



**AGENDA  
REGULAR MEETING**

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

**Wednesday, April 8, 2015 at 7:30 PM**

**PLEDGE OF ALLEGIANCE AND ROLL CALL**

**ADOPTION OF AGENDA**

**PUBLIC COMMENTS**

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

**CONSENT CALENDAR**

1. Motion to Accept the Minutes from the March 11, 2015 Regular Meeting.
2. Motion to Approve Report of Checks Paid for March 2015.
3. Motion to Adopt an Ordinance Amending Colma Municipal Code Chapter 8, Relating to Animals, and Waive a Further Reading of the Ordinance (second reading).
4. Motion to Accept Informational Report on Recreation Department Programs, Activities, Events, and Trips for the First Quarter of 2015.
5. Motion to Adopt a Resolution Accepting Work, Authorizing the Filing of the Notice of Completion, and Directing Payment of Retention Funds for the Hillside Beautification Project Phase I.
6. Motion Approving a Supplemental Appropriation in the Fiscal Year 2014-15 Adopted Budget for Capital Improvement Project #947-Town Hall Renovation Project in the Amount of \$8,371,000.

**PUBLIC HEARING**

**7. GOLDEN HILL MEMORIAL PARK**

*Consider:* Motion to Adopt a Resolution Granting a Conditional Use Permit For a Funeral Home, Caretaker Unit, and a Monument Shop; Design Review Approval for the Construction of a Funeral Home Building; and a Sign Permit for Entry Signage at Golden Hill Memorial Park.

8. **203-207B COLLINS AVENUE – ASSISTED LIVING FACILITY**

- a. *Consider:* Motion to Introduce an Ordinance Adopting an Amended Zoning Map and Approving a Planned Development Zone for 203-207B Collins Avenue and Waive a Further reading of the Ordinance.
- b. *Consider:* Motion to Adopt a Resolution Conditionally Approving Second Amended Planned Development (PD) Conditional Use Permit and Design Review for an Assisted Living Facility at 203-207b Collins Avenue.

9. **REGULAR MEETING START TIME ORDINANCE**

*Consider:* Motion to Introduce an Ordinance Amending Section 1.02.080 of the Colma Municipal Code, Relating to the Start Time of Regular Meetings, and Waive a Further Reading of the Ordinance.

10. **DEVELOPMENT APPLICATION PROCESSING FEES**

*Consider:* Motion to Adopt a Resolution Amending Colma Administrative Code, Subchapter 1.10, Master Fee Schedule, Relating to Development Application Processing Fees for Staff and Consultant Time.

**STUDY SESSION**

11. **PROPOSED BUDGET FY2015-16**

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

**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, 1198 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, March 11, 2015  
7:30 p.m.**

**CALL TO ORDER**

Mayor Joanne F. del Rosario called the Regular Meeting of the City Council to order at 7:37 p.m.

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

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

**ADOPTION OF THE AGENDA**

Mayor del Rosario asked if there were any changes to the agenda; none were requested. She asked for a motion to adopt the agenda.

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

**PRESENTATION**

- Council Presented John Woodell of the American Red Cross with a proclamation in honor of Red Cross Month.
- City Manager Sean Rabé presented Assistant Engineer Patrick Yu with a commendation in honor of his excellent work on the new telephone system project.

**PUBLIC COMMENTS**

Mayor del Rosario opened the public comment period at 7:47 p.m. and seeing no one come forward she closed the public comment period.

**CONSENT CALENDAR**

1. Motion to Accept the Minutes from the February 11, 2015 Regular Meeting.
2. Motion to Accept the Minutes from the February 17, 2015 Special Meeting.
3. Motion to Approve Report of Checks Paid for February 2015.
4. Motion to Adopt a Resolution Directing City Manager to Submit Beacon Award Application.
5. Motion to Adopt a Resolution Approving Agreement for Animal Control Services.
6. Motion to Adopt a Resolution Amending Colma Administrative Code Subchapter 1.10, Master Fee Schedule, Relating to Animal Control.
7. Motion to Accept the 2014 Annual Report on the Implementation of the General Plan, Including the Housing Element.
8. Motion to Adopt a Resolution Approving Contract Amendment with Ratcliff for Architectural Services for Town Hall Project.
9. Motion to Adopt a Resolution Approving Contract with Best Best & Krieger LLP for Legal Services.
10. Motion to Adopt Ordinance Amending Section 5.15.060 of the Colma Municipal Code, Relating to Requests for Reasonable Accommodations in Housing (second reading).

**Action:** Council Member Silva moved to approve the Consent Calendar items #1-10; the motion was seconded by Council Member Fiscaro and carried by the following vote:

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

Following the adoption of the Consent Calendar, the Mayor swore in new City Attorney Christopher Diaz.

**NEW BUSINESS**

**11. BULK TELEVISION SERVICES**

Special Projects Management Analyst Roger Peters presented the staff report. Mayor del Rosario opened the public comment period at 8:12 p.m. Resident Mary Brodzin made a comment. The Mayor closed the public hearing at 8:13 p.m. Council discussion followed.

**Action:** Council Member Fiscaro moved to adopt a Resolution Authorizing the City Manager to Negotiate a Bulk Cable Television Services Agreement with Comcast Cable; 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	
Joanne del Rosario, Mayor	✓				
Diana Colvin	✓				
Helen Fiscaro	✓				
Raquel "Rae" Gonzalez	✓				
Joseph Silva	✓				
	5	0			

**PUBLIC HEARING**

**12. ITALIAN CEMETERY FUNERAL HOME**

City Attorney Christopher Diaz explained that Vice Mayor Colvin and Council Members Fiscaro, Gonzalez and Silva all have real property ownership interests within 500 feet of the boundaries of the Italian Cemetery, which could constitute a conflict of interest. However, the Political Reform Act includes a Small Town Exception, which applies to Colma and allows Vice Mayor Colvin and Council Member Silva to participate to establish quorum on this item based on their real property's distance from the Italian Cemetery real property boundaries. Council Members Fiscaro and Gonzalez, however, would still have a conflict of interest on this item, and would not be able to participate.

Council Members Fiscaro and Gonzalez stepped down from the dais and out of the room.

City Planner Michael Laughlin presented the staff report. Mayor del Rosario opened the public comment period at 8:33 p.m. Resident Maureen O'Connor spoke. The Mayor closed the public comment period at 8:26 p.m. Council discussion followed.

**Action:** Council Member Silva made a motion to adopt a Resolution Granting a Conditional Use Permit to Use Existing Facilities for a Sate Licensed Funeral Establishment at the Italian Cemetery; the motion was seconded by Council Member Colvin and carried by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Joanne del Rosario, Mayor	✓				
Diana Colvin	✓				
Helen Fiscaro				✓	
Raquel "Rae" Gonzalez				✓	
Joseph Silva	✓				
	3	0			

Council Members Fiscaro and Gonzalez rejoined the Council on the dais.

**13. ANIMAL CONTROL ORDINANCE**

City Attorney Christopher Diaz presented the staff report. Mayor del Rosario opened the public hearing at 8:41 p.m. and seeing no one come forward to speak, she closed the public comment period. Council discussion followed.

**Action:** Council Member Silva moved to introduce an Ordinance Amending Colma Municipal Code Chapter 8, Relating to Animals, and waive a further reading of the ordinance; the motion was seconded by Council Member Fiscaro and carried by the following vote:

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

**14. LAND USE ELEMENT**

City Planner Michael Laughlin presented the staff report. Mayor del Rosario opened the public comment hearing at 8:54 p.m. and seeing no one come forward to speak she closed the public hearing. Council discussion followed.

**Action:** Vice Mayor Colvin moved to adopt a Resolution Adopting a Negative Declaration and Amending the General Plan Land Use Element to Remove the Annual Residential Building Permit Limit of 50 Units; 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	
Joanne del Rosario, Mayor	✓				
Diana Colvin	✓				
Helen Fiscaro	✓				
Raquel "Rae" Gonzalez	✓				
Joseph Silva	✓				
	5	0			

**STUDY SESSION**

**15. RECYCLING AND SOLID WASTE HAULING FRANCHISE**

Special Projects Management Analyst Roger Peters presented the staff report. Mayor del Rosario opened the public comment period at 9:20 p.m. and seeing no one come forward to speak she closed the public hearing. Council discussion followed.

This item was for discussion only; no action was taken.

## 16. GENERAL PLAN SURVEY RESULTS

City Planner Michael Laughlin presented the staff report. Mayor del Rosario opened the public comment period at 9:59 p.m. and seeing no one come forward to speak she closed the public hearing. Council discussion followed.

This item was for discussion only; no action was taken

## COUNCIL CALENDARING

There will be a Special City Council Workshop Meeting on Monday, March 23, 2015 at 1:00 p.m. at the EOC at the Police Department.

The next Regular City Council Meeting will be on Wednesday, April 8, 2015 at 7:30p.m. at the Colma Community Center.

The Mayor announced, "The Town of Colma is participating in the Wyland Foundations's 2015 National Mayor's Water Conservation Challenge, which takes place April 1<sup>st</sup> through April 30<sup>th</sup>. In partnership with Cal Water and Bay Area Water Supply and Conservation Agency residents may obtain free water conservation kits, rebates for low flow toilets and efficient washing machines and cash for grass and rain barrel purchase subsidies. As we are all aware, California drought is continuing, the weather is trending towards warm and dry and the need for water conservation is dire. To take register for the water conservation pledge, go to [www.mywaterpledge.com](http://www.mywaterpledge.com) and take the brief survey. Colma residents who take the Mayor's Challenge and submit proof of participation to any Town facility will receive a chance to win two free tickets to this Year's Adult Holiday Party to take place December 12, 2015! For more information please see the Town's website or contact Lori Burns at Town Hall."

## REPORTS

Council Members reported on the events listed below:

Joanne F. del Rosario

Major Employers Breakfast, 2/19

Helen Fisticaro

Major Employers Breakfast, 2/19

Joseph Silva

Council of Cities Dinner, hosted by the Redwood City, 2/27

City Manager Sean Rabé reported on the topics below:

- Administrative Technician III Caitlin Corley recently became Colma's first-ever, Certified Municipal Clerk through the International Institute of Municipal Clerks.
- The Hillside Boulevard Phase I Project was awarded Project of the Year for Small Cities Transportation Projects by the Northern California chapter of the American Public Works Association. Congratulations to Town Staff and the contractor on this significant achievement.

- The Town has received the California Society of Municipal Finance Officers Excellence in Budgeting Award again this year. This is the third year straight that the Town's budget has received this prestigious award, which is really an accomplishment for such a small community.

**ADJOURNMENT AND CLOSE IN MEMORY**

The meeting was adjourned by Mayor del Rosario at 10:07 p.m.

Respectfully submitted,

Caitlin Corley  
Administrative Technician III

Final Check List  
Town of Colma

apChkLst  
03/02/2015 10:33:51AM

Bank : first FIRST NATIONAL BANK OF DALY

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
41394	3/2/2015	00051	CALIFORNIA WATER SERVICE6544607057	2/18/2015	6544607057 SW Corner Hillside	629.55	629.55
41395	3/2/2015	00117	DELTA DENTAL OF CALIFORN BE001097192	3/1/2015	DENTAL INSURANCE	11,652.78	11,652.78
41396	3/2/2015	00150	FEDERAL EXPRESS 2-945-60100	2/20/2015	SHIPPING CHARGES	69.86	69.86
41397	3/2/2015	00307	PACIFIC GAS & ELECTRIC 02/13/2015	2/13/2015	PG&E	67.32	67.32
			02/19/2015	2/19/2015	PG&E	20.90	88.22
41398	3/2/2015	00414	TERMINEX INTERNATIONAL L342119811	2/26/2015	PEST CONTROL	401.00	401.00
41399	3/2/2015	00507	COLMA FIRE PROTECTION DI03/04-39	2/23/2015	C.P.R. Class for 15	1,050.00	1,050.00
41400	3/2/2015	00685	MERCADO, SONNY Jan 26-28, 2015	2/22/2015	Jan 26-28, 2015 FTO Update IV	102.82	102.82
41401	3/2/2015	00775	PANIAGUA, RUBY 2000032.003	2/20/2015	02/20/15 Creekside Villas Activi	3.00	3.00
41402	3/2/2015	00978	CASTRO, RUDOLFO 2000021.003	2/2/2015	02/02/15 Deposit Refund	50.00	50.00
41403	3/2/2015	01030	STEPFORD, INC. 1501125	2/11/2015	City Hall Server New Hard Drive	325.16	325.16
41404	3/2/2015	01037	COMCAST CABLE 8155 20 022 000	2/17/2015	XFINITY TV 1520 Hillside 8155	34.97	34.97
41405	3/2/2015	01121	CITY OF REDWOOD CITY 02/27/15 Meeting	2/26/2015	02/27/15 Council of Cities Meet	45.00	45.00
41406	3/2/2015	01276	GONZALEZ, RAE 2000005.003	3/2/2015	01/09/15 Guitar Lessons Refun-	19.00	19.00
41407	3/2/2015	01359	WALSH, LAURA 2000037.003	2/23/2015	02/23/15 Fort Miley Adventure C	17.00	34.00
			2000038.003	2/23/2015	02/23/15 Fort Miley Adventure C	17.00	17.00
41408	3/2/2015	01367	DUO DANCE ACADEMY Replaces Ck 410	1/5/2015	DEC 2014 DANCE CLASSES	715.00	715.00
			Jan 2015	2/25/2015	DANCE CLASSES	360.00	1,075.00
41409	3/2/2015	01370	VERIZON WIRELESS SERVICE9740598649	2/15/2015	CELL PHONE SERVICE	1,174.26	1,174.26
41410	3/2/2015	01442	INTERSTATE GRADING & PAV4634	2/25/2015	Pmt #7 Work Through 02/28/15	21,082.81	21,082.81
41411	3/2/2015	01552	FORTE PRESS CORPORATION52358	2/17/2015	Business Cards 15 Sets of 500	562.20	562.20
41412	3/2/2015	01557	CITY OF FOSTER CITY 8924	2/12/2015	CALOPPS One-Job Posting Re	250.00	250.00
41413	3/2/2015	01652	AU ELECTRIC CORPORATION147266	2/12/2015	Tested Fire Alarm, Sent Signals	280.00	280.00
41414	3/2/2015	01729	PENINSULA COUNCIL OF LIOI03/04/15 Police	2/20/2015	03/04/15 Police & Fire Awards:	165.00	165.00
41415	3/2/2015	02144	DOMINIC A. DE LUCCA DBA DI413	2/18/2015	TAE KWON DO	1,500.00	1,500.00
41416	3/2/2015	02150	COLOMBO, EMIL L. AND DORI1006	2/25/2015	2/25/15 Lunch for 35 Inner Pers	394.00	394.00
41417	3/2/2015	02179	HUB INTERNATIONAL OF CA Feb 2015	2/28/2015	INSURANCE EVENTS	128.04	128.04
41418	3/2/2015	02638	MURPHY, MARY 100502	2/23/2015	02/23/15 Deposit Refund 2/21/1	300.00	300.00
41419	3/2/2015	02808	HUERTA, PEDRO 2000033.003	2/23/2015	02/23/15 Deposit Refund	50.00	50.00
41420	3/2/2015	02809	YEE, CLARK 2000036.003	2/23/2015	02/23/15 Fort Miley Adventure C	17.00	17.00

b total for FIRST NATIONAL BANK OF DALY CITY: 41,483.67

27 checks in this report.

Grand Total All Checks:

41,483.67

Bank : first FIRST NATIONAL BANK OF DALY

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
41421	3/6/2015	00068	03062015 B	3/6/2015	COLMA PEACE OFFICERS: P/	645.52	645.52
41422	3/6/2015	00631	03062015 B	3/6/2015	PERS - BUYBACK: PAYMENT	36,198.61	
			03062015 B	3/6/2015	PERS MISC NON-TAX: PAYME	13,989.93	
			03062015 M	3/6/2015	PERS MISC NON-TAX: PAYME	961.74	51,150.28
41423	3/6/2015	01340	03062015 B	3/6/2015	FLEX-PLAN SERVICES, INC	538.86	538.86
41424	3/6/2015	01360	03062015 B	3/6/2015	VANTAGE TRANSFER AGENT	4,350.00	
			03062015 M	3/6/2015	ICMA CONTRIBUTION: PAYME	650.00	5,000.00
41425	3/6/2015	01375	03062015 B	3/6/2015	NATIONWIDE RETIREMENT S	5,000.00	
			03062015 M	3/6/2015	NATIONWIDE: PAYMENT	700.00	5,700.00
41426	3/6/2015	02377	03062015 B	3/6/2015	CALIFORNIA STATE DISBURS	553.84	553.84
93201	3/6/2015	00521	03062015 M	3/6/2015	UNITED STATES TREASURY	907.56	907.56
93203	3/6/2015	00130	03062015 B	3/6/2015	EMPLOYMENT DEVELOPMEN	7,559.19	7,559.19
93204	3/6/2015	00521	03062015 B	3/6/2015	UNITED STATES TREASURY	42,368.94	42,368.94

o total for FIRST NATIONAL BANK OF DALY CITY: 114,424.19

Bank : first FIRST NATIONAL BANK OF DALY

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
41427	3/10/2015	00004	00000626813	2/13/2015	BAN 9391046239 01/13-02/12	940.67	
		AT&T	000006249514	2/13/2015	6509970105804 01/13/15-02/12	92.05	
			000006263990	2/13/2015	BAN 9391019175 01/13/15-02/12	24.53	
			000006264238	2/13/2015	BAN 9391019174 01/13/15-02/12	0.24	1,057.49
41428	3/10/2015	00057	8402038406	2/20/2015	PW First Aid Supplies	384.85	384.85
41429	3/10/2015	00093	CITY OF SOUTH SAN FRANCISCO:515994	2/24/2015	TRAFFIC SIGNAL MAINTENANCE	3,881.60	3,881.60
41430	3/10/2015	00140	FIRST NAT BANK OF NO CA	02/18/15	Gogan	1,942.17	
				02/18/15	Ramos	1,416.77	
				02/18/15	Morque	1,352.36	
				02/18/15	Dossey	1,293.42	
				02/18/15	Fiscart	685.00	
				02/18/15	Strattor	502.17	
				02/18/15	Pfotent	130.50	
				02/18/15	Silva	75.00	
				02/18/15	Lum	43.59	
				02/18/15	Rabe	3.26	
41431	3/10/2015	00254	METRO MOBILE COMMUNICATIONS:150307	3/1/2015	March 2015 Maintenance Contr	602.00	7,444.24
41432	3/10/2015	00307	PACIFIC GAS & ELECTRIC	2/20/2015	PG&E	1,746.94	602.00
				2/23/2015	PG&E	239.03	
				2/25/2015	PG&E	106.52	2,092.49
41433	3/10/2015	00364	SMC SHERIFF'S OFFICE	2/26/2015	OES Fire Battalion Chief Jan -	162.00	
				2/28/2015	LAB FEES	11.67	173.67
41434	3/10/2015	00432	VISION SERVICE PLAN	2/19/2015	VISION SERVICE PLAN	956.80	956.80
41435	3/10/2015	00449	BANK OF AMERICA	2/24/2015	CREDIT CARD CHARGE	3,947.52	3,947.52
41436	3/10/2015	00752	HILL, SHIRLEY	3/5/2015	03/05/15 Golden Gate Fields Ri	17.00	17.00
41437	3/10/2015	00830	STAPLES BUSINESS ADVANTAGE:8033281818	2/14/2015	CD/DVD Storage Sleeves, HP &	81.95	81.95
41438	3/10/2015	00928	CLEAN SOURCE, INC.	2/20/2015	Paper & Cleaning Supplies	357.74	357.74
41439	3/10/2015	00949	GLUSZEK, BRENDA K.	Nov 13-Feb 10, ; 3/3/2015	YOGA CLASSES	2,200.00	2,200.00
41440	3/10/2015	00978	CASTRO, RUDOLFO	100508	03/02/15 Deposit Refund 03/01,	300.00	
				2000043.003	03/03/15 Deposit Refund	150.00	
				2000044.003	03/03/15 Deposit Refund	50.00	500.00
41441	3/10/2015	01037	COMCAST CABLE	Feb 25-Mar 24, ; 2/20/2015	INTERNET 1520 HILLSIDE BL	280.70	
41442	3/10/2015	01308	EEL RIVER FUELS, INC.	Feb 25-Mar 24, ; 2/20/2015	INTERNET 427 F ST.	230.70	511.40
				377942	PW GAS PURCHASES	466.47	466.47



