establishment of any collective, cooperative, dispensary, delivery service, operator, establishment, or provider in any zoning district, and no person shall otherwise establish such businesses or operations in any zoning district.

**(3) Exception. The operation of a medical marijuana delivery service established and located outside the jurisdiction is permitted in the Town, provided a business license and all other entitlements or permits have been approved pursuant to this Code.**

(d) Commercial Use.

(1) The establishment or operation of any business of commercial marijuana activity is prohibited. No use permit, variance, building permit, or any other entitlement or permit, whether administrative or discretionary, shall be approved or issued for the establishment or operation of any such business or operation. Such prohibited businesses or operations may include, but are not limited to:

(i) The transportation, delivery other than medical marijuana delivered by a medical marijuana delivery service established and located outside the jurisdiction, storage, distribution, or sale of marijuana, marijuana products, or marijuana accessories;

(ii) The cultivation of marijuana;

(iii) The manufacturing or testing of marijuana, marijuana products, or marijuana accessories; or

(iv) Any other business licensed by the state or other government entity under Division 10 of the California Business & Professions Code, as it may be amended from time to time.

(e) Penalty for Violations. No person, whether as principal, agent, employee or otherwise, shall violate, cause the violation of, or otherwise fail to comply with any of the requirements of this section. Every act prohibited or declared unlawful, and every failure to perform an act made mandatory by this section, shall be a misdemeanor or an infraction, at the discretion of the City Attorney or the District Attorney. In addition to the penalties provided in this section, any condition caused or permitted to exist in violation of any of the provisions of this section is declared a public nuisance and may be abated as provided in Subchapter 1.05 of this Municipal Code and/or under state law.

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#### **ARTICLE 7. SEVERABILITY.**

Each of the provisions of this Ordinance is severable from all other provisions. If any article, section, subsection, paragraph, sentence, clause or phrase of this Ordinance is for any reason held by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

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#### **ARTICLE 8. NOT A CEQA PROJECT.**

The City Council finds that adoption of this Ordinance 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 general policy and procedure making.

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#### **ARTICLE 9. EFFECTIVE DATE.**

This ordinance, or a summary thereof prepared by the Town Attorney, shall be posted on the three (3) official bulletin boards of the Town of Colma within 15 days of its passage and is to take force and effect thirty (30) days after its passage.

### Certificate of Adoption

I certify that the foregoing Ordinance No. \_\_ was duly introduced at a regular meeting of the City Council of the Town of Colma held on November 9, 2016 and duly adopted at a regular meeting of said City Council held on December \_\_, 2016 by the following vote:

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

Dated \_\_\_\_\_

\_\_\_\_\_  
Diana Colvin, Mayor

Attest: \_\_\_\_\_  
Caitlin Corley, City Clerk



**ORDINANCE NO. \_\_\_\_**  
**OF THE CITY COUNCIL OF THE TOWN OF COLMA**

**AN INTERIM URGENCY ORDINANCE OF THE TOWN OF COLMA AMENDING COLMA  
MUNICIPAL CODE SECTIONS 5.01.080 AND 5.03.350 AND ADDING SECTION  
5.03.355, TO REGULATE THE PERSONAL, MEDICAL, AND COMMERCIAL USE OF  
MARIJUANA**

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

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**ARTICLE 1. RECITALS.**

- (a) The Town of Colma, California (the "Town") is a municipal corporation, duly organized under the constitution and laws of the State of California.
- (b) California Government Code section 65800 et seq. authorizes the adoption and administration of zoning laws, ordinances, rules and regulations by cities as a means of implementing the General Plan.
- (c) The Town passed Ordinance No. 754 on January 13, 2016 to continue the Town's prohibition on marijuana dispensaries, but adding to the prohibition list medical marijuana manufacturers, cultivation, and delivery services.
- (d) The Town desires to continue to ban all marijuana dispensaries, cultivation, and delivery service land uses within Town Limits to the extent allowed by California law. This Ordinance updates the Municipal Code to effectuate that aim.
- (e) On June 28, 2016, the Secretary of State certified Proposition 64, the Control, Regulate, and Tax Adult Use of Marijuana Act ("AUMA"), for the November 8, 2016 ballot.
- (f) The AUMA would become law if a majority of the electorate votes "Yes" on the proposition.
- (g) The AUMA would regulate, among other items, the use of marijuana for personal and commercial purposes, including the recreational use of marijuana by adults over 21 years of age.
- (h) To regulate personal use of marijuana the AUMA would add Section 11362.1 to the Health and Safety Code, which makes it "lawful under state and local law" for persons 21 years of age or older to "possess, process, transport, purchase, obtain, or give away to persons 21 years of age or older without any compensation whatsoever" up to 28.5 grams of marijuana in the form of concentrated cannabis or not more than eight grams of marijuana in the form of concentrated cannabis contained in marijuana products.
- (i) The AUMA would make it lawful for those individuals to "possess, plant, cultivate, harvest, dry, or process not more than six living marijuana plants and possess the marijuana produced by the plants.