Bank : first FIRST NATIONAL BANK OF DALY (Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
41443	3/10/2015	01340	FLEX-PLAN SERVICES, INC 10015674	2/28/2015	SECTION 125 PARTICIPANT F	55.00	55.00
41444	3/10/2015	01450	SAN MATEO LAWN MOWER 142720	1/30/2015	Sprayer	127.78	127.78
41445	3/10/2015	01552	FORTE PRESS CORPORATIOI52394	2/26/2015	250 Business Cards B. Dossey	113.10	113.10
41446	3/10/2015	01569	DARLING INTERNATIONAL IN(600:2585176	2/24/2015	TRAP SERVICE CHARGE	79.71	79.71
41447	3/10/2015	01687	UNITED SITE SERVICES OF 114-2733769	2/26/2015	STANDARD AND REGULAR S	118.98	118.98
41448	3/10/2015	01995	CELESTE, MIKE L. 15-0301	3/1/2015	Feb 2-27, 2015 Cardroom Back	990.00	990.00
41449	3/10/2015	02153	NAVARRO, BEGONA MARIA 2000039.003	3/2/2015	03/02/15 Deposit Refund	50.00	50.00
41450	3/10/2015	02204	BRODIT, CHRISTOPHER 100509	3/2/2015	03/02/15 Cancellation Refund	650.00	650.00
41451	3/10/2015	02258	KIM, SEUNG NAM Feb 7-28 2015 G	3/2/2015	GOLF LESSONS	125.00	125.00
41452	3/10/2015	02309	PARKPACIFIC, INC. 3258	2/28/2015	Columbia Cascade PipeLine Re	1,454.00	1,454.00
41453	3/10/2015	02499	GE CAPITAL INFORMATION T194217696	2/20/2015	COPY MACHINE RENTAL	866.56	1,359.24
			94221847	2/23/2015	COPY MACHINE RENTAL	492.68	300.00
41454	3/10/2015	02627	MERCADO, FAUSTINO 100507	3/2/2015	03/02/15 Deposit Refund 02/28,	300.00	1,299.00
41455	3/10/2015	02662	D & C INC. 1739	2/18/2015	Purchase & Install Carpet Tiles	1,299.00	5.00
41456	3/10/2015	02681	PONCE, EVA 2000041.003	3/2/2015	03/02/15 Tot Gym & Jam Refun	5.00	300.00
41457	3/10/2015	02710	PABLICO, MARBING 2000040.003	3/2/2015	03/02/15 Deposit Refund	300.00	600.10
41458	3/10/2015	02739	ZEBOHEAD AUTOMOTIVE INC00002689	3/3/2015	02 Ford F-150 #14 Radiator Re	600.10	184.84
			000002687	3/27/2015	08 Ford Crown Vic #2 Battery R	184.84	16,517.73
41459	3/10/2015	02797	XTELESIS CORPORATION D8349	2/18/2015	1 Power Edge R320 RAID Serv	16,517.73	59.05
			D8408	2/23/2015	IP 480/480G/485 Wall Mount Ki	59.05	16,576.78
b total for FIRST NATIONAL BANK OF DALY CITY:							49,063.75

33 checks in this report.

Grand Total All Checks:

49,063.75

Bank : first FIRST NATIONAL BANK OF DALY

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
41460	3/10/2015	00464	HINDERLITER, DE LLAMAS	3/2/2015	SALES TAX SERVICES	1,326.50	1,326.50
41461	3/10/2015	00500	SMC CONTROLLERS OFFICE	3/5/2015	Feb 2015 Allocation of Parking	1,093.00	1,093.00
41462	3/10/2015	00507	COLMA FIRE PROTECTION DI	2/27/2015	Replace Existing Fire Alarm Pai	542.15	542.15
41463	3/10/2015	00563	PETTY CASH	03/09/15 Reimbu	03/09/15 PETTY CASH REIMB	137.72	137.72
41464	3/10/2015	01037	COMCAST CABLE	March 2015	COMCAST CABLE TV	22,682.18	
41465	3/10/2015	01183	BEST BEST & KRIEGER LLP	03/02/15-04/01/1	INTERNET 1198 & 1199 EL CA	235.70	22,917.88
41466	3/10/2015	01685	STADTLER LANDSCAPING	742969	CITY ATTORNEY SERVICES	15,885.11	15,885.11
				4594	PLANT MAINTENANCE	240.00	
				4593	PLANT MAINTENANCE	120.00	360.00
41467	3/10/2015	02182	DALY CITY KUMON CENTER	Feb 2015	TUTORING	4,670.00	4,670.00
41468	3/10/2015	02216	RAMOS OIL CO. INC.	9490	GASOLINE PURCHASES	998.81	
				62129	GASOLINE PURCHASES	925.22	
				15830	GASOLINE PURCHASES	905.41	
				15973	GASOLINE PURCHASES	34.01	
				4897 Balance Dr	GASOLINE PURCHASES	0.10	2,863.55
41469	3/10/2015	02499	GE CAPITAL INFORMATION TR	3/5/2015	COPY MACHINE RENTAL	1,536.90	1,536.90
41470	3/10/2015	02743	UTILITY TELEPHONE, INC	March 2015 #12	INTERNET ACCESS 128070	664.75	664.75
41471	3/10/2015	02799	ASTOUND BROADBAND	March 2015 RIM	March 2015 RIMS Pt to Pt Fibe	400.00	400.00
<b>b total for FIRST NATIONAL BANK OF DALY CITY:</b>							<b>52,397.56</b>

12 checks in this report.

Grand Total All Checks: 52,397.56

Bank : first FIRST NATIONAL BANK OF DALY

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
41472	3/16/2015	00020	ASSOCIATED SERVICES INC	Feb 2015	SUPPLIES	141.75	141.75
41473	3/16/2015	00044	BROADMOOR TOW	11226	Jan 2015 Tow	125.00	125.00
41474	3/16/2015	00051	CALIFORNIA WATER SERVICE	02/27/2015	WATER BILL	2,665.76	2,665.76
41475	3/16/2015	00057	CINTAS CORPORATION #2	Feb 2015	CLEANING SERVICE	745.69	745.69
41476	3/16/2015	00093	CITY OF SOUTH SAN FRANCISCO	516015	DISPATCH SERVICES	8,626.09	8,626.09
41477	3/16/2015	00112	DEPARTMENT OF JUSTICE	085407	FINGERPRINT APPLICATIONS	1,986.00	1,986.00
41478	3/16/2015	00116	DALY CITY/COLMA CHAMBER	03/12/15 Crab F	FINGERPRINT APPLICATIONS	147.00	2,133.00
41479	3/16/2015	00174	HOME DEPOT CREDIT SERVICE	02/27/15	R. Gonzalez 03/12/15 Crab Fee	195.00	195.00
41480	3/16/2015	00181	IEDA	20132	Jan 30- Feb 25, 2015 PW Purcl	533.22	533.22
41481	3/16/2015	00412	TELECOMMUNICATIONS ENG	43560	LABOR RELATIONS CONSUL	1,242.00	1,242.00
41482	3/16/2015	00414	TERMINEX INTERNATIONAL	L342952783	Facilities Mgmt & Maintenance	1,328.00	1,328.00
41483	3/16/2015	00534	SMC INFORMATION SERVICE	1YCL10502	PEST CONTROL	401.00	
41484	3/16/2015	01030	STEPFORD, INC.	1501194	601 F St. 02/24/15	59.00	510.00
41485	3/16/2015	01181	STONE, SHIRLEY	2000050.003	1199 El Camino 02/26/15	50.00	1,322.25
41486	3/16/2015	01183	BEST BEST & KRIEGER LLP	744380	MICRO CHANNEL & LINES	1,322.25	1,322.25
41487	3/16/2015	01399	WESTLAKE TOUCHLESS CAR	Feb 2015	MONTHLY SERVICE CONTRA	5,380.00	5,380.00
41488	3/16/2015	01414	VERANO HOMEOWNERS ASSA		03/10/15 Computers for Beginn	6.00	6.00
41489	3/16/2015	01526	GONZALEZ, VICENTE N.	2000049.003	CITY ATTORNEY SERVICES	23,802.41	23,802.41
41490	3/16/2015	01643	AUSTRIA, HELEN	100512	PD CAR WASH	8.95	8.95
41491	3/16/2015	02082	VINCE'S OFFICE SUPPLY, INC	Feb 2015 #2110	VERANO OWNERS ASSOCIAT	295.00	295.00
41492	3/16/2015	02274	FRANK AND GROSSMAN LANI	148993	03/10/15 Deposit Refund	275.00	275.00
41493	3/16/2015	02555	AT&T	02/24/15	03/09/15 Deposit Refund 3/7/15	300.00	600.00
41494	3/16/2015	02749	HUBB SYSTEMS, LLC	SI-102338	03/09/15 Deposit Refund 03/8/1	300.00	300.00
41495	3/16/2015	02787	AECO SYSTEMS, INC.	49485	OFFICE SUPPLIES	406.31	487.70
41496	3/16/2015	02810	ARIAS, GUADALUPE	2000051.003	OFFICE SUPPLIES	81.39	487.70
41497	3/16/2015	02811	FOURRE, KATHLEEN	32215P Refund	LANDSCAPE MAINTENANCE	10,363.00	10,363.00
41498	3/16/2015	02812	VALLIN, ANABEL	32232P Refund	Long Distance Charges 650 99	43.41	43.41
					DV Training at Client Site	1,200.00	1,200.00
					Train Station Detectors: 2 Horn	676.43	676.43
					03/10/15 Computers for Beginn	10.00	10.00
					32215P Refund Livescan Overf	57.00	57.00
					32232P Refund Livescan Overf	34.00	34.00

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b total for FIRST NATIONAL BANK OF DALY CITY: 62,806.66

27 checks in this report.

Grand Total All Checks: 62,806.66

Bank : first FIRST NATIONAL BANK OF DALY

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
41499	3/16/2015	00002	03/01/2015	3/1/2015	PHONE BILLS	148.52	148.52
41500	3/16/2015	00211	Feb 2015	2/28/2015	PAINT AND SUPPLIES	368.37	368.37
41501	3/16/2015	00307	05768892222-5	3/6/2015	PG&E	302.16	
			6991706865-7	3/5/2015	PG&E	246.27	
			0035222590-8	3/6/2015	PG&E	29.53	577.96
41502	3/16/2015	00623	Feb 2015	2/27/2015	UNIFORM SERVICE	355.84	355.84
41503	3/16/2015	02813	03/12/2015	3/12/2015	Prep and Paint Two Coat Applic	9,850.00	9,850.00
b total for FIRST NATIONAL BANK OF DALY CITY:							11,300.69



5 checks in this report.

Grand Total All Checks:

11,300.69

## Bank : first FIRST NATIONAL BANK OF DALY

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
41504	3/20/2015	00047	03202015 B	3/20/2015	CLEA: PAYMENT	416.50	416.50
41505	3/20/2015	00068	03202015 B	3/20/2015	COLMA PEACE OFFICER'S P/	645.52	645.52
41506	3/20/2015	00631	03202015 B	3/20/2015	PERS - BUYBACK: PAYMENT	41,598.39	
			03202015 B	3/20/2015	PERS MISC NON-TAX: PAYME	14,595.43	56,193.82
41507	3/20/2015	01340	03202015 B	3/20/2015	FLEX-PLAN SERVICES, INC	538.86	538.86
41508	3/20/2015	01360	03202015 B	3/20/2015	VANTAGE TRANSFER AGENT:03202015 B	4,350.00	4,350.00
41509	3/20/2015	01375	03202015 B	3/20/2015	NATIONWIDE RETIREMENT S:03202015 B	5,000.00	5,000.00
41510	3/20/2015	02224	03202015 B	3/20/2015	STANDARD INSURANCE COM:03202015 B	327.20	327.20
41511	3/20/2015	02377	03202015 B	3/20/2015	CALIFORNIA STATE DISBURS:03202015 B	553.84	553.84
93177	3/20/2015	00130	03202015 B	3/20/2015	EMPLOYMENT DEVELOPMEN:03202015 B	7,681.38	7,681.38
93178	3/20/2015	00521	03202015 B	3/20/2015	UNITED STATES TREASURY	45,325.89	45,325.89
total for FIRST NATIONAL BANK OF DALY CITY:							121,033.01

Bank : first FIRST NATIONAL BANK OF DALY

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
41512	3/23/2015	00004	000006310244	3/1/2015	4 Voice Mail Ports	799.52	799.52
41513	3/23/2015	00051	CALIFORNIA WATER SERVICE	3/13/2015	1727052702 JSB across from F	86.12	86.12
41514	3/23/2015	00057	CINTAS CORPORATION #2	3/6/2015	3 Reviver Prep Resp Kit	113.69	
			8402095376	3/6/2015	PW First Aid Supplies	49.68	163.37
			8402095352	3/6/2015	CSG	110,176.78	110,176.78
41515	3/23/2015	00071	Jan 31-Feb 27, 2	3/17/2015	March 10-1, 2015 Meal Reimbu	32.00	32.00
41516	3/23/2015	00213	March 10-11 Rei	3/16/2015	MEDICAL INSURANCE	95,532.50	95,532.50
41517	3/23/2015	00282	CALIFORNIA PUBLIC EMPLOY	3/16/2015	PG&E	2,354.31	
41518	3/23/2015	00307	PACIFIC GAS & ELECTRIC	3/6/2015	PG&E	1,841.22	4,195.53
			0512181543-4	3/6/2015	PG&E	54.65	54.65
41519	3/23/2015	00311	PITNEY BOWES INC.	3/5/2015	#2838522 POSTAGE & FOLDI#	21,237.38	21,237.38
41520	3/23/2015	00352	SERRAMONTE FORD, INC.	3/17/2015	2015 Ford Fusion VIN 3FA6PO	109.00	109.00
41521	3/23/2015	00388	SONITROL	3/1/2015	427 F ST. MONTHLY MONITO	152.07	152.07
41522	3/23/2015	00411	TURBO DATA SYSTEMS	2/28/2015	CITATION PROCESSING	715.05	715.05
41523	3/23/2015	00830	STAPLES BUSINESS ADVANT#8033558612	3/7/2015	Restickable Easel Pad 25x30, 1	614.26	614.26
41524	3/23/2015	00928	CLEAN SOURCE, INC.	3/12/2015	Paper and Towel Supplies	3,166.99	
41525	3/23/2015	01030	STEPFORD, INC.	1/14/2015	Dec 2014 Hours Worked	374.43	3,541.42
			1501021	3/9/2015	HP LaserJet Pro 200	118.00	118.00
41526	3/23/2015	01036	MANAGED HEALTH NETWORK	4/1/2015	EMPLOYEE ASSISTANCE PR	103.95	103.95
41527	3/23/2015	01037	COMCAST CABLE	3/7/2015	INTERNET 601 F ST.	5,306.25	5,306.25
41528	3/23/2015	01076	API CONSULTING	2/20/2015	RECORDS MANAGEMENT	21.00	21.00
41529	3/23/2015	01276	GONZALEZ, RAE	3/18/2015	03/18/15 Cooking Class Refunc	184.08	184.08
41530	3/23/2015	01308	EEL RIVER FUELS, INC.	3/15/2015	PW GAS PURCHASES	360.00	360.00
41531	3/23/2015	01367	DUO DANCE ACADEMY	3/18/2015	DANCE CLASSES	8,114.11	8,114.11
41532	3/23/2015	01565	BAY CONTRACT MAINTENAN	3/10/2015	JANITORIAL SERVICES	105.00	105.00
41533	3/23/2015	01652	AU ELECTRIC CORPORATION	3/12/2015	04/01/15-06/30/15 Town Hall C	2,001.25	2,001.25
41534	3/23/2015	01680	NBS GOVERNMENT FINANCE	2/28/2015	USER FEE CONSULTING SER	29,544.47	29,544.47
41535	3/23/2015	01702	COLD SPRING GRANITE COMM	3/5/2015	Monumental Granite Welcome	275.39	275.39
41536	3/23/2015	02251	RECORD XPRESS OF CA, LLC	2/28/2015	STORAGE, WORKORDERS, N	361.98	361.98
41537	3/23/2015	02542	KEYSTONE (US) MANAGEMEN	3/7/2015	04/01/15-06/30/15 Fire System	1,000.00	1,000.00
41538	3/23/2015	02564	VICGOLD INVESTMENT, INC.	3/20/2015	473B Refund C & D (08/16/201	339.50	339.50
41539	3/23/2015	02592	DKF SOLUTIONS GROUP, LLC	3/4/2015	2 Sets of Sanitary Sewer Overfl	107.54	107.54
41540	3/23/2015	02701	FRANCISCO, MARK	3/23/2015	March 10-13, 2015 Meal & Mile	377.12	377.12
41541	3/23/2015	02787	AECO SYSTEMS, INC.	3/5/2015	Replace Tamper Switch on OS	200.00	200.00
41542	3/23/2015	02814	CASUTO, DAVID	03/07/15	Computer Class -Soci		

Bank : first FIRST NATIONAL BANK OF DALY (Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
41543	3/23/2015	02815	ICABALCETA, HILDA	3/16/2015	03/16/15 Deposit Refund	200.00	200.00
41544	3/23/2015	02816	SANCHEZ, TIFFANY SHARON	3/16/2015	03/16/15 Deposit Refund 03/15,	300.00	300.00
41545	3/23/2015	02817	MORQUECHO, CYNTHIA	3/19/2015	March 10-13, 2015 CPRS Milee	105.23	105.23

b total for FIRST NATIONAL BANK OF DALY CITY: 286,534.52

34 checks in this report.

Grand Total All Checks:

286,534.52

Bank : first FIRST NATIONAL BANK OF DALY

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
41546	3/31/2015	00003	A. S. F. ELECTRIC	3/18/2015	Replaced Pole Lamps at Police	255.00	255.00
41547	3/31/2015	00051	CALIFORNIA WATER SERVICE6544607057	3/19/2015	6544607057 S.W. Corner-Hillside	815.92	815.92
41548	3/31/2015	00114	HILLMAN, DOROTHY	3/23/2015	03/23/15 Adult Cooking Class V	7.00	7.00
41549	3/31/2015	00117	DELTA DENTAL OF CALIFORNIA01131613	4/1/2015	DENTAL INSURANCE	11,856.60	11,856.60
41550	3/31/2015	00259	PADILLA, ANGELA	3/23/2015	03/23/15 Deposit Refund	50.00	50.00
41551	3/31/2015	00307	PACIFIC GAS & ELECTRIC	3/17/2015	PG&E	44.92	44.92
				3/17/2015	PG&E	29.12	74.04
41552	3/31/2015	00432	VISION SERVICE PLAN	3/19/2015	VISION SERVICE PLAN	956.80	956.80
41553	3/31/2015	00830	STAPLES BUSINESS ADVANT78033644745	3/14/2015	HP Toner H131A, CD/DVD Stor	387.52	387.52
41554	3/31/2015	01037	COMCAST CABLE	3/17/2015	8155 20 022 0002770 HD XFIN	10.11	10.11
41555	3/31/2015	01472	DELATORRE, MARIELA	3/23/2015	03/23/15 Youth & Teen Cooking	7.00	7.00
41556	3/31/2015	01569	DARLING INTERNATIONAL IN(600:2594934	3/17/2015	TRAP SERVICE CHARGE	79.71	79.71
41557	3/31/2015	02150	COLOMBO, EMIL L. AND DORIO3/26/2015 Innei	3/26/2015	03/26/15 Inner Perspectives Lui	394.00	394.00
41558	3/31/2015	02190	GOGAN, REA	Feb 17-March 26	Feb 17, 2015 County TMA Mee	98.66	98.66
41559	3/31/2015	02224	STANDARD INSURANCE COMApril 2015	3/16/2015	LIFE INSURANCE	220.00	220.00
41560	3/31/2015	02257	GARCIA, SAIDA YANIRA	3/23/2015	03/23/15 Refund Deposit	225.00	225.00
41561	3/31/2015	02602	SAN MATEO COUNTY/SILICOIS16028	3/16/2015	2016 Visitor Guide San Mateo	315.00	315.00
41562	3/31/2015	02623	BLOEBAUM, CYNTHIA	3/27/2015	COOKING CLASSES	425.00	425.00
41563	3/31/2015	02637	Z.A.P. MANUFACTURING INC. 43638	3/19/2015	8 each 6 am-8 am Tues/4 Hr Al	811.70	811.70
41564	3/31/2015	02683	E2 CONSULTING ENGINEERSCACOL2424-00(	7/18/2014	Pmt #4 March 29-June 27 Serv	5,637.12	5,637.12
41565	3/31/2015	02716	COM-STRAT, LLC DBA	2/27/2015	Feb 2015 Weekly Status Calls.	243.75	243.75
41566	3/31/2015	02718	GUERRERO, SAUL	12/18/2014	Replaces Ck #41027 11/17/14 I	41.14	41.14

b total for FIRST NATIONAL BANK OF DALY CITY: 22,911.07

21 checks in this report.

Grand Total All Checks:

22,911.07

Bank : first FIRST NATIONAL BANK OF DALY

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
41567	3/31/2015	00307	PACIFIC GAS & ELECTRIC 2039987372-6 9956638930-2	3/20/2015	PG&E	10.72	
41568	3/31/2015	01370	VERIZON WIRELESS SERVICE 9742291566	3/20/2015	PG&E	9.55	20.27
41569	3/31/2015	02274	FRANK AND GROSSMAN LANI 40445716 40445717	3/15/2015	CELL PHONE SERVICE	1,511.25	1,511.25
				3/20/2015	Colma Creek Cleanup	4,500.00	
				3/20/2015	Community Center Frontage Pl	3,018.00	
				3/20/2015	Community Center Mulch: Rem	1,460.00	
				3/20/2015	City Hall Annex Plant (10) 5-Ga	746.00	
				3/20/2015	South Side of PD Plant (20) 1-C	370.00	10,094.00
41570	3/31/2015	02818	BSM CONSTRUCTION 422B Refund C&	3/27/2015	422B Refund C&D Deposit (04/	1,000.00	1,000.00

b total for FIRST NATIONAL BANK OF DALY CITY: 12,625.52



4 checks in this report.

Grand Total All Checks:

12,625.52

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**ORDINANCE NO. ##  
OF THE CITY COUNCIL OF THE TOWN OF COLMA**

**AN ORDINANCE AMENDING COLMA MUNICIPAL CODE CHAPTER 8  
RELATING TO ANIMALS**

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

**ARTICLE 1. COLMA MUNICIPAL CODE CHAPTER 8-01 AMENDED.**

Subchapter 1 of Chapter 8 of the Colma Municipal Code, entitled "Animal Control" shall be and is hereby amended in its entirety to read as follows:

**"CHAPTER EIGHT: ANIMALS**

**Subchapter One: Animal Control**

**8.01.010 Definitions.**

(a) *Animal Control Officer* means that person designated as the Animal Control Program Manager of the Division of Animal Control Services for San Mateo County and his or her duly authorized officers or deputies, as well as the President of the County's contract agent and his duly authorized officers or deputies.

(b) *Animal Control Program* means that program within the Division of Animal Control Services of the San Mateo County Health System, or the County's designated contract agent or both, which is specifically charged with regulating and enforcing laws dealing with animal control within its jurisdiction.

(c) *Animal Control Shelter* means the facilities provided by the County or the County's designated contract agent for the impounding of animals.

(d) *Dangerous Animal* means any animal, except a trained dog assisting a peace officer engaged in law enforcement duties, which, because of its disposition, behavior, training or other characteristic, constitutes a danger to persons or property, or which demonstrates any or all of the following behavior:

- (1) Any attack or other behavior, which requires a defensive action by any person to prevent bodily injury or property damage or that results in an injury to a person or property;
- (2) Any aggressive attack or other behavior, that constitutes a substantial threat of bodily harm to a person or animal, where such attack, injury or behavior occurs in a place where such person is conducting himself or herself peaceably and lawfully;
- (3) Any attack on another animal or livestock which occurs off the property of the Owner of the attacking animal; or

- (4) Any animal that has been deemed by another governmental jurisdiction as "potentially dangerous," "dangerous," "vicious," or any other similar designation.
- (e) *Director of Health System* means that person so designated by the governing body of the County of San Mateo.
- (f) *Health Officer* means that person who has been designated by the San Mateo County Board of Supervisors as the Health Officer of the County and any other person duly authorized by such Health Officer to act on his or her behalf.
- (g) *Impoundment* means the picking up and confining of an animal by the Animal Control Program.
- (h) *Licensing Program* means that program within the San Mateo County Health System which is specifically charged with regulating and selling animal licenses and registrations in San Mateo County.
- (i) *Master Fee Schedule* means the Town of Colma Master Fee Schedule set forth in Subchapter 10 of Chapter 1 of the Colma Administrative Code, as amended from time to time by the City Council.
- (j) *Owner* of an animal means that person 18 years of age or older who holds the license to the animal, or if the animal is not licensed, that person 18 years or older legally entitled to possession of the animal concerned, and who has primary responsibility for the care of the animal.
- (k) *Peaceably and Lawfully* means a person is upon the private property of an Owner of the animal when he is on such property in the performance of any duty imposed upon him by the laws of this state or any city or county, or by the laws or postal regulations of the United States, or when he is on such property upon invitation by the Owner or his/her designee, express or implied.
- (l) "Person: [See, section 1.01.100]".
- (m) *Severe Injury* means any physical injury directly caused by an animal attack that consists of muscle tears, multiple punctures, broken bones or disfiguring lacerations, or which requires multiple sutures or corrective or cosmetic surgery.
- (n) *Vicious Animal* means any animal, except a trained dog assisting a peace officer engaged in law enforcement duties, which meets any or all of the following criteria:
- (1) Any animal previously designated as "dangerous," that, after investigation by an Animal Control Officer and/or peace officer, is found under conditions which constitute a violation of this chapter or applicable Dangerous Animal permit and which demonstrates a significant danger to the public health or safety;
  - (2) Any animal seized under section 599aa of the Penal Code and/or upon the sustaining of a conviction of the Owner or caretaker under subsection (a) of section 597.5 of the Penal Code;

(3) Any animal which inflicts severe injury on or kills a human being or another animal;

(4) Any animal which has engaged in any aggressive behavior which demonstrates that the animal represents a clear and present substantial danger to the public health or safety and that, due to substantial risk to the public health or safety, it is unlikely that the animal could be safely maintained under a Dangerous Animal permit.

(o) *Wolf Hybrid* means any offspring of domestic dogs bred to wild canids (e.g., wolves or coyotes) and their subsequent generations.

[*History*: ORD. 606, 9/10/03; ORD. 635, 10/12/05, ORD. 643, 4/12/06, ORD. \_\_\_\_\_, \_\_\_\_\_]

### **8.01.020 Animal Control Program.**

(a) *Responsibility*. The Animal Control Program is responsible for the enforcement of this ordinance, and the duties of the Director thereof and his officers, agents, and employees shall include, but not be limited to, the following:

(1) To administer an animal control shelter and keep such records as may be required by law or contract.

(2) To impound animals which are in violation of this ordinance, or for the safekeeping of the animal to protect its health and welfare.

(3) To remove and dispose of the carcass of any animal found on any public highway, street, alley, or other public place.

(4) To quarantine animals under the direction of the San Mateo County Health Officer.

(5) To destroy and dispose of animals after due notice to the Owner and pursuant to the procedures set forth herein.

(6) To sell, when appropriate, impounded animals after due notice to the Owner.

(7) To enforce all provisions of this ordinance.

(b) *Scope of Authority of Humane Officers and Animal Control Officers*. Humane Officers qualified and appointed pursuant to California Corporations Code section 14502, who are employees of any public pound, society for prevention of cruelty to animals or humane society which has contracted with the County to provide animal control services, shall have the authority to issue notices to appear in court pursuant to chapter 5c (commencing with section 853.5 of title 3 of part 2 of the Penal Code of the State of California) for violations of state and local animal control laws. This authority is based on section 14503 of the Corporations Code. Animal Control Officers shall have the authority provided by state law including but not limited to that described by Penal Code section 830.9.

(c) *Right to Contract for Animal Control Services*. The City Council may contract for animal control services to be performed by San Mateo County.

[History: ORD. 606, 9/10/03; ORD. 635, 10/12/05; ORD. \_\_\_\_, \_\_\_\_]

**8.01.030 Rabies Vaccinations.**

Every dog or cat Owner, after his/her dog or cat attains the age of four (4) months of age and/or within ten working days of purchasing a license shall procure from a licensed veterinarian, an anti-rabies vaccination to be administered in the manner prescribed or approved by the State of California Department of Public Health. This vaccination shall be obtained prior to issuing a license for the dog or cat. In addition, proof of vaccination shall be provided to the licensing program.

[History: ORD. 606, 9/10/03; ORD. \_\_\_\_, \_\_\_\_]

**8.01.040 Dog and Cat Licenses.**

(a) *Requirements.* An annual license fee shall be paid for every dog or cat over the age of four (4) months owned or harbored in the Town of Colma. Said annual license fee shall be first due when the animal reaches four (4) months of age or within 60 days after the dog or cat is acquired, and due on the anniversary date of the original purchase date each year thereafter. New residents shall have sixty (60) days in which to acquire such license. Persons renewing their license shall have thirty (30) days following their due date before being delinquent and having to pay a late penalty. The fee for such license shall be as set forth in the Master Fee Schedule. The fee paid for the licensing of spayed or neutered dogs and cats shall be less than said license fee for unaltered cats or dogs upon presentation of the proper certification. The license fee paid by persons over the age of 60 shall be at a discount. For purposes of this section any surcharge on the license fee imposed under the Master Fee Schedule shall not be considered part of the license fee. Any person who shall fail to pay such license fee after said fee is due, or said dog or cat is required to be licensed, shall in addition to paying any past due license fee or fees, also pay a penalty in accordance with the Master Fee Schedule. A license shall be obtained, but no license fee shall be payable for the licensing of any dog being raised, trained or used to assist handicapped persons (such as those provided by Canine Companions) including but not limited to any dog which is being trained for guide or hearing purposes by a resident of the Town or used for guide or hearing purposes by a handicapped resident of the Town and which has come from a guide or hearing dog training facility such as Canine Companions, or for dogs which have served as a member of the armed forces of the United States of America, or any dog used by a local law enforcement agency for the purposes of crime prevention or control. Dog or cat licenses are not transferable between Owners; however, if the dog dies and the Owner acquires a new dog, the license is transferable to the new dog. The license does not have to be renewed until the original purchase anniversary date. The fee paid for a dog or cat license is not refundable.

(b) *Exemptions.* The licensing provisions in this ordinance are not applicable to the following:

(1) Dogs or cats used for diagnostic purposes or research, the use having been approved by the California State Department of Health Services pursuant to section 1666 of the Health and Safety Code.

(2) Dogs or cats used for teaching purposes in recognized educational institutions.

(3) Dogs or cats owned by veterinarians which are licensed by the State and kept on the premises used by said veterinarians in their practice.

(4) Dogs or cats kept by owners of pet shops for purposes of sale, for circuses, for animal exhibits, or for other enterprises for which a business license has been granted by the Town of Colma.

(c) *Tags.* The Licensing Program shall procure plates or tags which bear the number of the license or registration. A record shall be kept with the name of the Owner or possessor together with a description of the dog, cat, or wolf hybrid for which the license or registration is issued and the number of the license or registration, and a tag shall be provided to such person upon payment for such license or registration as provided by this chapter.

(d) *Duplicate Tags.* Whenever a tag has been lost or stolen, the Owner or possessor of the cat, dog or wolf hybrid concerned may request a duplicate tag upon payment of the required fee and on making and subscribing to an affidavit of such loss and filing the same with the Licensing Program.

(e) *Wearing of Tag Required.* The Owner of a dog, cat, or wolf hybrid for which a license or registration is required shall affix such tag to a suitable collar, which collar shall remain on the dog, or wolf hybrid at all times.

(f) *Alternative Identification/Implants.* Animals with microchip implants or other permanent identification acceptable to San Mateo County Animal Control Services shall not be required to wear a tag or collar. All other licensing and registration requirements of this section shall apply to such dog, cat, or wolf hybrid.

(g) *Records.* The Owner or operator of any kennel, animal breeding facility, pet shop, or any place or establishment where animals are sold shall keep a permanent record of the name, address, and phone number of the purchaser of any dog, cat, or wolf hybrid along with the breed, color, sex, and age of each animal sold or given away and shall forward such information to the Animal Control Services within thirty (30) days thereafter. An Animal Control Officer shall have the right to inspect such records during normal business hours, with forty-eight (48) hours prior notice to the Owner or operator.

(h) *Veterinarian Responsibilities.* Every veterinarian who vaccinates or causes or directs to be vaccinated in the Town any dog, cat, or wolf hybrid with anti-rabies vaccine shall certify that such animal has been vaccinated. Every veterinarian shall submit to the licensing authority a copy of the County-approved anti-rabies vaccination form, within ten (10) days of the beginning of each month, for any dog, cat, or wolf hybrid which he/she vaccinates or directs to be vaccinated with anti-rabies during the previous month. An Animal Control Officer or Animal Licensing Officer shall have the right to inspect records of rabies vaccinations during normal business hours.

[History: ORD. 606, 9/10/03; ORD. \_\_, \_\_\_\_\_]

### **8.01.045 Three-Year Licensing for Dogs and Cats.**

Notwithstanding section 8.01.040, a three-year license may be obtained for a cat or dog (excluding wolf hybrids) by submitting to the Licensing Program adequate proof of a three-year rabies vaccination of the animal to be licensed and payment of the applicable fees as set forth in the Master Fee Schedule.

[History: ORD. \_\_, \_\_\_\_]

### **8.01.050 Wolf Hybrid Registration.**

*Requirements.* An annual registration fee shall be paid for every wolf hybrid over the age of four (4) months owned or harbored in the Town of Colma. Said registration fee shall be first due when the animal reaches four (4) months of age or within sixty (60) days after the animal is acquired and due on the anniversary date of the original purchase date each year thereafter. All residents shall have sixty (60) days in which to register their wolf hybrid. Persons renewing their registration shall have thirty (30) days following their due date before being delinquent and having to pay a late penalty. The registration fee shall be as set forth in the Master Fee Schedule. The registration fee for spayed or neutered wolf hybrids shall be less than said registration fee for unaltered wolf hybrids. At the time of registration, the wolf hybrid Owner must show proof that the animal has been given anti-rabies vaccination by a licensed veterinarian to be administered in the manner prescribed or approved by the State of California Department of Public Health.

[History: ORD. 606, 9/10/03, ORD. \_\_, \_\_\_\_]

### **8.01.060 Public Protection From Dogs.**

- (a) Every Owner or possessor of a dog shall at all times prevent such dog from biting or physically harassing any person engaged in a lawful act and from interfering with the lawful use of public or private property.
- (b) Every Owner or possessor of a dog shall at all times prevent such dog from causing substantial injury to another domestic animal while such domestic animal is lawfully upon public or private property. Substantial injury means any injury which results in veterinarian treatment or death.
- (c) Every Owner or possessor of a dog shall desist from commanding or provoking such dog to attack, sic or threaten a person when such person is peaceably and lawfully upon public or private property.
- (d) Any person who violates any provision of subsections (a), (b), or (c) of this section is guilty of a misdemeanor. A trained dog assisting a peace officer engaged in law enforcement duties is excluded from this section.
- (e) Nothing in subsection (a) of this section shall authorize the bringing of a criminal action arising out of bite(s) upon or physical harassment of members of the dog Owner's or possessor's household.



[History: ORD. 606, 9/10/03; ORD. \_\_\_\_, \_\_\_\_]

**8.01.070 Prohibited Conduct.**

No Owner or possessor of any animal shall cause or permit it to do any of the following:

(a) To be upon any public street, sidewalk, park, school ground, any public property, or upon any unenclosed premises in the Town of Colma unless the animal is properly licensed, if such licensing is necessary hereunder, and under the control of the Owner by being saddled, harnessed, haltered, or leashed by a substantial chain, lead rope, or leash, which chain, lead rope, or leash shall be continuously held by some competent person capable of controlling such animal.

(b) To trespass upon any private property without the consent of the owner thereof, and to knowingly permit the animal to remain upon the property or to habitually continue to trespass thereon.

(c) To suffer or permit such animal to habitually bark or meow or act in such a manner as to continuously disturb the peace of any citizen or to be a public nuisance.

(d) To be without proper and adequate food, water, shelter, care, and attention as described to in section 597(f) of the Penal Code.

(e) Subsection (a) of this section shall not be applicable to cats.

[History: ORD. 606, 9/10/03; ORD. \_\_\_\_, \_\_\_\_]

**8.01.072. Feeding Birds and Wild Animals Prohibited.**

It shall be unlawful for any person to feed or offer food to any bird or wild animal in or on any sidewalk, street, highway or public property of the Town of Colma.

[History: ORD. 637, 11/09/05; ORD. 636, 12/14/05; ORD. 637, 11/9/05; ORD. \_\_\_\_, \_\_\_\_]

**8.01.075 Animal Wastes.**

(a) It is unlawful for the Owner or person having custody of any animal to fail to immediately remove and dispose of in a sanitary manner, by placing in a closed or sealed container and depositing in a trash receptacle, any feces deposited by such dog animal upon private or public property not owned or controlled by the Owner or person having custody of such dog animal.

(b) No person having the care, custody, charge or control of any animal shall permit or allow that animal on any public sidewalk, public park or on any other public property, or on any private property owned by someone other than the Owner or person who has custody or control of the animal, unless that person has, in his or her possession, an implement or device capable of removing any feces deposited by the animal.

(c) The provisions of this section shall not be applicable to:

- (1) Any animal enrolled and participating in obedience classes or in any show for which the Town has issued a special event permit;
- (2) Any guide dog while being used by a blind person; or
- (3) Any domestic feline.

[History: ORD. 625, 12/08/04, ORD. \_\_\_\_, \_\_\_\_]

#### **8.01.080 Protection of Animals in Motor Vehicles.**

(a) No person, other than an individual actually working a dog or other animal for ranching purposes, shall transport or carry on any public highway or public roadway, any dog or other animal in a motor vehicle unless the dog or other animal is safely enclosed within the vehicle or protected by a cap or container, cage, cross-tether, or other device to prevent the animal from falling from, being thrown from, or jumping from said motor vehicle. As used herein "motor vehicle" includes, without limitation, automobile, pickup truck and trailer.