- (j) The AUMA would make it lawful for those individuals to smoke or ingest marijuana or marijuana products.
- (k) Should the AUMA pass, many of its provisions would take effect on November 9, 2016.
- (l) To regulate commercial use of marijuana, the AUMA would add Division 10 (Marijuana) to the Business & Professions Code, which grants state agencies "the exclusive authority to create, issue, renew, discipline, suspend, or revoke" licenses for businesses including the transportation, storage, distribution, sale, cultivation, manufacturing, and testing of marijuana.
- (m) The AUMA provides that the above state agencies shall promulgate rules and regulations and shall begin issuing licenses under Division 10 by January 1, 2018.
- (n) The AUMA states that a local jurisdiction shall not prevent transportation of marijuana or marijuana products on public roads by a licensee transporting marijuana or marijuana products in compliance with Division 10.
- (o) The AUMA would authorize cities to "reasonably regulate" without completely prohibiting cultivation of marijuana inside a private residence or inside an "accessory structure to a private residence located upon the grounds of a private residence that is fully enclosed and secure."
- (p) The AUMA would authorize cities to completely prohibit outdoor cultivation on the grounds of a private residence, up to and until a "determination by the California Attorney General that nonmedical use of marijuana is lawful in the State of California under federal law."
- (q) The AUMA would authorize cities to completely prohibit the establishment or operation of any marijuana business licensed under Division 10 within its jurisdiction, including marijuana dispensaries, marijuana retailers, and marijuana delivery services.
- (r) Absent appropriate local regulation authorized by the AUMA, state regulations will control.
- (s) The "Medical Marijuana Regulation and Safety Act" ("MMRSA"), which took effect January 1, 2016, regulates use of marijuana for medical purposes.
- (t) The MMRSA contains a provision which provides that the State shall become the sole authority for regulation under certain parts of the Act unless local governments pass their own regulations.
- (u) In May 2013, the California Supreme Court held in *City of Riverside v. Inland Empire Patients Health and Wellness Center, Inc.*, 56 Cal. 4th 729 (2013) that cities have the authority to regulate or ban outright medical marijuana land uses.
- (v) The California Attorney General's August 2008 Guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use recognizes that the cultivation or other concentration of marijuana in any location or premises without adequate security increases the risk that nearby homes or businesses may be negatively impacted by nuisance activity such as loitering or crime.



(w) Under the Federal Controlled Substances Act, the use, possession, and cultivation of marijuana are unlawful and subject to federal prosecution without regard to a claimed medical need.

(x) The indoor cultivation of marijuana has potential adverse effects to the health and safety of the occupants; including structural damage to the building due to increased moisture and excessive mold growth which can occur and can pose a risk of fire and electrocution; additionally, the use of pesticides and fertilizers can lead to chemical contamination within the structure.

(y) Based on the experiences of other cities, these negative effects on the public health, safety, and welfare are likely to occur, and continue to occur, in the Town due to the establishment and operation of marijuana cultivation, processing, and distribution uses.

(z) The subject Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2), 15060(c)(3) and 15061(b)(3). The activity is not subject to CEQA because it will not result in a direct or reasonably foreseeable indirect physical change in the environment; the activity is not a project as defined in Section 15378, and the activity is covered by the general rule that CEQA applies only to projects, which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment, the activity is not subject to CEQA.

(aa) This Ordinance would amend Chapters 5.01 and 5.03 to clarify the substantive objectives of the Municipal Code regarding the Town's regulation of marijuana within its Town limits and to preemptively address some proposed changes to California law as the AUMA passed on November 8, 2016.