(b) No person shall leave a dog or other animal in any unattended motor vehicle without adequate ventilation, sanitary conditions, or in such a manner as to subject the animal to extreme temperatures which adversely effect the animal's health or safety.

(c) Notwithstanding any other provision of this ordinance, a violation of subsections (a) or (b) of this section shall be an infraction. Any Animal Control Officer or peace officer who witnesses such a violation shall have the right to impound the animal if, in his or her opinion, the animal's health or safety is or will be thereby endangered.

[History: ORD. 606, 9/10/03; ORD. \_\_\_\_, \_\_\_\_]

#### **8.01.090 Release for Confinement.**

No person other than the Owner or person authorized by the Owner of the animal shall release any animal from any confinement, vehicle or restraint unless such release is necessary to the immediate health and safety of the animal. This section shall not apply to peace officers or Animal Control Officers.

[History: ORD. 606, 9/10/03; ORD. \_\_\_\_, \_\_\_\_]

#### **8.01.100 Dangerous Animal Permit Required.**

(a) No person shall knowingly keep, have, maintain, sell, trade or let for hire an animal designated under the provisions of this chapter as dangerous without obtaining a Dangerous Animal permit from the Animal Control Officer. The animal Owner shall comply with all conditions of the Dangerous Animal permit including, but not limited to, all requirements of section 8.01.120 of this chapter. Any animal which is determined to be dangerous under this chapter and for which a permit has not been obtained shall be surrendered to an Animal Control Officer for appropriate disposition including humane destruction.

(b) If an Animal Control Officer or peace officer has investigated and determined that an animal is dangerous, the Animal Control Officer and/or peace officer shall deliver written notice

of such determination to the Owner of the animal. Should the animal pose a threat to the public health and safety, an Animal Control Officer may immediately impound the animal.

(c) If, after investigation by an Animal Control Officer or peace officer, that officer determines that probable cause does not exist to believe the animal is dangerous, any interested person may appeal that determination by submitting within five (5) calendar days of the decision a written request to the Animal Control Officer or peace officer for a hearing and paying the required fee. The hearing shall be conducted according to the procedures set forth in section 8.01.115 of this chapter.

(d) In determining whether or not an animal shall be declared dangerous, the Animal Control Officer, peace officer or hearing officer appointed pursuant to section 8.01.115, may consider, as a mitigating factor or factors, whether, at the time of the injury, attack or molestation, the person or animal suffering the injury, attack or molestation:

(1) Provoked, tormented, teased, abused or assaulted the animal thereby causing or contributing to the alleged behavior;

(2) Committed a willful trespass or other tort upon the private property of the Owner or caretaker of the animal;

(3) Threatened or committed an unjustified attack or assault against the Owner, caretaker or person in control of the animal.

(4) Or any other mitigating factors deemed appropriate for consideration by the Animal Control Officer, peace officer or hearing officer.

(e) Upon receipt of written or oral notification by the Animal Control Officer and/or peace officer that an animal is dangerous as defined in this chapter, the Owner shall submit an application for a Dangerous Animal permit to the Animal Control Officer within five (5) calendar days. The application for a permit shall contain the name of the applicant, applicant's address, the applicant's home and business phone numbers, the address and description of the proposed location of where the animal will be kept, if different from applicant's, a complete description and a photograph of the animal. The permit shall contain all of the requirements of section 8.01.120 and any additional conditions or requirements deemed necessary by the Animal Control Officer or peace officer to protect the public health or safety.

(f) Should the Owner of the animal wish to contest the Dangerous Animal designation, the Owner may request a hearing, to be conducted according to the procedures set forth in section 8.01.115 of this chapter. The Owner shall submit a written request for a Dangerous Animal hearing to the Animal Control Officer and/or peace officer within five (5) calendar days of written notification by the Animal Control Officer and/or peace officer that the animal has been declared dangerous. Should the Owner not submit a request for a hearing within five (5) calendar days of notification, the hearing process shall be deemed waived by the Owner, and the Dangerous Animal declaration will be considered final by the County Director of the Health System, or the Town. In that event, the County Director of the Health System or the Town may allow the Dangerous Animal permit to be issued without a hearing. Unless a Dangerous Animal permit is immediately obtained, the animal shall be impounded at the Owner's expense

pending appropriate disposition as determined by the Animal Control Officer and/or peace officer.

[History: ORD. 606, 9/10/03; ORD. 635, 10/12/05; ORD. \_\_\_\_, \_\_\_\_]

### **8.01.105 Declaration of Vicious Animals.**

(a) No person shall keep, have, maintain, sell, trade or let for hire an animal which has been designated as vicious pursuant to this chapter.

(b) If an Animal Control Officer and/or peace officer has investigated and determined that an animal is vicious, the Animal Control Officer and/or peace officer shall deliver to the Owner of the animal written notice of that determination. The Animal Control Officer and/or peace officer shall immediately impound or cause to be impounded the animal and shall cause the animal to be humanely destroyed unless the Owner requests a hearing under subsection (c) of this section.

(c) If the Owner of the animal disputes the designation of an animal as a Vicious Animal by the Animal Control Officer and/or peace officer he or she may submit a written request for a hearing to the Animal Control Officer and/or peace officer within five (5) calendar days of notification. Such hearing shall be conducted according to the procedures set forth in section 8.01.115 of this chapter. Failure of the Owner to request a hearing shall result in the animal being declared vicious and humanely destroyed. The Vicious Animal declaration will be considered final by the County Director of the Health System, or the Town.

(d) If, after investigation by an Animal Control Officer or peace officer, that officer determines that probable cause does not exist to believe that the animal is vicious, any interested person may appeal that determination by submitting within five (5) calendar days of the decision a written request to the Animal Control Officer or peace officer for a hearing and paying the required fee.

(e) In determining whether or not an animal shall be declared vicious, the Animal Control Officer, peace officer or hearing officer may consider, as a mitigating factor or factors, whether at the time of the injury, attack or behavior, the person or animal suffering the injury, attack or behavior for which the animal is being determined vicious:

(1) Provoked, tormented, teased, abused or assaulted the animal thereby causing or contributing to the alleged behavior;

(2) Committed a willful trespass or other tort upon the private property of the Owner or caretaker of the animal;

(3) Threatened or committed an unjustified attack or assault against the Owner, caretaker or person in control of the animal; or

(4) Any other mitigating factors deemed appropriate for consideration by the Animal Control Officer, peace officer or hearing officer.

[History: ORD. 635, 10/12/05; ORD. \_\_\_\_, \_\_\_\_]

### **8.01.110 Issuance of Permit for Dangerous Animal.**

(a) No permit obtained under this section is transferable. If the Owner's address or the location where the animal is kept changes or the Owner transfers ownership of the animal, the permit shall become null and void and an application for a new permit must be submitted to the Animal Control Officer.

(b) The issuance of the permit shall be conditioned upon the animal Owner, possessor or permittee promising to adhere to the rules and regulations of this chapter specified in section 8.01.120 an to any reasonable criteria related to the proper care, control, maintenance and use of the animal which the peace officer or Animal Control Officer shall establish.

(c) A permit issued under this chapter is subject to renewal and approval each year and is subject to conditions and requirements existing as of the date of renewal. The permittee shall pay an annual fee for this permit pursuant to the procedures established by the Division of Animal Control Services of the County Health System. If permittee fails to file an application for renewal or pay the permit fee prior to the permit anniversary date the permit shall automatically become void. The fee for such permit shall be as set forth in the Master Fee Schedule. This fee shall not be refundable.

(d) If the Owner or permittee has a history of multiple violations of this chapter or of the conditions of any previously issued Dangerous Animal permit, the Animal Control Officer or hearing officer may deny the permit and impound the animal for appropriate disposition as determined by the Animal Control Officer or hearing officer.

[*History:* ORD. 606, 9/10/03; ORD. 635, 10/12/05; ORD. \_\_\_\_, \_\_\_\_]

### **8.01.115 Hearing Procedures**

(a) Hearings held under this chapter shall be conducted by a hearing officer or designated representative appointed by the Director of the San Mateo County Health System. Alternatively, the Town may elect to utilize the services of any San Mateo County designated hearing officer to hold hearings under this chapter, and may appoint any such hearing officer in its discretion. The hearings shall be scheduled no less than five (5) working days and no more than fifteen (15) working days from the receipt of the request for the hearing unless agreed upon by the involved Animal Control Officer or peace officer and the animal Owner. A hearing may be continued if the hearing officer deems it necessary and proper or if the Owner, or Animal Control Officer and/or peace officer shows good cause.

(b) The hearing shall be conducted in an informal manner consistent with due process of law. Both the Owner of the animal and Animal Control Officer and/or peace officer may be represented by counsel. The parties may present relevant evidence and call and cross-examine witnesses. The strict rules of evidence shall not be applicable. Any relevant evidence may be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs. The hearing shall be tape-recorded and all documentary evidence submitted at the hearing shall be preserved. Any party may arrange for a court reporter to be present. Any party desiring the presence of a court reporter shall make all necessary arrangements and shall be responsible for payment of all costs.

(c) The hearing officer may exclude disorderly or disruptive persons from the hearing or make other orders as necessary to ensure the fair and orderly conduct of the hearing.

(d) The hearing officer may decide all issues for or against the Owner of the animal should the Owner fail to appear at the hearing.

(e) Within five (5) working days of the hearing, the hearing officer shall render a brief written decision, which decision shall be final at the administrative level. The written decision shall be mailed to the parties by certified mail and include a declaration or proof of mailing which includes the date on which the decision was mailed to the parties.

(f) Unless the hearing officer for good cause otherwise determines, the Owner of the animal is liable for all costs related to such hearing not to exceed three-hundred and fifty dollars (\$350).

(g) The failure to conduct a hearing required by this section shall have no bearing on any criminal prosecution for violation of any provisions of this chapter.

(h) In the case of animals determined by an Animal Control Officer or peace officer to be dangerous or vicious, the hearing officer may decide any or all of the following:

(1) That the animal be designated "vicious" and the Owner of the animal lose all rights of ownership and control of the animal and the animal shall be humanely destroyed. An animal designated as vicious will be held at the animal shelter for a minimum of five (5) calendar days from the date of the hearing officer's decision, after which time it may be humanely destroyed without further notice to the Owner;

(2) That the animal be designated "dangerous" and the Owner must apply for and obtain a Dangerous Animal permit as provided by this chapter within five (5) calendar days of receipt of the decision letter in order to maintain the animal and the Owner must comply with all mandatory Dangerous Animal permit rules and regulations as defined in section 8.01.120;

(3) That the Dangerous Animal permit shall contain additional permit conditions to supplement the mandatory Dangerous Animal permit rules and regulations as defined in section 8.01.120, including, but not limited to, the following:

(A) That the Owner keep the animal muzzled at all times when the animal is off the Owner's property;

(B) That the Owner prove financial responsibility by posting a bond or certificate of insurance for an amount of \$1,000,000 per animal as determined by the hearing officer;

(C) That the Owner provide private behavioral and obedience training to the animal, at the Owner's expense and within the time set forth by the hearing officer following the issuance of a Dangerous Animal permit. Proof of participation, a report of behavioral assessment, and/or a certificate of satisfactory completion from an animal behaviorist or organization approved by

the hearing officer shall be provided to the Animal Control Officer within seven (7) calendar days following any required training;

(D) That the Owner comply with any other permit requirement the hearing officer deems necessary to protect the public health or safety;

(E) That the Owner reimburse the victim for the victim's medical expenses or the victim animal's veterinary expenses; and

(F) Pursuant to section 8.01.160 of this chapter, that the Dangerous Animal permit be modified as ordered by the hearing officer, or revoked and the animal humanely destroyed.

[*History:* ORD. 635, 10/12/05; ORD. \_\_\_\_, \_\_\_\_]

### **8.01.120 Mandatory Dangerous Animal Permit Requirements.**

Any Owner of a Dangerous Animal shall insure compliance with the following rules and regulations which shall be mandatory requirements for any Dangerous Animal permit:

(a) When the animal is off the property of its Owner, the Owner must ensure that the animal is restrained with a leash not to exceed four (4) feet in length and having a minimum tensile strength of 300 pounds and shall be under the direct control and supervision of the Owner or a person of such age, size and strength as can easily control such animal. Extraordinary care shall be taken by the Owner to ensure that such restraint is sufficient to control the animal in a manner which it will not endanger other persons or animals.

(b) The Owner shall maintain the animal so that it is not a threat to any mail carrier, sanitation worker, meter person, or other person who has the lawful right to enter the property.

(c) The Owner shall ensure that the animal is not kept upon any unenclosed premise unless it is leashed and controlled by a person capable of controlling such animal. The Owner shall ensure that the animal is not tethered, tied or staked at any unenclosed premise. The Owner shall ensure that the animal is not kept in a house or structure when the windows or doors are open or screen doors are the only obstacle preventing the animal from exiting the structure.

(d) The Owner shall ensure that the animal is kept in a fenced yard, kennel, run or enclosure approved by the Animal Control Officer or peace officer. The Owner shall ensure that all structures used to confine the animals are locked with a key or combination lock when such animals are within the structure. The Owner shall regularly inspect the fenced yard, kennel, run or enclosure to ensure that it is secure to maintain the animal.

(e) The Owner shall open premises upon which an animal is maintained at any reasonable hour for inspection by the Animal Control Officer or peace officer and said premises shall be surrendered for inspection by the Owner upon the request of the Animal Control Officer or peace officer. The Owner shall pay a fee for the costs incurred by the County or the Town for the inspection or reinspection of property. Such fee shall be set forth in the Master Fee Schedule.

(f) The Owner of the Dangerous Animal shall post the entrances to the property where the animal is kept with a legible sign conspicuous to the public, warning persons of the presence of a Dangerous Animal. The Owner of the Dangerous Animal shall obtain an approved sign from the Animal Control Program for a non-refundable fee and shall surrender such sign in the event of the revocation of the permit, death of animal, or approved relocation of the animal, or upon any other reasonable demand by an Animal Control Officer.

(g) The Owner of any Dangerous Animal must advise all members who reside in the same household and on the same premises of the conditions established by the permit for keeping or maintaining said Dangerous Animal.

(h) The Owner shall strictly comply with all local and state laws, rules and regulations regarding the care, use, control and maintenance of animals.

(i) In addition to a license, the Owner shall ensure that the animal shall at all times wear a separate tag issued by the Division of Animal Control Services which designates it as a Dangerous Animal. The Owner shall ensure that the Dangerous Animal be microchipped and registered with the Animal Control Program for a fee specified by the Master Fee Schedule within thirty (30) calendar days from the date the permit was issued. The animal Owner shall be responsible for payment of said fee which shall be utilized by the Animal Control Program to offset the cost of the chip and to maintain the registration program.

(j) The Owner shall have the animal spayed or neutered by a licensed veterinarian, at the Owner's expense, within fifteen (15) calendar days from the date the permit was issued. The Owner shall present written proof to the Animal Control Officer that the surgery was performed. In the event an animal cannot be safely spayed or neutered due to medical reasons, the Owner shall present written proof from a licensed practicing veterinarian to the Animal Control Officer that said animal cannot be spayed or neutered.

(k) The Owner may not sell, transfer or otherwise dispose of such animal to another County or City without notifying the Animal Control Program at least twenty-four (24) hours before such sale, transfer or disposal. The Animal Control Program will notify the proper authorities of the jurisdiction to which the Dangerous Animal is transferred. Should the Owner of a Dangerous Animal wish to transfer ownership of the animal to another individual within San Mateo County, the new Owner must submit to a property inspection, apply for and obtain a new Dangerous Animal permit, pay all requisite fees, and comply with all provisions of this chapter and the requirements of the permit.

(l) No more than two Dangerous Animals may be kept at any one household.

(m) The Owner shall not allow any animal designated "dangerous" as the result of aggression against human(s) to be kept on property or within a household in which a juvenile person under the age of eighteen resides.

(n) The Owner of a Dangerous Animal must notify the Animal Control Officer of the animal's death within twenty-four (24) hours and shall produce the animal's body for verification upon request. The Owner of a Dangerous Animal must notify the Animal Control Officer immediately in the event the animal becomes lost or stolen.



(o) The Owner must pay all permit and property inspection fees as described in the Master Fee Schedule.

(p) The Owner shall comply with all other permit conditions or requirements imposed pursuant to section 8.01.115 or 8.01.100(a).

[*History:* ORD. 606, 9/10/03; ORD. 635, 10/12/05; ORD. \_\_, \_\_\_\_]

**8.01.130 Repealed.**

[*History:* Ord. 606, 9/10/03; Ord. 635, 10/12/05, Ord. 643, 4/12/06; ORD. \_\_, \_\_\_\_]

**8.01.140 Possession of Animals After Revocation of Dangerous Animal Permit or Vicious Declaration.**

No person who has been determined to be in possession or ownership of a Vicious Animal or a Dangerous Animal for which a permit has been revoked under this chapter shall be granted any Dangerous Animal permit for a period of three years following such determination or revocation.

[*History:* ORD. 606, 9/10/03, ORD. 635, 10/12/05]

**8.01.150 Inspection fee.**

A fee shall be charged for the costs incurred by the County or the Town for the inspection or reinspection of property. The fee charged shall be paid by the Owner or person who has custody of the animal. Such fee shall be set forth in the Master Fee Schedule.

[*History:* ORD. 606, 9/10/03; ORD. \_\_, \_\_\_\_]

**8.01.160 Revocation or Modification of Permit.**

(a) Subject to the provision of subsection (b), any permit issued pursuant to this subchapter may be revoked or modified by the inclusion of additional requirements or otherwise, if the Animal Control Officer has reasonable cause to believe any of the following to be true:

(1) The Dangerous Animal Owner or any person the Owner has allowed to have possession of the animal has violated any local animal ordinances, or is in violation of any zoning, health and safety or building ordinance or Penal Code section relating to the keeping, care or use of any animals;

(2) The Owner or any person the Owner has allowed to have possession of the animal has violated any rules, regulations or conditions of this chapter including but not limited to Dangerous Animal permit conditions, or any requirement imposed by the Animal Control Officer, peace officer or hearing officer as necessary to insure the animal will not endanger the peace, health or safety of any person or property; or

(3) The Owner has changed the location of his residence or his place of business or sells, assigns, transfers, donates, leases, or otherwise disposes of the animal for which the permit was issued.

(b) In the event that it is reasonably necessary to protect against a threat to the health or safety of the public, or of any animal, the Animal Control Officer or peace officer may impound or cause to be impounded the animal while an investigation is taking place.

(c) If, after investigation, the Animal Control Officer or peace officer concludes that it is probable that one or more of the above grounds for revocation or modification of the permit has occurred, the Officer shall cause written notice thereof to be transmitted to the Owner. Said notice shall specify the grounds of revocation or modification of the permit. Should the Owner of the animal wish to contest the revocation or modification of the permit, he or she may request a hearing to be held before a hearing officer not previously involved with the permit issuance or investigation, as designated by the Director of Health System, or the Town, within five (5) calendar days of receiving the notice of intent to modify or revoke permit. Said hearing date shall be not less than five (5) working days or more than 15 working days subsequent to the date the request for hearing is received. The hearing shall be conducted as set forth in section 8.01.115 of this chapter. After the hearing, the hearing officer conducting the hearing may modify the terms of the permit or revoke the permit depending upon the Owner's ability to comply with the requirements of this chapter and to control the animal so that the health, safety and property of the public are protected.

(d) Upon written or oral notification by the Animal Control Officer, or hearing officer if a hearing was held, of any modifications to a Dangerous Animal permit, the Owner shall immediately comply with such modified permit requirements.

(e) Upon written or oral notification by the Animal Control Officer, or hearing officer if a hearing was held, of the revocation of a permit for a Dangerous Animal, the Owner of such animal shall within two (2) calendar days of such notification surrender said animal to an Animal Control Officer to be humanely destroyed, or provide written proof to an Animal Control Officer in the form of declaration(s) under penalty of perjury that such animal has been permanently removed from the County of San Mateo and declaring the new location or new address where the animal is to be kept.

[*History:* ORD. 606, 9/10/03; ORD. 635, 10/12/05; ORD. \_\_\_\_, \_\_\_\_]

#### **8.01.170 Animals To Be Impounded.**

(a) Every animal kept or found by an Animal Control Officer or peace officer under conditions which constitute a violation of this chapter or other state or local law may be impounded or caused to be impounded by an Animal Control Officer or peace officer. The animal's Owner shall be charged with all costs incurred or fees applicable with respect to such impoundment.

(b) When the Animal Control Officer or peace officer has reasonable cause to believe that any animal is dangerous or vicious the Animal Control Officer or peace officer may also impound or cause to be impounded the animal and keep it for such period not to exceed fifteen (15) days in order to observe, examine and determine whether or not such animal is dangerous or vicious.

(c) Any animal subject to Dangerous or Vicious Animal proceedings may be impounded at the discretion of the Animal Control Officer or peace officer pending notice, hearings and determinations hereunder and until any required permit is obtained.

(d) Except as otherwise provided in this chapter or state law, an impounded animal may be redeemed by the Owner, after payment of the required fees and charges and compliance with licensing requirements. In the event such animal is not so redeemed within the time set forth by state law, it may be disposed of in the manner determined by an Animal Control Officer.

[History: ORD. 606, 9/10/03; ORD. 635, 10/12/05; ORD. \_\_\_\_, \_\_\_\_]

#### **8.01.180 Notice of Impounded Animals.**

Within twenty-four (24) hours of the impoundment of any animal, the Animal Control Officer shall mail a written notice thereof to the place of business or residence of the Owner of the animal if known. In the event the animal may not be redeemed as provided by subsection (d) of section 8.01.170, the Owner may request a hearing under section 8.01.115, subsections (a) – (g) of this chapter or applicable state law. The Animal Control Officer shall maintain records of said impoundment pursuant to section 8.01.200 of this chapter.

[History: ORD. 606, 9/10/03; ORD. 635, 10/12/05; ORD. \_\_\_\_, \_\_\_\_]

#### **8.01.190 Repealed.**

[History: ORD. 606, 9/10/03; ORD. \_\_\_\_, \_\_\_\_]

#### **8.01.200 Record of Impounded Animals.**

The Animal Control Program shall keep a record of all animals impounded, which record shall include a description of the animal, the date of its receipt, the date and manner of disposal, the name of the person redeeming or purchasing, and the fees and charges and proceeds of sales received on account thereof, and such additional matters as may be necessary and incidental to implementing this ordinance. Said records shall be kept for four years.

[History: ORD. 606, 9/10/03; ORD. 635, 10/12/05]

#### **8.01.210 Field Return Fee.**

A fee shall be charged for any animal impounded by an Animal Control Officer or peace officer and returned by the officer in the field to the Owner or person who has custody of the animal. The fee charged shall be paid by the Owner or person who has custody of the animal. Such fee shall be set forth in the Master Fee Schedule.

[History: ORD. 606, 9/10/03; ORD. \_\_\_\_, \_\_\_\_]

#### **8.01.220 Redemption/Spay Neuter Fee.**

(a) Except as otherwise provided by this ordinance or by any other law, the Owner or person entitled to the control or custody of any animal impounded may, at any time before the sale or other disposition thereof, redeem the same by paying all proper fees assessed by Animal

Control Services. The Animal Control Services shall issue to the Owner duplicate receipts for the amount of the fee paid.

(b) Upon redemption of any impounded unaltered animal, the Owner will be required to pay a spay/neuter fee in the amount of \$35.00 in addition to all applicable impound and redemption fees imposed under the Master Fee Schedule. Such fee shall be refundable upon proof of the spay/neuter of the animal within thirty (30) days of the redemption date. Any unaltered animal impounded twice or more within a three-year period shall be altered at the Owner's expense prior to redemption. At the option of the Owner, required spaying or neutering may be performed by a private veterinarian.

(c) Any Owner of an impounded animal subject to mandatory spay/neuter under subsection (b) of this section may petition, in writing, for a hearing conducted by the Animal Control Program Manager or his or her designee within three days following notice of the second impoundment. The hearing shall be held within four working days of such petition and shall be subject to the provisions of section 8.01.115, subsections (a) through (g) of this chapter. After the hearing, the hearing officer may require that the animal be spayed or neutered at the Owner's expense, unless the hearing officer determines that good cause exists for not requiring that the animal be spayed or neutered.

[History: Ord. 606, 9/10/03; Ord. 635, 10/12/05; Ord. \_\_, \_\_\_\_]

#### **8.01.230 Redemption Fees.**

Fees for animal shelter services shall be as set forth in the Master Fee Schedule. No animal shall be released to its Owner or possessor unless and until such fees are paid in full.

[History: ORD. 606, 9/10/03]

#### **8.01.240 License Fee To Be Paid Upon Redemption.**

No impounded dog may be redeemed unless and until its license fee and applicable penalty has been paid.

[History: ORD. 606, 9/10/03]

#### **8.01.250 Epidemics.**

The San Mateo County Health System may determine and declare that rabies or other contagious diseases are epidemic or that other health and safety hazards exist among dogs or other animals within the Town. Upon the making of such a declaration, the County Health Officer shall prepare and promulgate such orders, rules, and regulations as are necessary for appropriate control of all the animals concerned within the Town. Said rules and regulations of the County Health Officer may include, but are not limited to, impoundment, quarantine, vaccination, or destruction. It shall be the duty of Animal Control Officers to assist the County Health Officer in carrying out such rules and regulations.

[History: ORD. 606, 9/10/03; ORD. \_\_, \_\_\_\_]

**8.01.260 Bite Reporting Requirements.**

It is the duty of every person having knowledge that any animal has bitten a human being to report that fact immediately to the County Health System, the Animal Control Program or to the Colma Police Department.

[History: Ord. 606, 9/10/03; Ord. \_\_, \_\_\_\_]

**8.01.270 Quarantine Fee.**

A fee shall be charged for the costs incurred by the County or the Town for the quarantine of animals including but not limited to investigation, inspection of property, confinement, examination and release of the animal from quarantine. The fee charged shall be paid by the Owner or person who has custody of the animal. Such fee shall be in addition to the actual costs of the Health Officer or his designee in housing, feeding and otherwise caring for a quarantined animal. Such fee shall be set forth in the Master Fee Schedule.

[History: ORD. 606, 9/10/03; ORD. \_\_, \_\_\_\_]

**8.01.280 Service Fees.**

Animal Control Service fees for redemption of impounded animals, relinquishment, adoption, disposal, abatement, rescue, veterinary treatment or other services pursuant to this chapter, shall be set forth in the Town of Colma Master Fee Schedule, Subchapter 10 of Chapter 1 of the Colma Administrative Code, as amended from time to time by the City Council, which is hereby incorporated into this chapter by this reference. Fees for costs incurred in the provision of services by the Animal Control Program that are not specified in the Master Fee Schedule shall be reviewed by the Director of Health System or his/her designee and established based on the Director's evaluation of what fee is necessary to reimburse the Animal Control Program for its costs incurred in providing the service. In the event the cost is incurred by the Town, the City Manager or his/her designee shall review the fee and determine if the fee is necessary to reimburse the Town for costs incurred in providing services. The Director of Health System or his/her designee or the City Manager or his/her designee shall have the authority to determine the fee charged for said services. The fee charged shall be paid by the Owner or person who has custody of animal(s) for which said services have been provided.

[History: ORD. 606, 9/10/03; ORD. \_\_, \_\_\_\_]

**8.01.290 Repealed.**

[History: ORD. 606, 9/10/03; ORD. \_\_, \_\_\_\_]

**8.01.300 Penalty for Violations.**

(a) Except as specifically stated elsewhere, any violation of the provisions of this ordinance, including those provisions relating to required fees, shall be punishable as an infraction, the penalty for which is set forth in section 1.05.020, et seq. of this Code.

(b) Notwithstanding subsection (a), any person violating any provision of sections 8.01.100(a) or 8.01.105(a) shall be guilty of a misdemeanor.

[History: ORD. 606, 9/10/03, ORD. 643, 4/12/06; ORD. \_\_\_\_, \_\_\_\_]

**8.01.310 Use of License and Other Revenue.**

All revenue derived from the fee schedule and from fines, forfeitures, and penalties related to the enforcement of this ordinance shall be used to offset the cost of enforcement and administration of this ordinance and the Animal Control Program.

[History: ORD. 606, 9/10/03; ORD. \_\_\_\_, \_\_\_\_]

**ARTICLE 2. COLMA MUNICIPAL CODE CHAPTER 8-02 AMENDED.**

Subchapter 2 of Chapter 8 of the Colma Municipal Code, entitled "Spaying, Neutering and Breeding" shall be and is hereby amended in its entirety to read as follows:

**"CHAPTER EIGHT: ANIMALS**

**Subchapter Two: Spaying, Neutering and Breeding**

**8.02.010 Definitions.**

For the purposes of this chapter, the definitions contained in section 8.01.010 shall apply.

[History: Ord. 606, 9/10/03]

**8.02.020 Spaying/Neutering.**

(a) Any person who owns or harbors within the Town of Colma, any cat or dog over the age of six months which has not been spayed or neutered, shall procure either a license to keep an unaltered dog or cat or a license and permit for breeding cats or dogs issued by the San Mateo County Animal Control Program under section 8.02.030 of this chapter.

(b) A license shall be issued for an unaltered dog or cat if the Owner signs a written statement that such animal will not be allowed to breed unless the Owner has first obtained a breeding permit under section 8.02.030 of this code.

(c) Any person providing care or sustenance for a period of thirty days or longer shall be deemed the Owner of such animal and shall adhere to the provision of the section.

(d) Subsection (c) above shall not be interpreted to apply to a person caring for barn cats or a colony of feral cats if such person:

(1) Registers (at no charge) with the Peninsula Humane Society or the San Mateo County Animal Control Services as a caretaker for barn cats or feral cats.

(2) Regularly feeds or arranges for the feeding of the cats, including on weekends and holidays;

(3) Traps or makes a reasonable effort to trap all barn or feral cats over the age of eight (8) weeks in his/her care, and has them spayed or neutered;

- (4) Has all trapped cats tested for feline leukemia and has those who test positive humanely euthanized or isolated indoors;
- (5) Identifies barn or feral cats that have been spayed or neutered by means of ear notching, ear tipping, or ear tagging;
- (6) Has all trapped cats vaccinated according to state and local laws.

[History: ORD. 606, 9/10/03; ORD. \_\_, \_\_\_\_]

### **8.02.030 Breeding Permits; Administration.**

(a) No person shall cause or allow any dog or cat owned or harbored, in the Town of Colma, to breed without first obtaining a breeding permit under this section.

(b) The San Mateo County Animal Control Services shall administer a permit program to allow breeding of cats and dogs consistent with criteria and according to procedures contained in this chapter.

(c) Each applicant who is issued a permit to breed cats or dogs under this section shall pay a breeding permit fee according to the fee schedule contained in the Master Fee Schedule of this code.

(d) No person shall cause or allow the breeding of a male or female dog or cat without first obtaining a breeding permit issued by the Animal Control Services. Such breeding permit is required in addition to any license required under section 8.01.040 of this code. Breeding permits shall be valid for twelve (12) months, renewable on an annual basis. Fees for such permit shall be as set forth in the Master Fee Schedule. All breeding permits shall contain the following terms and conditions and be subject to all of the following requirements:

(1) No offspring may be sold or adopted and permanently placed until reaching an age of at least eight (8) weeks.

(2) No offspring may be sold or adopted until immunized against common diseases, or until they have begun a course of disease prevention under the direction of a State of California licensed veterinarian.

(3) If within one year of placement a new Owner becomes unable or unwilling to continue ownership and responsibility for an animal, the permit holder shall assist in placement of the animal. If no suitable placement can be found within six (6) months, the permit holder shall accept return of the animal, if healthy and shall become fully responsible for its care.

(4) Any permit holder advertising to the public the availability of any animal for adoption or sale must prominently display the permit numbers in any publications in which they advertise. Further, the permit number must be provided to any person adopting or purchasing an animal bred by the permit holder.

(5) The breeding permit holder shall adhere to minimum standards regarding the care and keeping of animals developed and approved by the Animal Control Services.

[History: ORD. 606, 9/10/03; ORD. \_\_\_\_, \_\_\_\_]

**8.02.040 Sale or Adoption of Cats, Dogs or Wolf Hybrids.**

(a) Any person who provides or offers to the public, whether or not for compensation, any cat, dog, or wolf hybrid shall provide to their clients, free of charge, information relating to pet care and ownership, including information where applicable, on Town laws pertaining to animal control. This required information will be prepared and provided by San Mateo County Animal Control Services upon request.

(b) Any person offering cats, dogs, or wolf hybrids for sale or adoption shall disclose to any purchaser or adoptive Owner information regarding the licensing, registration or permit requirements of the Town of Colma applicable to such animal.

(c) No person shall offer for sale or adoption any cat, dog, or wolf hybrid on any public street, sidewalk or public park unless such person first obtains a business license to sell pets or is a recognized pet rescue/adoption agency such as Pets in Need and the Peninsula Humane Society.

(d) Prior to release for adoption, any animal adopted from any animal welfare agency shall be spayed or neutered as early as is medically appropriate, unless the adoptive Owner obtains a certificate from a licensed veterinarian certifying as to the health reasons for failing to alter such animal.

[History: ORD. 606, 9/10/03; ORD. \_\_\_\_, \_\_\_\_]

**8.02.050 Revocation of Permit.**

(a) Any permit issued pursuant to section 8.02.030 may be revoked if the Animal Control Officer has reasonable cause to believe any of the following to be true:

(1) The permittee has violated any Town ordinances relating to the keeping, care or use of any animal including, but not limited to, those contained in sections 8.01, 8.02 and 8.03 of the Colma Municipal Code;

(2) The permittee is in violation of any State health or safety law or regulation regarding animal care or control;

(3) The permittee has failed to comply with any condition or requirement of the permit or has failed to pay any fee imposed under this code;

(4) The permittee refused to allow inspection, upon forty-eight hours written notice, of any animal covered by the permit or the premises on which the animal is kept; or

(5) The permittee has transferred, sold or otherwise disposed of the animal for which the permit was issued.

(b) If, after inspection, the Animal Control Officer concludes that it is probable that one or more of the above grounds for revocation has occurred, it shall cause written notice thereof to be transmitted by mail to the address of the permittee. Said notice shall specify the grounds of



possible revocation of the permit and shall specify a date and time for an informal hearing to be held before an Animal Control Officer. Said date shall be not less than five days subsequent to the date the notice is mailed. After the informal hearing, the Animal Control Officer may modify the terms of the permit or revoke the permit.

(c) The permittee may appeal the decision of the Animal Control Officer to the Town if the permittee gives written notice of such appeal within five working days of the decision.

[History: ORD. 606, 9/10/03; ORD. \_\_\_\_, \_\_\_\_]

#### **8.02.060 Penalty for Violations.**

Except as otherwise provided by this subchapter, any violation of any of the provisions of this subchapter shall be punishable as an infraction, the penalty for which is set forth in section 1.05.020 *et seq.* of this Code.

[History: ORD. 606, 9/10/03; ORD. 643, 4/12/06; ORD. \_\_\_\_, \_\_\_\_]

#### **8.02.070 Responsibility for Enforcement.**

The Animal Control Program shall be responsible for the enforcement and administration of this subchapter.

[History: ORD. 606, 9/10/03]

### **ARTICLE 3. COLMA MUNICIPAL CODE CHAPTER 8-03 AMENDED.**

Subchapter 3 of Chapter 8 of the Colma Municipal Code, entitled "Animal Fanciers Permit" shall be and is hereby amended in its entirety to read as follows:

#### **"CHAPTER EIGHT: ANIMALS**

##### **Subchapter Three: Animal Fanciers Permit**

#### **8.03.010 Animal Fancier Permit Program.**

(a) No person may keep more than four dogs or cats, or dogs and cats, at any one location unless that person has first obtained an Animal Fanciers Permit in accordance with this subchapter.

(b) The County Division of Animal Control shall administer an Animal Fancier Permit program as described by this chapter to allow the keeping of dogs and/or cats up to a total of ten animals.

[History: ORD. 606, 9/10/03; ORD. \_\_\_\_, \_\_\_\_]

#### **8.03.020 Application for Animal Fancier Permit.**

Any application for an Animal Fancier Permit shall be made to the County Division of Animal Control on a form provided by the Division. The application shall include the name of the

applicant, his or her residence address and telephone number, the address of the proposed location where the animals are to be kept if different from applicant's address, and a description of the housing facilities for the keeping of the animals. The application shall also state the number of dogs and/or cats to be kept and include a copy of the current license certificate issued under section 8.01.040 of this code for each animal to be kept. The Animal Control Program Manager may require the applicant to provide any other information he or she seems necessary to properly evaluate the application.

[History: ORD. 606, 9/10/03; ORD. \_\_\_\_, \_\_\_\_]

### **8.03.030 Issuance of Permit.**

(a) An application for an Animal Fancier's Permit shall include a statement from the applicant that:

- (1) Keeping of the animals at the proposed location will not violate any federal, state or local laws or regulations.
- (2) Appropriate facilities of sufficient size exist at the proposed location to safely and adequately secure, feed, house, exercise and maintain the animals.
- (3) The proposed location consists of a lot or lots of sufficient size to safely and adequately house, maintain and exercise the animals without disturbance to adjacent property owners or the public.
- (4) Possession and maintenance of the animals at the proposed location will not result in the animals being subject to neglect, cruelty, or abuse.
- (5) The applicant has neither had any animal license or permit revoked, nor has been convicted of any violation of any provision of sections 8.01, 8.02 and 8.03 1of this code or any other state or local animal control law, within the past year.
- (6) The keeping and maintenance of the animal will not create a public or private nuisance or endanger the public health, safety or welfare.
- (7) The keeping of the animals at the proposed location complies with all Town zoning regulations.

(b) The Animal Control Program Manager may investigate or require any further information or documentation which would assist in determining whether the statements made by the applicant are correct and whether the permit should be issued.

[History: ORD. 606, 9/10/03; ORD. \_\_\_\_, \_\_\_\_]

### **8.03.040 Permit Conditions.**

(a) Any permit issued under this chapter shall be made expressly subject to the following conditions:

(1) The permit holder shall provide veterinary care as needed and make every effort to keep all animals free of disease and parasites.

(2) The permit holder shall keep the animals' living quarters clean and sanitary.

(3) Any cages or structures housing animals shall be of a sufficient size to insure the health, safety and comfort of the animals and shall be placed at least three (3) feet from any lot line in residential areas.

(4) Any other conditions which the County Division of Animal Control determines is reasonably necessary to protect the welfare of the animals kept or the public, health, safety or welfare.

(b) The fancier permit fee established under the Master Fee Schedule of this code shall be paid by the applicant prior to issuance of the permit. Such fee shall be paid each time a permit is issued or renewed.

[History: ORD. 606, 9/10/03; ORD. \_\_, \_\_\_\_]

#### **8.03.050 Inspections.**

(a) The Animal Control Program Manager may require any permit holder to produce for inspection any required animal license, permit or certificate of vaccination.

(b) The Animal Control Program Manager may, with 48 hours notice to the permit holder, conduct such inspections of the premises upon which animals are kept under a fancier's permit, as necessary to insure compliance with the conditions of the permit.