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## **ARTICLE 2. INCORPORATION OF RECITALS.**

The City Council hereby finds that all of the foregoing recitals and the staff report presented herewith are true and correct and are hereby incorporated and adopted as findings of the City Council as if fully set forth herein.

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## **ARTICLE 3. URGENT NEED**

The City Council hereby finds, determines, and declares that this Urgency Ordinance adopted pursuant to California Government Code Section 65858 is necessary because:

(a) Certain provisions of the AUMA became effective November 9, 2016, and contain provisions which allow for local governments to reasonably regulate or ban certain activities thereunder.

(b) To allow time for the City to consider, study, and enact regulations or a ban for various marijuana cultivation, processing, and distribution uses, it is necessary to temporarily suspend the establishment of any uses or the approval of any and all use permits, variances, building

permits, or any other entitlement or permit authorizing the establishment of marijuana cultivation uses, marijuana processing uses, and marijuana dispensaries as defined herein, as such uses may be in conflict with the development standards and implementation regulations that the City will ultimately impose after the City has considered and studied this issue, which shall be accomplished within a reasonable time.

(c) A moratorium will provide the City with time to study marijuana cultivation uses, marijuana processing uses, and marijuana dispensaries and potential impacts such land uses may have on the public health, safety, and welfare.

(d) Without the imposition of a temporary moratorium on the establishment of marijuana cultivation, the City anticipates that one (1) or more marijuana cultivation uses may locate in the City before a non-urgency ordinance would become effective, and that such uses may pose serious risks to the public health, safety, and welfare.

(e) There is a current and immediate threat to the public health, safety, and welfare of the City and its community, thereby necessitating the immediate enactment of this moratorium as an urgency ordinance in order to ensure that permits for such facilities and uses are established only under adequate regulations. Imposition of a moratorium will allow the City sufficient time to conclude the preparation and enactment of a comprehensive ordinance for the regulation of these uses.

Based on the foregoing recitals and findings, all of which are deemed true and correct, this interim ordinance is urgently needed for the immediate preservation of the public health, safety, and welfare. This interim ordinance shall take effect immediately upon adoption and shall be of no further force and effect forty-five (45) days following the date of its adoption unless extended in accordance with the provisions set forth in Government Code Section 65858.

#### **ARTICLE 4. CMC SECTION 5.01.080 AMENDED.**

Section 5.01.080 is amended to remove the following:

5.01.080 Definitions.

~~*Cannabis* means all parts of the plant *Cannabis sativa* Linnaeus, *Cannabis indica*, or *Cannabis ruderalis*, whether growing or not; the seeds thereof; the resin, whether crude or purified, extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. "Cannabis" also means the separated resin, whether crude or purified, obtained from marijuana. "Cannabis" also means marijuana as defined by Section 11018 of the Health and Safety Code as enacted by Chapter 1407 of the Statutes of 1972.~~

~~*Cannabis dispensary* means a facility where cannabis, cannabis products, or devices for the use of cannabis or cannabis products are offered, either individually or in any combination, for retail sale, including an establishment that delivers cannabis and cannabis products as part of a retail sale.~~

~~*Cannabis manufacturer* means a person that conducts the production, preparation, propagation, or compounding of manufactured cannabis, or cannabis products either directly or indirectly or~~

~~by extraction methods, or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis at a fixed location that packages or repackages medical cannabis or cannabis products or labels or relabels its container.~~

~~*Cannabis Cultivation* means any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of cannabis.~~

~~*Cannabis Delivery* means the commercial transfer of cannabis or cannabis products, and includes origination or termination within the Town as well as a delivery business.~~