(c) Such inspection of the premises shall be based on the direct observations of an Animal Control Officer or upon a non-anonymous complaint.

[History: ORD. 606, 9/10/03]

#### **8.03.060 Expiration and Renewal of Permits.**

(a) Permits issued under this chapter shall expire one year after issuance.

(b) Permits may be renewed on an annual basis upon filing of a new application containing updated information and payment of the annual Fancier's Permit fee established by the Master Fee Schedule.

(c) No permit shall be renewed if the Animal Control Program Manager has received two (2) or more substantiated complaints concerning the location or manner of keeping of the animals or if the Animal Control Program Manager has determined that the findings set forth in section 8.03.030 cannot be made or that any of the grounds for revocation described by section 8.03.060 of this chapter exist.

[History: ORD. 606, 9/10/03; ORD. \_\_, \_\_\_\_]

### **8.03.070 Permit Revocation.**

Any permit issued under this chapter may be revoked by the Animal Control Program Manager if, after investigation, the Animal Control Program Manager finds reasonable cause to believe any of the following grounds exist:

- (a) The permittee has violated any animal control laws or regulations, any zoning or health and safety laws or any regulations relating to the keeping of animals;
- (b) The permittee has failed to keep and maintain in a clean and sanitary condition the premises on which the animals are kept;
- (c) The permittee has acted in an inhumane or cruel manner in the treatment of the animals;
- (d) The permittee has failed to provide any animal with proper food, water, exercise, shelter or veterinary care;
- (e) The permittee has failed to comply with all conditions of the permit;
- (f) The permittee has failed to pay any fee or obtain any license imposed under this chapter; or
- (g) The permittee has provided false information in the permit application or has failed to cooperate in allowing inspection of the premises by the Animal Control Program Manager.

[*History:* ORD. 606, 9/10/03; ORD. \_\_\_\_, \_\_\_\_]

### **8.03.080 Appeal of Revocation of Permit.**

- (a) Prior to revocation of a permit, the Animal Control Program Manager shall provide written notice to the permittee of its intention to revoke the permit. Such notice shall contain a statement of the grounds supporting permit revocation and shall advise the permittee that the permit will be revoked unless a hearing before the Director of the Health System or his/her designee is requested in writing to the Animal Control Program Manager within ten (10) days of the mailing of the notice. Any request for a hearing must specify the reasons the license should not be revoked and why the grounds cited in the notice do not exist.
- (b) Upon receipt of a request for hearing, the Animal Control Program Manager shall schedule a hearing before the Director of the Health System or his/her designee and shall provide the permittee with reasonable written notice of the date, time and place of the hearing.
- (c) At the hearing, the petitioner and the Animal Control Program Manager may be represented by counsel, present oral and written evidence and cross-examine witnesses. The strict rules of evidence need not apply. Any relevant evidence may be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs. In this regard, written statements, records or reports by a state or county officer or employee, or any law enforcement or fire protection officer or employee, or the Animal Control Program or its agents, acting in the course and scope of their official duties, or written

statements by any person made under penalty of perjury, may be admitted as evidence that the facts or conditions expressed therein do or do not exist.

(d) After the hearing, the hearing officer may revoke the permit or may impose additional conditions in order to allow continuation of the permit if he or she finds that substantial evidence supports the decision by the Animal Control Program Manager to revoke the permit. Alternatively, the hearing officer may determine that the permit should not be revoked.

(e) After a permit is revoked, the Animal Control Program Manager shall allow the permit holder reasonable time, not to exceed 90 days, to relocate those cats and dogs which may not be kept without an Animal Fancier Permit: except that if the cause of revocation involves health or safety concerns or violations or animal neglect or cruelty the Animal Control Program Manager may immediately impound all of the animals.

[History: ORD. 606, 9/10/03; ORD. \_\_\_\_, \_\_\_\_]

#### **8.03.090 New Application After Denial or Revocation.**

If a license has been denied or revoked, the Animal Control Program Manager shall not accept a new application by the same person or member of the person's household less than twelve (12) months after such denial or revocation unless the applicant shows and Animal Control Program Manager determines that the grounds upon which the first license or application was denied or revoked no longer exist. Upon revocation, no part of the permit fee shall be refunded.

[History: ORD. 606, 9/10/03]

#### **8.03.100 Administrative Guidelines.**

The Animal Control Program Manager may formulate administrative guidelines in conformity with, and for the purpose of implementing, this chapter.

[History: ORD. 606, 9/10/03]

#### **8.03.110 Mediation.**

Upon receipt of a nuisance complaint regarding the holder of an Animal Fancier Permit, the Animal Control Program Manager ("Manager") may require the complainant(s) to mediate with the Animal Fancier Permit holder as a precondition of investigation, citation and abatement of the nuisance. Such cases may be referred to the County Mediation Program. If the Manager determines mediation is appropriate and the complainants agree to mediate but the alleged violator refuses, the Manager may proceed with investigation and any appropriate enforcement.

[History: ORD. 606, 9/10/03]

### **ARTICLE 4. COLMA MUNICIPAL CODE SECTION 8.04.010 , CHAPTER 8-04, DIVISION 1, AMENDED.**

Section 8.04.010, Subchapter 4, Division 1 of Chapter 8 of the Colma Municipal Code, shall be and is hereby amended to read as follows:

**8.04.010 Prohibition.**

(a) Except as expressly provided herein, no person shall keep, maintain or operate any premises in the Town of Colma for the purpose of maintaining, keeping or feeding hogs, pigs or swine, cattle, horses, goats, sheep, mules or any other livestock.

(b) Nothing contained herein shall prohibit a governmental organization from making temporary use of goats for one (1) week out of a calendar year solely for the purposes of weed abatement. Such use shall immediately cease if the City Manager or his or her designee determines the public health, safety or welfare is at risk.

**ARTICLE 5. COLMA MUNICIPAL CODE CHAPTER 8-04, DIVISION 2, REPEALED.**

Subchapter 4, Division 2 of Chapter 8 of the Colma Municipal Code, entitled "Miniature Horses" shall be and is hereby repealed in its entirety as follows:

**"CHAPTER EIGHT: ANIMALS**

**Subchapter Four: Regulating Livestock Animals**

**Division 2: Repealed**

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**Article 6. 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 7. 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 8. EFFECTIVE DATE.**

This Ordinance, or a summary thereof prepared by the City 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.

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### Certification 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 March 11, 2015 and duly adopted at a regular meeting of said City Council held on April 8, 2015 by the following vote:

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

Dated \_\_\_\_\_

\_\_\_\_\_  
Joanne del Rosario, Mayor

Attest: \_\_\_\_\_  
Sean Rabé, City Clerk

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# STAFF REPORT

TO: Mayor and Members of the City Council  
 FROM: Brian Dossey, Director of Recreation Services  
 VIA: Sean Rabé, City Manager  
 MEETING DATE: April 8, 2015  
 SUBJECT: Recreation Services Department Quarterly Review, January - March 2015

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## RECOMMENDATION

Staff recommends that the City Council adopt:

A MOTION TO ACCEPT INFORMATIONAL REPORT ON RECREATION DEPARTMENT PROGRAMS, ACTIVITIES, EVENTS, AND TRIPS FOR THE FIRST QUARTER OF 2015.

## EXECUTIVE SUMMARY

In the first quarter of 2015, a total of 746 participants attended 52 programs. This represents a decrease of 59 participants from the first quarter of 2014.

Staff estimates that 33 percent of the population had a current Colma I.D. during the first quarter of 2015, suggesting that residents participated in multiple programs.

There were a total of 80 rentals, which is an increase of 19 rentals from the fourth quarter of 2014.

## BACKGROUND

### Participation

The Recreation Services Department offered programs, activities, events and trips for all age groups during the past quarter. Below is a summary of participation levels by demographic:

- A total of 91 Adults & Seniors participated in Enrichment Programs. This represents an increase of 23 participants from the first quarter of 2014. The increase is due to greater participation in fitness programs.

- A total of 90 Adults & Seniors participated in Trips & Events. This represents a decrease of 28 participants from the first quarter of 2014. Staff attributes the decrease to the cancellation of the trip to Golden Gate Fields and Wine & Canvas Special Event.
- A total of 322 Youths & Teens participated in Enrichment Programs. This represents a decrease of 54 participants from the first quarter of 2014. Staff attributes the decrease to the cancellation of the Tot Gym and Jam program and Parent's Night Out.
- A total of 29 Youths & Teens participated in Events & Trips. This represents a decrease of 38 participants from the first quarter of 2014. Staff attributes the decrease to fewer participants in the cancellation of the Teen Outing and themed craft nights.
- A total of 214 Youths, Adults and Seniors participated in Community Programs. This represents an increase of 38 participants from the first quarter of 2014. Staff attributes the increase in participation to the scheduling of Colma Game Night in the winter quarter.

The attachment contains a detailed breakdown of participation by program.

Due to fewer participants this quarter staff will increase advertising and marketing efforts through the use of Facebook, Instagram, Town website and new Recreation Software ActiveNet. Staff has also started to look at branding using the California Parks and Recreation Society, "Parks Make Life Better" campaign.

### Rental Activity

The Colma Community Center was rented for 59 different events:

- Resident Rentals (26 social events and one HOA meeting)
- Resident Non-profit group (one meeting and four fundraisers)
- Non-Resident Non-profit Groups (five meetings and two fundraisers)
- Non-resident (two funerals)
- In House Reservations (18 meetings/trainings)

The Sterling Park Recreation Center was rented for 21 different events:

- Sterling Park Resident Rentals (20 social events & one Picnic)

### **Sustainability Impact**

Staff coordinates and implements program and activities which are in alignment with the Town's Climate Action Plan and Sustainability Policy. For example, all instructor contracts are e-mailed instead of printed and sent via U.S. mail. Also, staff coordinated with Allied Waste providing composting containers during one of the Colma/Daly City Chamber of Commerce Crab Feed.

### **ATTACHMENTS**

- 2015 Recreation Services Department Quarterly Review – Participation Detail

**Recreation Services Department Quarterly Review  
January – March 2015  
Participation Detail**

**Adult/Senior Enrichment Programs**

<b>Program</b>	<b>Registered</b>	<b>Sessions</b>	<b>New or Existing Program</b>
Abs & Core Strength	Cancelled	1	Existing
Cooking Classes	26	3	Existing
College Workshop for Parents	Cancelled	1	<i>NEW</i>
Colma Book Club	Cancelled	1	<i>NEW</i>
Computers for Beginners	3	1	<i>NEW</i>
Color Me Mine	3	1	Existing
Creekside Villas Activities	4	3	Existing
Discover Ukulele	Cancelled	1	Existing
Driver's Safety by AARP	Cancelled	1	<i>NEW</i>
First Aid & CPR	Cancelled	1	Existing
Full Body Conditioning	Cancelled	1	Existing
Golf	1	3	Existing
Hatha Yoga	31	2	Existing
Tai Chi	6	1	<i>NEW</i>
Zumba	17	1	Existing

**Adult & Senior Trips & Events**

<b>Program</b>	<b>Registered</b>	<b>Sessions</b>	<b>New or Existing Program</b>
California Academy of Sciences	Cancelled	1	Existing
Colma – "A Journey of Souls"	Cancelled	1	<i>NEW</i>
Disney on Ice	13		Existing
Historic Benicia Museum	14	1	<i>NEW</i>
Family Bowling Night	14	1	Existing
Friday Night Films	4	1	<i>NEW</i>
Golden Gate Fields	Cancelled	1	Existing
Movie Monday's	Cancelled	3	<i>NEW</i>
Senior Luncheon (Valentine's Day & St Patrick's Day)	44	2	Existing
Senior Wii Bowling	Cancelled	3	<i>NEW</i>
Wine & Canvas	Cancelled	1	Existing

**Youth & Teen Enrichment Programs**

<b>Program</b>	<b>Registered</b>	<b>Sessions</b>	<b>New or Existing Program</b>
Alternative Camp Program	1	1	Existing
Ballet, Tap & Hip Hop	6	5	Existing

Broadway Musical Groups	Cancelled	1	Existing
Chess Wizards	Cancelled	1	Existing
Cooking	8	2	Existing
Discover Ukulele	Cancelled	2	Existing
Golf	5	3	Existing
Guitar Workshop	Cancelled	2	Existing
Keyboard	6	2	Existing
Kids' Club Afterschool Program	64	6	Existing
Kumon Math Tutoring	76	3	Existing
Kumon Reading Tutoring	57	3	Existing
Parents' Night Out	Cancelled	3	Existing
Spring Day Camp Early Morning Care	6	1	Existing
Spring Day Camp	16	1	Existing
Spring Day Camp Afternoon Care	8	1	Existing
Straight & Strong Forever – Youth Yoga	Cancelled	1	Existing
Tae Kwon Do	64	3	Existing
Tot Gym & Jam	Cancelled	3	Existing
Vibo Rock Band	Cancelled	1	<i>NEW</i>
Vibo Youth Ensemble	3	1	Existing
Violin Workshop	2	2	Existing

### Youth and Teen Events & Trips

Program	Registered	Sessions	New or Existing Program
California Academy of Sciences	Cancelled	1	Existing
Disney on Ice	17	1	Existing
Egg & Basket Decorating	Cancelled	1	Existing
Family Bowling Night	13	1	Existing
Fort Miley Adventure Course	Cancelled	1	Existing
Valentine's Day Card Making	Cancelled	1	Existing

### Community Programs

Program	Registered	Sessions	New or Existing Program
Colma Game Night	41	1	Existing
Project Read Learning Wheels	84	6	Existing
Project Read Nutrition Program	42	3	Existing
Project Read Science Club	47	3	Existing

Note: Programs were cancelled due to insufficient participation.



# STAFF REPORT

TO: Mayor and Members of the City Council  
 FROM: Brad Donohue, Director of Public Works  
 VIA: Sean Rabé, City Manager  
 MEETING DATE: April 8, 2015  
 SUBJECT: Hillside Beautification Improvement Project Phase I, Notice of Completion

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## RECOMMENDATION

Staff recommends the City Council adopt:

A RESOLUTION ACCEPTING WORK, AUTHORIZING THE FILING OF THE NOTICE OF COMPLETION, AND DIRECTING PAYMENT OF RETENTION FUNDS FOR THE HILLSIDE BEAUTIFICATION PROJECT PHASE I.

## EXECUTIVE SUMMARY

The Construction contract for the Hillside Beautification Project was awarded to Interstate Grading and Paving Inc. at the June 11, 2014 City Council Meeting. Construction was completed in March of 2015 in accordance with the approved plans and specifications. Staff now recommends the City Council adopt a resolution accepting the work, authorizing the Public Works Director to file a Notice of Completion (NOC) with the County Recorder's Office, and directing the payment of retention funds in order to finalize and close out this project.

## FISCAL IMPACT

The original construction contract with Interstate Grading and Paving Inc. was in the amount of \$1,910,198.25. Construction is now complete with a final contract amount of 1,909,513.22. Final contract costs are within the approved budget and contingencies. Construction costs were funded through the Fiscal Year 2013-2014 Capital Improvement Plan (CIP) Budget.

## BACKGROUND

The construction contract for the Hillside Beautification Project was awarded to Interstate Grading and Paving Inc., in June of 2014. The project's scope of work included asphalt pavement reconstruction, storm drain improvements, traffic signal and pedestrian accessibility/safety enhancements, installation of a new sidewalk on the east side of the roadway from Serramonte Boulevard to Hoffman Street, installation of pedestrian street lights, on-street parking, bicycle lanes and sustainable landscaping improvements. The project meets the standards of the Town's Complete Streets Program.

## **ANALYSIS**

Construction was completed in March of 2015 in accordance with the approved plans and specifications. The project was substantially completed and beneficial use was granted in January of 2014, with final project completion in March of 2015. The reason for the delay in completing the work was a back order on several items including LED retrofit kits for the street lights and mast arms for one of the signals. The delay did not hamper the Town from using all of the various components of the roadway improvements.

Various bid item quantities were adjusted to conform to the construction budget. For example, the sidewalk near the corner of Serramonte and Hillside was realigned allowing the existing signal to stay in the same location, thus saving approximately \$65,000 and video detection cameras were substituted for traffic loops, saving approximately \$50,000. The Public Works Department's project management team created opportunities onsite to achieve savings while not diminishing the integrity of the project. These cost savings were created through value-engineering various portions of the project and offset change orders for added quantities of asphalt and road base and drainage enhancements, thus allowing the project to come in on budget.

The City Council gave direction to staff that the project should meet the sustainability standards of the Town's Climate Action Plan and should also meet the standards of the Complete Streets Program. This direction earned the project the American Public Works Association, Northern California Chapter "Project of the Year" for Small Cities/Rural Transportation projects (see Attachment C).

Staff now requests that the City Council adopt the attached resolution authorizing the Public Works Director to file a Notice of Completion with the County Recorder's Office to close out this project.

The filing of the Notice of Completion means:

- The Town is satisfied that Interstate Grading and Paving Inc. has completed the project in accordance with the plans and specifications;
- At the time of the filing of the NOC, no subcontractor or supplier claims have been filed against the Town;
- The Town accepts Interstate Grading and Paving Inc.'s work;
- The time frame for the stop notice statute is in effect once the Notice of Completion is filed with the County Recorder's Office.

The Town can release the remaining 5 percent retention back to the contractor 35 days after the Notice of Completion has been recorded, if no claims from subcontractors and suppliers have been filed against the Town.

There are no stop notices or claims filed as of the date of preparation of this staff report.

## **Sustainability Impact**

The completion of Hillside Beautification Project implemented many of the goals within the Town's Climate Action Plan. The rain gardens that were installed as part of the roadway drainage system not only enhance the aesthetics of the project, but also act as a storm water treatment mechanism before rain water enters the storm drain pipes. The drought resistant

plants, soil media, and the underlying section of the rain garden treats and partially infiltrates stormwater before it's discharged into the waterways. The project also replaced the high-energy, high-pressure sodium street lighting with energy-efficient LED lighting.

### **Council Adopted Values**

Approval of the attached resolution accepting the work done for the Hillside Beautification Project is the *responsible* action because the Council has considered the whether or not the project was completed within the approved budget and if it has been completed to the satisfaction of the Council and Staff.

### **Alternatives**

The City Council could reject the filing of the notice of completion for this project if it deemed the project to be substantially incomplete. This would prevent the closing out of the project and would prevent the release of the retention to the contractor. Staff does not recommend that action because doing so could potentially create an opportunity for the contractor and its sub-contractors to file claims against the Town.

### **CONCLUSION**

Staff recommends the City Council adopt a resolution accepting work and authorizing the Public Works Director to file a Notice of Completion with the County Recorder's Office.

### **ATTACHMENTS**

- A. Resolution
- B. Notice of Completion
- C. Copy of APWA Award Certificate

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**RESOLUTION NO. 2015-##  
OF THE CITY COUNCIL OF THE TOWN OF COLMA**

**RESOLUTION ACCEPTING WORK, AUTHORIZING  
NOTICE AND CERTIFICATE OF COMPLETION, AND  
DIRECTING PAYMENT OF RETENTION FUNDS FOR  
THE HILLSIDE BEAUTIFICATION PHASE I PROJECT**

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

**1. Proceedings.**

Interstate Grading and Paving Inc. (Contractor) undertook, pursuant to contract with the Town of Colma, a public work, to wit: repair and improve Hillside Boulevard between Hoffman Street to approximately 400 feet south of Serramonte Boulevard, e.g., asphalt pavement reconstruction, storm drain improvements, traffic signal and pedestrian accessibility/safety enhancements, installation of a new sidewalk on the east side of the roadway from Serramonte Boulevard to Hoffman Street, installation of pedestrian street lights, on- street parking, bicycle lanes and sustainable landscaping improvements and meets the standards the Towns Complete Streets Program.

- (a) Contractor has reported that it has completed said Work; and
- (b) The Public Works Director is satisfied that the Work may be accepted.

**2. Acceptance and Authorization.**

It is hereby ordered that:

- (a) The Work described above is accepted;
- (b) The Public Works Director shall file a Certificate of Completion with the City Clerk and record a Notice of Completion with the San Mateo County Recorder;
- (c) The City Clerk is authorized and directed to release all retention funds to the Contractor once: the Notice has been recorded and has been posted for 35 days; no Stop Notices have been filed against the Town.

**Certification of Adoption**

I certify that the foregoing Resolution No. 2015-## was duly adopted at the regular meeting of the City Council of the Town of Colma held on April 8, 2015, by the following vote:

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

Dated \_\_\_\_\_

\_\_\_\_\_  
Joanne del Rosario, Mayor

Attest: \_\_\_\_\_  
Sean Rabé, City Clerk

<p>RECORDING REQUESTED BY AND WHEN RECORDED MAIL TO:</p>  <p><b>Town of Colma 1198 El Camino Real Colma, CA 94014-3212 Attn: Brad Donohue, PW Director</b></p>	<p>THE AREA ABOVE IS RESERVED FOR RECORDER'S USE</p>
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## TOWN OF COLMA

### NOTICE OF COMPLETION

PURSUANT TO CALIFORNIA CIVIL CODE 3093

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(This Document is exempt from Recording Fee (Govt. Code § 27383))

NOTICE IS HEREBY GIVEN THAT:

1. The TOWN OF COLMA is the owner of a work of improvement consisting of the construction of improvements along Hillside Beautification Project Phase I as described in the Project Bid, Project Specifications, and Contract between the Town of Colma and Interstate Grading and Paving Inc. dated July 8, 2014 (HEREAFTER, THE "Work");
2. **Interstate Grading and Paving Inc.**, the Contractor was awarded construction contract by the Owner/Agent, the TOWN OF COLMA, and
3. Said work was accepted as completed on April 8, 2015 and that acceptance for completion was ordered by Resolution No. 2015-\_\_ of the City Council of the Town of Colma adopted on April 8, 2015; and
4. I, Brad Donohue, Public Works Director of the Town of Colma, am authorized by said Resolution to execute and file this Notice with the County Recorder of the County of San Mateo.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

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(Date and Place)

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Brad Donohue  
Director of Public Works

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*Northern California Chapter*

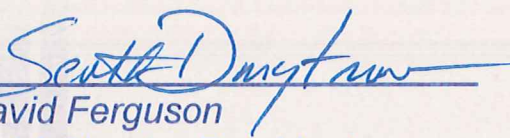
*Proudly Recognizes*

***TOWN OF COLMA***

***WINNER***

*2015 Project of the Year –  
Small Cities/Rural Communities  
Transportation*

***HILLSIDE BLVD IMPROVEMENT***

  
*for* David Ferguson  
2014 Chapter President

February 25, 2015

*Public Works: Creating a Lasting Impression*

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# STAFF REPORT

TO: Mayor and Members of the City Council  
 FROM: Charlie Francis, Finance Director / City Treasurer  
 VIA: Sean Rabé, City Manager  
 MEETING DATE: April 8, 2015  
 SUBJECT: Supplemental Appropriation for Town Hall Renovation Project Budget

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## RECOMMENDATION

Staff recommends that the City Council adopt the following motion:

MOTION APPROVING A SUPPLEMENTAL APPROPRIATION IN THE FISCAL YEAR 2014-15 ADOPTED BUDGET FOR CAPITAL IMPROVEMENT PROJECT #947-TOWN HALL RENOVATION PROJECT IN THE AMOUNT OF \$8,371,000

## EXECUTIVE SUMMARY

At the February 11, 2015 City Council meeting, the Council formally set the budget for the Town Hall Renovation Project at \$13 million.

Because this revised Town Hall Renovation Project exceeds the original appropriation in the Fiscal Year 2014-15 Town Budget, it is necessary to approve and adopt a supplemental appropriation in the Fiscal Year 2014-15 Town Budget in the amount of \$8,371,000 as indicated in the following table:

Capital Improvement Project	Original Budget	Revised Budget	Difference
<b>947-Town Hall Renovation Project</b>	\$4,629,000	\$13,000,000	\$8,371,000

## FISCAL IMPACT

In collaboration with the City's Financial Advisor, NHA Advisors, LLC, and the City Treasurer, staff analyzed several scenarios to finance the Town Hall Renovation Project improvements:

1. 100% cash funded
2. 100% debt funded
3. Optimize a combination of cash and debt to preserve General Fund structural balance

The result of this analysis was presented to the City Council on December 10, 2014. The analysis recommended financing the Town Hall Renovation Project through a combination of debt and use of cash. The Council formally set the project budget at \$13 million at the February 11, 2015 City Council meeting, with direction to staff to bring back the required supplemental appropriation.

By financing the Town Hall improvements by issuing \$4.75 million of Certificates of Participation (COPs), and using \$8.25 million of Town reserves, the City would remain structurally balanced in continuing to provide an excellent level of service to its citizens and continuing with its capital improvement program.

Once the Council approves and adopts the supplemental appropriation, staff will return at a future City Council meeting with the appropriate action items for the Town to issue Certificates of Participation, as prepared by the Town's Bond Counsel, Financial Advisor, City Treasurer and City Manager.

## **BACKGROUND**

The City Council approved setting the Town Hall Renovation project budget at \$13 million at the February 11, 2015 Council meeting. As noted in previous staff reports, funding the project will require a combination of financing vehicles including the issuance of \$4.75 million in Certificates of Participation (COPs). This amount still represents the most that staff feels comfortable recommending, given the debt service payments that will be required on an annual basis. Those payments are estimated at approximately \$309,000 annually and have been included in the draft Fiscal Year 2015/16 budget. The remaining \$8.25 million will be drawn from cash from existing reserves. The recommended action before you formally amends the project's budget (as listed in the CIP) and amends the project's appropriation in the current (FY 2014/14) budget.

## **ANALYSIS**

As presented at the December 10, 2014 City Council meeting, the Town cannot fund the entirety of the project by issuing Certificates of Participation (COPs) – but it can (and should) fund a portion of the project through the issuance of COPs. COPs are similar to bonds and are sold on the open market to investors who find them attractive because typically the interest payments are tax exempt to the investor. The Town benefits because the interest rate payable by the Town on COPs is lower than the interest rate on taxable bonds.

In order for the Town to be fiscally responsible in funding the Town Hall Renovation Project, the financing strategy was developed early in the project process. The financing strategy concluded that while the Town does have cash reserves that could be applied to the project, the impact of using a significant portion on one project could compromise future budgets, economic certainty and other future capital projects.

Likewise, staff did not recommend funding the entire project through the issuance of COPs because the debt service payments will be too high for the Town to comfortably assume while still maintaining a balanced budget through Fiscal Year 2019/20.



Instead, staff recommended using a combination of existing cash and debt in order to meet all of the financial goals for the Town. Those goals include:

- Retaining the largest reserve possible (as a percentage of expenditures); and having a
- Balanced budget from FY 2019/20 and beyond.

By funding the project through a combination of cash and COP financing, the Town can achieve its goals of maintaining reserves and meeting future balanced budgets.

### **Budgetary Considerations**

This proposed action increases the capital improvement budget and the Town Hall Renovation Project as indicated in the following table:

<b>Capital Improvement Project</b>	<b>Original Budget</b>	<b>Revised Budget</b>	<b>Difference</b>
<b>947-Town Hall Renovation Project</b>	\$4,629,000	\$13,000,000	\$8,371,000

### **Values**

Adoption of the recommended motion is consistent with the Council's value of *responsibility* because it is providing for supplemental appropriations after taking into consideration the financial impacts of the project and the long-term financial stability of the Town.

### **Alternatives**

The Council could chose to not approve the recommended supplemental appropriation. Doing so is not recommended, however, as that action would prevent the Town Hall renovation project from moving forward.

### **CONCLUSION**

It is recommended that the City Council adopt a motion approving a supplemental appropriation in the amount of \$8,371,000 in order to provide a total budget of \$13 million to Capital Improvement Project 947 – Town Hall Renovation Project.

### **ATTACHMENTS**

- A. February 11, 2015 Staff Report Mid-Year Budget Update
- B. February 11, 2015 Staff Report Town Hall Budget Thresholds
- C. February 11, 2015 Presentation Town Hall Funding

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# STAFF REPORT

TO: Mayor and Members of the City Council  
 FROM: Sean Rabé, City Manager  
 Charlie Francis, Finance Director  
 MEETING DATE: February 11, 2015  
 SUBJECT: Mid-Year Budget Review

## RECOMMENDATION

Staff recommends that the City Council adopt the following motion:

### MOTION TO ACCEPT MID-YEAR BUDGET REPORT FOR FISCAL YEAR 2014/15.

## EXECUTIVE SUMMARY

On June 11, 2014 the City Council adopted a budget with revenues and net transfers totaling \$15,017,030, and expenditures totaling \$19,070,060 resulting in a spending plan that invested \$4,053,730 from accumulated reserves for certain capital projects.

Budget versus projected variances for total Town revenues are as detailed in the following table, and explained below:

Total City Revenue / Transfers	Mid Year Projections		
	Budget	Projected	Variance
<b>Taxes</b>			
Property Taxes	357,100	419,500	62,400
Sales Taxes	8,850,000	10,010,187	1,160,187
Cardroom Taxes	4,000,000	4,000,000	0
Other Taxes	131,500	121,500	(10,000)
<b>Total Taxes</b>	<b>13,338,600</b>	<b>14,551,187</b>	<b>1,212,587</b>
Licenses & Permits	56,000	201,700	145,700
Fines and Forfeitures	60,250	60,250	0
Use of Money and Property	392,700	392,702	2
Revenues from Other Agencies	397,020	399,620	2,600
Charges for Current Services	717,160	717,160	0
Other Revenues	45,300	4,795,300	4,750,000
<b>Total Revenues</b>	<b>\$15,007,030</b>	<b>\$21,117,919</b>	<b>\$6,110,889</b>
Transfers In	5,543,750	16,150,243	10,606,493
Transfers Out	(5,533,750)	(16,150,243)	(10,616,493)

Projected variances for expenditures are detailed in the following table and explained in the fiscal analysis section.

Total City Expenditures	Mid Year Projections		
	Budget	Projected	Variance
Salaries	4,536,230	4,435,658	100,572
Benefits	2,890,800	2,661,790	229,010
Supplies & Services	1,548,650	1,532,650	16,000
Contracts	10,066,580	20,683,853	(10,617,273)
Capital Outlay	28,500	81,400	(52,900)
<b>Total Expenditures</b>	<b>\$19,070,760</b>	<b>\$29,395,351</b>	<b>(\$10,324,591)</b>

### FISCAL IMPACT

The resulting impact on Total Fund balances are as follows:

	Mid Year Projections		
Net Revenues, Transfers, Expenditures	(\$4,053,730)	(\$8,277,432)	(\$4,223,702)
Beginning Fund Balances	\$23,344,249	\$27,547,925	\$4,203,676
Ending Fund Balances	\$19,290,519	\$19,270,493	(\$20,026)

### BACKGROUND AND ANALYSIS

#### General Fund Revenues

Sales taxes were estimated at \$8,850,000. Based upon third quarter results (July – September 2014) the sales taxes are now estimated at \$10,010,187, an increase of \$1,160,187. Property taxes, including secured, unsecured, and other related taxes, are now estimated to be about \$62,400 over budget. Cardroom taxes are estimated to continue to be weak, but expected to meet the budget revenue estimate of \$4,000,000

Overall, General Fund revenues are now estimated to exceed budget estimates by about \$1,215,187.

#### General fund Expenditures

General Fund salaries and benefits are expected to be \$99,772 and \$229,010 under budget. Salaries are less than budgeted due to the timing gap of new hire replacements following termination of former employees; as well as to the lower starting salaries of new employees following the resignation of higher tenured employees. These same conditions also impact the cost of benefits being lower than budget as pension benefits are percentage of salaries. Another reason for the positive estimate of benefit expenses being lower than budget, is that actual health care cost inflation is less than originally budgeted. The budget also anticipated new employees being hired in the Tier 2 pension category, however new hires that enter as PEPRAs employees have lower benefit costs.

The largest increase of estimated expenses exceeding budget is for capital projects, primarily the New Town Hall Renovation Project. To be conservative while presenting

this report, the mid-year budget review anticipates the full funding of the New Town Hall project at \$13 million, and projects that the project will be funded through a combination of cash reserves and the issuance of \$4,750,000 in Certificate of Participation (COP's). The remaining \$8,250,000 million would be funded from the Town's cash reserves. If the Council opts for a smaller project budget the Town's cash reserve position will increase.

The following tables summarize General Fund revenues and expenditures and impacts on Fund Balances:

General Fund Revenue / Transfers		Mid Year Projections		
		Budget	Projected	Variance
<b>Taxes</b>				
	Property Taxes	357,100	419,500	62,400
	Sales Taxes	8,850,000	10,010,187	1,160,187
	Cardroom Taxes	4,000,000	4,000,000	0
	Other Taxes	131,500	121,500	(10,000)
<b>Total Taxes</b>		<b>\$13,338,600</b>	<b>\$14,551,187</b>	<b>\$1,212,587</b>
Licenses & Permits		56,000	201,700	145,700
Fines and Forfeitures		60,250	60,250	0
Use of Money and Property		392,700	392,702	2
Revenues from Other Agencies		196,270	196,270	0
Charges for Current Services		717,160	717,160	0
Other Revenues		45,300	45,300	0
<b>Total Revenues</b>		<b>\$14,806,280</b>	<b>\$16,164,569</b>	<b>\$1,358,289</b>
Transfers In		110,750	4,853,350	4,742,600
Transfers Out		(5,433,000)	(16,046,893)	(10,613,893)
<b>Total Revenues &amp; Net Transfers</b>		<b>\$9,484,030</b>	<b>\$4,971,026</b>	<b>(\$4,513,004)</b>

General Fund Expenditures		Mid Year Projections		
		Budget	Projected	Variance
Salaries		4,460,030	4,357,958	102,072
Benefits		2,858,290	2,628,750	229,540
Supplies & Services		1,543,750	1,527,750	16,000
Contracts		4,633,580	4,636,960	(3,380)
Capital Outlay		28,500	81,400	(52,900)
<b>Total Expenditures</b>		<b>\$13,524,150</b>	<b>\$13,232,818</b>	<b>\$291,332</b>
<b>Net Revenues, Transfers, Expenditures</b>		<b>(\$4,040,120)</b>	<b>(\$8,261,792)</b>	<b>(\$4,221,672)</b>
Beginning Fund Balances		\$23,265,000	\$27,467,979	\$4,202,979
Ending Fund Balances		\$19,224,880	\$19,206,187	(\$18,693)

General fund reserves are expected to be allocated as follows:

Total General Fund Reserves	Mid-Year Projections			
	Committed Reserves	Budget	Projected	Variance
Debt Reduction		-	618,000	618,000
Retiree health Care		1,042,000	1,042,000	-
Budget Stabilization *		13,524,000	13,204,000	(320,000)
<b>Total Committed Reserves</b>		<b>14,566,000</b>	<b>14,864,000</b>	<b>298,000</b>
<b>Assigned Reserves</b>				
Litigation		100,000	100,000	-
Insurance		100,000	100,000	-
Disaster Response & Recovery		750,000	750,000	-
<b>Total Assigned Reserves</b>		<b>950,000</b>	<b>950,000</b>	<b>-</b>
<b>Total Unassigned Reserves</b>		<b>3,708,880</b>	<b>3,275,467</b>	<b>(433,413)</b>
<b>Total Reserves</b>		<b>19,224,880</b>	<b>19,089,467</b>	<b>(135,413)</b>

### Other Funds

Gas Taxes are projected to be over original budget estimates by \$2,600. Measure A taxes and Police Grant are expected as budgeted.

Although \$5,433,000 was budgeted for contract expenditures in the Capital Projects Fund, and funded by a transfer from the General Fund, it is anticipated that approximately \$10,046,893 on contract costs will occur during FY 15 as explained above for the new Town Hall renovation project. The remaining monies will be carried over as Capital project fund Reserves for FY 16 and beyond for contract expenses.

### Council Adopted Values

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

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

### Alternatives

Council could choose not to accept this report, and direct staff to provide a more detailed analysis by department and bring it back to council at a later meeting.

### CONCLUSION

Staff recommends that the City Council adopt a motion accepting this report.



# STAFF REPORT

TO: Mayor and Members of the City Council  
 FROM: Sean Rabé, City Manager  
 Brad Donohue, Director of Public Works  
 MEETING DATE: February 11, 2015  
 SUBJECT: Approval of Town Hall Budget Thresholds

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## RECOMMENDATION

Staff recommends that the City Council adopt the following motion:

### **MOTION SETTING THE BUDGET FOR THE TOWN HALL RENOVATION PROJECT**

## EXECUTIVE SUMMARY

At the November 12, 2014 City Council meeting, Council approved the Town Hall Renovation Project Phase I Study, which included the proposed building site configuration. The approved design includes approximately 7,000 square feet of new office space built on a podium, with parking below the building. Council also instructed staff to pursue options that would that would keep the facility construction budget in the \$10 million range.

Staff enlisted the services of another professional estimator, McKay Construction Services (MCS), to review the conceptual plans presented by the Town's architect, Ratcliff. After reviewing and itemizing the project various cost features, MCS estimated the construction hard costs to be in the range of \$9.2 million. When soft costs are included (architectural fees, construction management fees, furniture, permits, special inspections, contingencies and other related costs) the total project costs have been estimated to be in the range of \$12.1 million to \$12.6 million .

Because this exceed the proposed \$10 million estimated cost of construction that was approved by Council in November, staff felt compelled to return to the City Council to either increase the budget amount to \$13 million or propose another design that would fall within the Town's goal of staying within \$10 million. In either case, the Council should formally set the project budget by motion.

## FISCAL IMPACT

Funding of the Town Hall improvements will either impact the Town's existing reserves (fund balances) or future fiscal years through the addition of a debt service payment in the general

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fund budget. If existing reserves are used, future interest earnings will be reduced. If external financing is used, future budgets will need to include an annual debt service payment to repay the financing.

If the City Council increases the project budget to \$13 million, staff continues to recommend financing \$4.75 million through COPs. The remaining \$8.25 million would be financed through the Town's existing reserves.

Once the Council provides direction as to the project's budget, staff will return in March with the appropriate budget amendment to formally amend the project and Town budgets.

## **BACKGROUND**

Over the last year, the City Council has worked with staff and the Town's architect (Ratcliff) to assess the wants and needs for the revised Town Hall Campus. The City Council settled in November on a facility design where the Council suite and Administration, Public Works and Planning departments would work under one roof. It was also a mandate of the City Council to incorporate as much parking into the site as possible. Thus, the City Council approved a site plan where the City Council and staff would be housed on a single floor structure adjoining the existing historic Town Hall facility while creating employee/public parking beneath the new structure.

The consensus of the City Council was that the single floor design with subsurface parking serviced the Council, public and staff most appropriately.

At the November meeting Ratcliff presented a construction budget (hard construction costs only) of \$9.7 million dollars. Anticipating a 25 to 30 percent mark up for soft costs, the overall project was estimated to be in the range of \$12.1 million to \$12.6 million. As this amount was beyond the proposed budget limit of \$10 million dollars, Council agreed with staff and the architect to solicit another professional estimator to review the accuracy of the original estimate.