~~*Medical Marijuana Dispensary* means any facility or location, whether fixed or mobile, where medical marijuana is made available to or distributed by or distributed to one (1) or more of the following: a primary caregiver, a qualified patient, or a patient with an identification card, as those terms are defined in California Health and Safety Code Section 11362.5 et seq. A "Medical Marijuana Dispensary" shall not include the following uses, as long as the location of such uses is otherwise regulated by this Code or applicable law: a clinic licensed pursuant to Chapter 1 of Division 2 of the Health and Safety Code; a healthcare facility licensed pursuant to Chapter 2 of Division 2 of the Health and Safety Code; a facility licensed pursuant to Chapter 2 of Division 2 of the Health and Safety Code; a residential care facility for persons with chronic life threatening illness licensed pursuant to Chapter 3.01 of Division 2 of the Health and Safety Code; a residential care facility for elderly licensed pursuant to Chapter 3.2 of Division 2 of the Health and Safety Code; a residential hospice, or a home health agency licensed pursuant to Chapter 8 of Division 2 of the Health & Safety Code, as long as such use complies strictly with applicable law, including but not limited to, Health & Safety Code Section 11362.5 et seq.~~

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## **ARTICLE 5. CMC SECTION 5.01.080 AMENDED.**

Section 5.01.080 is amended to add the following:

5.01.080 Definitions.

"Commercial marijuana activity" includes the cultivation, possession, manufacture, distribution, processing, storing, laboratory testing, labeling, transportation, distribution, delivery or sale of marijuana and marijuana products.

"Cultivation" means any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of marijuana.

"Delivery" means the commercial transfer of marijuana or marijuana products to a customer. "Delivery" also includes the use by a retailer of any technology platform owned and controlled by the retailer, or independently licensed under California law, that enables customers to arrange for or facilitate the commercial transfer by a licensed retailer of marijuana or marijuana products.

"Distribution" means the procurement, sale, and transport of marijuana and marijuana products between entities for commercial use purposes.

"Licensee" means the holder of any state issued license related to marijuana activities, including but not limited to licenses issued under Division 10 of the Business & Professions Code.

"Manufacture" means to compound, blend, extract, infuse, or otherwise make or prepare a marijuana product.

"Marijuana" means all parts of the plant Cannabis sativa L., whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. It does not include:

1. Industrial hemp, as defined in Section 11018.5 of the California Health & Safety Code;  
or

2. The weight of any other ingredient combined with marijuana to prepare topical or oral administrations, food, drink, or other product.

"Marijuana accessories" means any equipment, products or materials of any kind which are used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, smoking, vaporizing, or containing marijuana, or for ingesting, inhaling, or otherwise introducing marijuana or marijuana products into the human body.

"Marijuana products" means marijuana that has undergone a process whereby the plant material has been transformed into a concentrate, including, but not limited to, concentrated cannabis, or an edible or topical product containing marijuana or concentrated cannabis and other ingredients.

"Person" includes any individual, firm, co-partnership, joint venture, association, corporation, limited liability company, estate, trust, business trust, receiver, syndicate, or any other group or combination acting as a unit, and the plural as well as the singular.

"Private residence" means a house, an apartment unit, a mobile home, or other similar dwelling.

"Sale" includes any transaction whereby, for any consideration, title to marijuana is transferred from one person to another, and includes the delivery of marijuana or marijuana products pursuant to an order placed for the purchase of the same and soliciting or receiving an order for the same, but does not include the return of marijuana or marijuana products by a licensee to the licensee from whom such marijuana or marijuana product was purchased. et seq.

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## **ARTICLE 6. CMC SECTION 5.03.350 AMENDED.**

Section 5.03.350(c) is amended to read in its entirety as follows:

(c) The following uses are prohibited in all districts: amusement parks or centers, circuses, carnivals, outdoor theaters, race tracks, commercial recreation centers, stockyards, and the

slaughtering of animals and ~~cannabis dispensaries, cannabis manufacturers, cannabis cultivation, cannabis distribution, and cannabis delivery services.~~

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**ARTICLE 7. CMC SECTION 5.03.355 ADDED.**

Section 5.03.355 is added to read in its entirety as follows:

(a) Purpose. The purpose of this Section is to regulate personal, medical, and commercial marijuana uses. Nothing in this Section shall preempt or make inapplicable any provision of state or federal law.

(b) Personal Use.

(1) For purposes of this subsection, personal recreational use, possession, purchase, transport, or dissemination of marijuana shall be considered unlawful in all areas of the Town to the extent it is unlawful under California law.

(2) Outdoor Cultivation. A person may not plant, cultivate, harvest, dry, or process marijuana plants outdoors in any zoning district of the Town. No use permit, building permit, variance, or any other permit or entitlement, whether administrative or discretionary, shall be approved or issued for any such use or activity.

(3) Indoor Cultivation.

(i) A person may not plant, cultivate, harvest, dry, or process marijuana plants inside a private residence, or inside an accessory structure to a private residence located upon the grounds of a private residence, or inside any other enclosed structure within any zoning district of the Town. No use permit, building permit, variance, or any other permit or entitlement, whether administrative or discretionary, shall be approved or issued for any such use or activity.

(ii) To the extent a complete prohibition on indoor cultivation is not permitted under California law, a person may not plant, cultivate, harvest, dry, or process marijuana plants inside a private residence, or inside an accessory structure to a private residence located upon the grounds of a private residence, unless the person is issued an indoor cultivation permit by the Planning Department. A person may not plant, cultivate, harvest, dry, or process marijuana plants inside any enclosed structure within any zoning district of the Town which is not either a private residence or an accessory structure to a private residence located upon the grounds of a private residence.

(iii) The Planning Department will issue application and processing guidelines for the indoor cultivation permit. No indoor cultivation permit shall be issued prior to the release of these guidelines, and no permit shall be granted which has not complied fully with the application and processing requirements.

(c) Medical Use.

(1) Cultivation of medical marijuana pursuant to Section 11362.77 of the California Health & Safety Code is subject to the cultivation requirements laid out in subsection (b) of this Section.

(2) The establishment or operation of any medical marijuana collective, cooperative, dispensary, delivery service, operator, establishment, or provider shall be considered a prohibited use in all zoning districts of the Town. No use permit, variance, building permit, or any other entitlement or permit, whether administrative or discretionary, shall be approved or issued for the establishment of any collective, cooperative, dispensary, delivery service, operator, establishment, or provider in any zoning district, and no person shall otherwise establish such businesses or operations in any zoning district.

**(3) Exception. The operation of a medical marijuana delivery service established and located outside the jurisdiction is permitted in the Town, provided a business license and all other entitlements or permits have been approved pursuant to this Code.**

(d) Commercial Use.

(1) The establishment or operation of any business of commercial marijuana activity is prohibited. No use permit, variance, building permit, or any other entitlement or permit, whether administrative or discretionary, shall be approved or issued for the establishment or operation of any such business or operation. Such prohibited businesses or operations may include, but are not limited to:

(i) The transportation, delivery other than medical marijuana delivered by a medical marijuana delivery service established and located outside the jurisdiction, storage, distribution, or sale of marijuana, marijuana products, or marijuana accessories;

(ii) The cultivation of marijuana;

(iii) The manufacturing or testing of marijuana, marijuana products, or marijuana accessories; or

(iv) Any other business licensed by the state or other government entity under Division 10 of the California Business & Professions Code, as it may be amended from time to time.

(e) Penalty for Violations. No person, whether as principal, agent, employee or otherwise, shall violate, cause the violation of, or otherwise fail to comply with any of the requirements of this section. Every act prohibited or declared unlawful, and every failure to perform an act made mandatory by this section, shall be a misdemeanor or an infraction, at the discretion of the City Attorney or the District Attorney. In addition to the penalties provided in this section, any condition caused or permitted to exist in violation of any of the provisions of this section is declared a public nuisance and may be abated as provided in Subchapter 1.05 of this Municipal Code and/or under state law.

**ARTICLE 8. SEVERABILITY.**

Each of the provisions of this Ordinance is severable from all other provisions. If any article, section, subsection, paragraph, sentence, clause or phrase of this Ordinance is for any reason held by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

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**ARTICLE 9. NOT A CEQA PROJECT.**

The City Council finds that adoption of this Ordinance 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 general policy and procedure making.

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**ARTICLE 10. EFFECTIVE DATE.**

This ordinance, or a summary thereof prepared by the Town Attorney, shall be posted on the three (3) official bulletin boards of the Town of Colma within 15 days of its passage and is to take force and effect thirty (30) days after its passage.

**Certificate of Adoption**

I certify that the foregoing Ordinance No. \_\_ was duly adopted as an urgency ordinance at a regular meeting of the City Council of the Town of Colma held on November 9, 2016 by the following vote:

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

Dated \_\_\_\_\_

\_\_\_\_\_  
Diana Colvin, Mayor

Attest: \_\_\_\_\_  
Caitlin Corley, City Clerk