At the December City Council Meeting, staff presented several funding options to City Council detailing out the various funding options. City Council directed staff to proceed with a hybrid solution – with a portion of the project being funded through the Town's reserves (cash) and the remainder of the project being funded through Certificates of Participation (COPs). Staff emphasized during the December meeting that the goal was to keep the overall project cost at or below \$10 million.

Staff, along with the architect and professional estimator, reviewed and analyzed the various construction line items in late December. Though we were able to reduce the estimated cost of construction (hard costs) from \$9.7 million to \$9.1 million, it was determined that once the appropriate soft costs were added to the project cost the overall project would exceed the \$10 million threshold.

Staff is now before the City Council to receive direction on the appropriate total project cost. As outlined below, options include either increasing the total project budget to a not to exceed \$13 million or hold the overall project cost to \$10 million.



## **ANALYSIS**

Listed below are the two facility options:

### One Roof Concept

The Phase I study that was produced by Ratcliff (and approved by the City Council) showed a facility that remodeled the existing 1941 Town Hall building, removed the 1986 addition, and constructed a new 6800 to 7000 square foot facility over subsurface parking. This project would also incorporate the remainder of the site and creatively blend public parking with landscaping elements. The overall cost of this project is in the range of \$12.1 million to \$12.6 million. Because of rising construction costs and new energy code requirements, staff proposes a \$13 million budget for this project.

### Multi-Roof Concept

The multi-roof concept is another option that was discussed earlier in the conceptual design process but was later dismissed. This concept would keep the 1941 Town Hall facility and either keep or remove the 1986 building addition (to be determined). The work in the existing Town Hall would upgrade and modernize the facility, make it completely ADA accessible, upgrade and relocate the bathrooms, upgrade the kitchenette and downstairs storage, etc.

The second portion of this concept would be to construct a separate building, most likely in the area of where the Engineering/Planning Department Annex facility is currently located. That building would more than likely be a two-story building in the range of 7500 to 8000 square feet. It would house the Administrative, Engineering, Planning and Building departments. The separate facility would also accommodate the City Council members with an office. A shared conference room would also be incorporated.

This concept keeps staff under one roof, though the office portion of Town operations would be separated from the original 1941 Town Hall Facility. The facility would only be used on average one to two times per month for City Council meetings and special events.

The estimated cost for the remodel of the 1941 Facility, new 8000 square foot structure and surrounding improvements is roughly estimated to be in the range of \$10 million – falling in line with Council's previous direction. The architect has also confirmed that a separate building would reduce the overall cost of the project to at-or-below \$10 million dollars.

It should also be noted that the above options can be phased, meaning that a portion of the project can be completed now with remaining portions of the remodel to be completed at a later date. Staff does not recommend phasing the project, however, because costs for phased projects tend to increase over time (as opposed to simply finishing the construction all at once).

### Budgetary Considerations

As discussed at the December Council meeting, funding the Town Hall project – at either the \$10 million or \$13 million level – will require a combination of financing vehicles. Staff still recommends financing only \$4.75 million of the project through the issuance of COPs. This amount represents the most that staff feels comfortable recommending, given the debt service

payments that will be required on an annual basis. Those payments are estimated at approximately \$309,000 annually.

Should the Council direct staff to keep the project budget at \$10 million, the Town would need to use \$5.25 million in cash from existing reserves. If the Council directs staff to increase the project budget to \$13 million, the Town will need to use \$8.25 million in cash from existing reserves. Either way the project's budget – as listed in the CIP – will need to be amended and the appropriation for the project will need to be increased through a budget amendment. Staff will return in March with the appropriate budget amendment to effect the Council's decision.

The following budget projection shows how a \$13 million project would impact the Town's financial position on an ongoing basis, through Fiscal Year 2021. Please note that only expenses are shown on this projection as the actual spreadsheet is much too large to print.

FUND #	EXPENDITURES	FY 2014-15 ESTIMATED	FY 2015-16 PROPOSED	FY 2016-17 PROJECTED	FY 2017-18 PROJECTED	FY 2018-19 PROJECTED	FY 2019-20 PROJECTED	FY 2020-21 PROJECTED
11	<b>GENERAL FUND</b>							
	Salaries	4,357,958	4,378,680	4,510,040	4,645,342	4,784,702	4,928,243	5,076,090
	Benefits	2,628,750	2,708,510	2,961,304	3,237,693	3,539,877	3,811,268	4,103,465
	Supplies & Services	1,527,750	1,572,450	1,603,899	1,635,977	1,668,697	1,702,070	1,736,112
	Contracts	4,636,960	4,498,620	4,588,592	4,680,364	4,773,972	4,869,451	4,966,840
	Capital Outlay	81,400	80,500	82,110	83,752	85,427	87,136	88,879
	<b>TOTAL GENERAL FUND EXPENDITURES</b>	<b>13,232,818</b>	<b>13,238,760</b>	<b>13,745,946</b>	<b>14,283,128</b>	<b>14,852,674</b>	<b>15,398,168</b>	<b>15,971,386</b>
29	<b>POLICE GRANTS FUND</b>							
	Salaries	77,700	77,700	80,031	82,432	84,905	87,452	90,076
	Benefits	33,040	34,510	37,731	41,252	45,103	48,561	52,284
	Supplies & Services	4,900	4,600	4,692	5,396	6,205	6,826	7,508
	<b>TOTAL POLICE GRANTS FUND EXPENDITURES</b>	<b>115,640</b>	<b>116,810</b>	<b>122,454</b>	<b>129,080</b>	<b>136,213</b>	<b>142,838</b>	<b>149,867</b>
31	<b>CAPITAL IMPROVEMENT FUND</b>							
	Contracts	16,046,893	1,762,000	2,509,800	911,200	2,120,000	-	-
	<b>TOTAL CAPITAL IMPROVEMENT FUND EXPENDITURES</b>	<b>16,046,893</b>	<b>1,762,000</b>	<b>2,509,800</b>	<b>911,200</b>	<b>2,120,000</b>	<b>-</b>	<b>-</b>
43	<b>COPs DEBT SERVICE FUND</b>							
	Contracts	-	308,990	308,990	308,990	308,990	308,990	308,990
	<b>TOTAL COPs DEBT SERVICE FUND EXPENDITURES</b>	<b>-</b>	<b>308,990</b>	<b>308,990</b>	<b>308,990</b>	<b>308,990</b>	<b>308,990</b>	<b>308,990</b>
	<b>TOTAL EXPENDITURES OF ALL FUNDS</b>	<b>29,395,351</b>	<b>15,426,560</b>	<b>16,687,190</b>	<b>15,632,398</b>	<b>17,417,877</b>	<b>15,849,996</b>	<b>16,430,243</b>
	Net Revenues - Expenditures	(8,277,432)	1,481,103	526,435	2,001,285	646,209	2,655,096	2,526,717
	Total Amount in Reserve - Beginning Balance	27,547,925	19,270,493	20,751,596	21,278,031	23,279,316	23,925,625	26,580,621
	<b>Total Amount in Reserve - Ending Balance</b>	<b>19,270,493</b>	<b>20,751,596</b>	<b>21,278,031</b>	<b>23,279,316</b>	<b>23,925,525</b>	<b>26,580,621</b>	<b>29,107,338</b>
	Required Reserve	15,882,818	15,888,760	16,395,946	16,933,128	17,502,674	18,048,168	18,621,386
	Unassigned Reserve	3,387,675	4,862,836	4,882,085	6,346,188	6,422,851	8,532,453	10,485,952

As detailed in the projection above – which, it should be noted, is still a very preliminary look at fund balances for the draft FY2015/16 budget – the only projected year where the Town would expend more than it took in would be this current fiscal year. The reason for that is because of revised estimates from our sales tax consultants, which have indicated much stronger sales tax revenue growth than previously estimated.

It should also be noted that the above projection assumes continued sales tax growth. If that growth does not continue, the projections would change.

As shown in the projection, the Town would still be able to maintain a healthy reserve if the Council directed staff to move forward with the \$13 million project. Staff would still need to bring forward an amendment to the required reserve policy, which currently states that the

Town will retain 100 percent of its General Fund expenditures set aside in required reserves, however, because this fiscal year and next fiscal year would be below that threshold.

It should also be noted that staff continues to budget conservatively on both the revenue and expenditure sides.

### **Values**

City Council is exhibiting **responsible** decision making by reviewing building and finance options in what best suits the community and staff for current needs while also considering future needs as well.

### **Alternatives**

Another option for the Town Hall project would be to simply improve the current Town Hall building, make all the necessary ADA accessibility enhancements, technology upgrades, HVAC and energy upgrades. In this alternative, Administration staff would stay in the current building, along with City Council operations. The engineering, planning and building departments would continue to be housed in the existing Annex facility until funding was made available for a new facility. Staff does not recommend this alternative, however, because of the cost of upgrading the existing Town Hall building (approximately \$2 million) and the ongoing need for space for staff. This option also does not address the Council's desire to house all staff under one roof.

### **CONCLUSION**

Staff recommends that the Council approve a motion setting the budget for the Town Hall project at either \$13 million (which would allow the construction of the one-roof facility that was presented by Ratcliff) or at \$10 million (which would result in the implementation of ADA improvements at the existing Town Hall and the construction of a new administration building at the Annex site).

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# Town Hall Funding 2-11-15



## Recommendation

- Increase Town Hall Renovation Project budget to either:

\$13 million (previously-approved proposal)

OR

\$10 million (new project alternative)



# Background

- Town Hall renovation project Phase 1 report approved at November meeting
  - 7,000 square-foot addition to existing building
  - Built on podium, with parking underneath



# Background

- Current budget is only \$4.25 M (CIP)
  - Council conceptually agreed on \$10 M project (no formal action)
  - Initial architect estimate between \$12.1 M and \$12.6 M
    - Staff told Council will not bring back a \$13 M project at November / December meetings



## Background

- Second estimate came in just as high
- Now need direction on scope of project
  - Keep approved project (\$13 M)?
  - Revise project to \$10 M?



## Original Concept

- One-roof
- Council Chambers, historic-portion
- New addition on back for departments
  - \$13 Million budget



## Alternative Concept

- Multi-roof
- Council Chambers, historic-portion
- New building on Annex site for depts.
  - Estimated \$10 Million budget



## Budgetary Issues

- Either project can be built
- Continue with financing plan:
  - \$4.75 M COPs (\$309,000 debt service)
  - Remainder cash (reserves)





## Budgetary Issues

- \$10 M project = \$5.25 M cash
- \$13 M project = \$8.25 M cash
  - Either way, need budget amendment and modification to reserve policy



## Budgetary Issues

- New finance information looks promising
  - Sales tax up nearly 10 percent from budget
  - Early projections for FY 15/16 look good



# Budgetary Issues

- Much stronger sales tax growth than anticipated and projected forward
  - Assumes continual growth
  - Still conservative estimates

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43	<b>COPs DEBT SERVICE FUND</b>							
	Contracts	-	308,990	308,990	308,990	308,990	308,990	308,990
	<b>TOTAL COPs DEBT SERVICE FUND EXPENDITURES</b>	<b>-</b>	<b>308,990</b>	<b>308,990</b>	<b>308,990</b>	<b>308,990</b>	<b>308,990</b>	<b>308,990</b>
	<b>TOTAL EXPENDITURES OF ALL FUNDS</b>	<b>29,395,351</b>	<b>15,426,560</b>	<b>16,687,190</b>	<b>15,632,398</b>	<b>17,417,877</b>	<b>15,849,996</b>	<b>16,430,243</b>

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Unassigned Reserve	3,387,675	4,862,836	4,882,085	6,346,188	6,422,851	8,532,453	10,485,952



## Budgetary Issues

- Even with a \$13 M project, by FY 17/18 Town will return to 100 percent of GF expenditures in required reserve
  - However, 14/15, 15/16, 16/17 anticipated to be below 100 percent; will require modification to reserve policy for those years



## Conclusion

- Need direction on project budget
  - I told you I wouldn't bring back a \$13 M project; that's new project estimate



## Conclusion

- Need direction on project budget
  - Alternative project is workable, but isn't approved-project (one-roof)



## Conclusion

- Need direction on project budget
  - Original project = \$13 M (\$8.25 M cash)
  - Alternative project = \$10 M (\$5.25 M cash)
- Would like direction tonight so we can move forward ASAP



## Recommendation

- Set project budget at either \$13 M or \$10 M, depending on project you want
  - Direct staff to bring back appropriate budget amendment for action
  - Direct staff to bring back reserve policy modification

**QUESTIONS?**

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# STAFF REPORT

TO: Mayor and Members of the City Council

FROM: Michael P. Laughlin, AICP, City Planner  
Turhan J.B. Sonmez, Associate Planner

VIA: Sean Rabé, City Manager

MEETING DATE: April 8, 2015

SUBJECT: Golden Hill Memorial Park – Funeral Home, Caretaker Unit, and Monument Shop

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## RECOMMENDATION

Staff recommends that the City Council adopt:

RESOLUTION GRANTING A CONDITIONAL USE PERMIT FOR A FUNERAL HOME, CARETAKER UNIT, AND A MONUMENT SHOP; DESIGN REVIEW APPROVAL FOR THE CONSTRUCTION OF A FUNERAL HOME BUILDING; AND A SIGN PERMIT FOR ENTRY SIGNAGE AT GOLDEN HILL MEMORIAL PARK

## EXECUTIVE SUMMARY

Golden Hill Memorial Park is requesting approvals that will allow them to construct a new funeral home on the site of two existing buildings (caretaker units and monument shop) and allow for future construction of one caretaker unit. The funeral home will allow for Golden Hill to provide families with viewings, chapel services, body preparation and burial in one location. Typically, families are required to make funeral arrangements at a funeral home located outside of Colma, and then have only the burial at Golden Hill. The application is recommended for approval with standard construction conditions relating to compliance with building and fire codes (and fire hydrant installation); and compliance with stormwater management requirements. Operational conditions are proposed which require on-site management of parking during services and burials and compliance with the requirements of San Mateo County Environmental Health Department.

## FISCAL IMPACT

This project will have a positive impact on the Town's budget since funeral home and monument sales made at Golden Hill will be credited to Colma.

## **BACKGROUND**

Golden Hill Memorial Park is located at 2099 Hillside Boulevard (APN: 011-056-160/011-360-170) ("Subject Property"). Golden Hill currently only has a state license to operate as a cemetery, and cannot legally provide the services of a licensed funeral home. Golden Hill seeks to be able to provide the services of a licensed funeral home, and upon the Town's approval of the proposed Conditional Use Permit and Design Review, would apply for the required state license and construct and operate a new funeral home building. Additionally, Golden Hill has two (2) existing onsite caretaker units and an existing monument shop (approved by Resolution No. 94-1). Both the existing caretaker units and the existing monument shop are set to be demolished since they are located where the new building is proposed to be constructed.

A Conditional Use Permit is required for a funeral home, caretaker unit, and monument shop. Design Review approval is required for a new funeral home building, and a Sign Permit is required for new entry signage. During construction, the monument shop use will be relocated to a temporary modular unit, and after construction, permanently relocated to the existing onsite office building. The Applicant has not yet prepared architectural drawings for the new caretaker unit; therefore, it will require Design Review approval prior to issuance of a building permit. If the proposed caretaker unit is less than 2,000 square feet in size, it may be reviewed Administratively by Staff; otherwise, it will need to be reviewed by the City Council.

## **ANALYSIS**

### **Environmental**

This application was reviewed pursuant to the requirements of the California Environmental Quality Act (CEQA), and staff determined that the project is considered Categorically Exempt from further environmental review under Section 15303, Class 3(c), because the proposed project does not involve construction in excess of 10,000 square feet and does not involve significant amounts of hazardous substances.

### **Conditional Use Permit**

Golden Hill Memorial Park is zoned "G" Cemetery. The Colma Municipal code requires a Conditional Use Permit for uses "incidental to a cemetery or memorial park use," which includes a licensed funeral establishment, a caretaker unit, and a monument shop, in the "G" Zone.

#### *Funeral Home*

There is a distinction in state law between cemeteries, crematories, and funeral homes, each requiring separate licensing. Golden Hill is currently licensed to operate a cemetery only, but seeks to be able to provide the services of a licensed funeral home. Upon the Town's approval of the proposed Conditional Use Permit, Golden Hill would apply for the required state license.

A licensed funeral establishment is a place of business devoted exclusively to the preparation and arrangements, financial and otherwise, for the funeral, transportation, burial or other disposition of human remains. Funeral establishments typically are the first point of contact for families that have lost loved ones, and a licensed funeral establishment shall at all times employ a licensed funeral director to manage, direct, or control its business or profession. Funeral



directors help families make arrangements and decisions on the purchase of items and services related to the burial of a loved one. In addition, they arrange for body preparation and periods of visitation for families, if the family so desires.

The proposed funeral home is a new 8,395 square foot facility that would house funeral home uses (casket viewing room, merchandise showroom, embalming room, and refrigerated room), administrative offices and a 120-seat chapel. The funeral home will have six employees, including a general manager, funeral director, assistant funeral director, embalmer, administrative assistant, and driver. Hours of operation would be from 9:30am to 5:00pm, seven days a week. Between 80 and 100 funeral home-related service-calls are anticipated for the first year.

Since embalming of the deceased would take place in the new facility, hazardous chemicals used for embalming would need to be stored onsite. In order to prevent damage to the health or safety of people and the environment, Staff has included a condition of approval in the Resolution requiring the Permittee to comply with the applicable San Mateo County Health Department Requirements related to the Hazardous Material Business Plan Program.

There are no parking requirements specific to cemeteries in the Colma Municipal Code, and like most cemeteries, Golden Hill's internal roads are used for parking, which allows for flexibility depending on the number of people attending a visitation at the chapel. The plans for the proposed funeral home facility specify 30 designated parking spaces (including two accessible spaces and three loading spaces). These spaces, along with parking along the internal roads will provide an estimated 200 on-site parking spaces. Staff finds the proposed onsite parking to be sufficient for the projected uses of the site.

#### *Caretaker Unit*

Any use which now or hereafter may be customarily incident to a cemetery or memorial park use, including a caretaker unit, may be permitted by the City Council on land located in the "G" Zone upon issuance of a Conditional Use Permit. There are currently two (2) legal-nonconforming caretaker units located on the Subject property. One is a detached single-family structure and the other is a second-story unit located above the existing monument shop. Their status is legal-nonconforming because no use permits were ever granted for them. Since both existing caretaker units are set to be demolished to make room for construction of the new funeral home, Conditional Use Permit approval is required to allow for the eventual construction and occupation of a new caretaker unit. The Applicant has not yet prepared architectural drawings for a new caretaker unit; therefore, Design Review is not possible at this time. Staff will require Design Review for the new caretaker unit, prior to issuance of a building permit. If the proposed caretaker unit is less than 2,000 square feet in size, it may be reviewed Administratively; otherwise, it will need to be reviewed by City Council.

#### *Monument Shop*

Any use which now or hereafter may be customarily incident to a cemetery or memorial park use, including a monument shop, may be permitted by the City Council on land located in the "G" Zone upon issuance of a Conditional Use Permit. There is an existing monument shop located on the Subject property, which was approved by Resolution No. 94-1 on December 8, 1993. Since the building which contains the existing monument shop is set to be demolished to

make room for construction of the new funeral home, Conditional Use Permit approval is required to allow for the use to be temporarily relocated to a temporary modular unit, and then permanently relocated to an existing onsite office building.

## **Design Review**

### *Funeral Home*

The Colma Municipal code requires Design Review approval for all new construction in the "DR" (Design Review) Zone.

The proposed building plans for the new funeral home comply with the design criteria set out in Colma Municipal Code section 5.03.300 (b), which requires a Spanish/Mediterranean style. Elevations submitted to the Town by the project sponsor show building architecture for the proposed project includes Spanish-Mediterranean elements, including arched openings, stylized columns, tile roofs, a tower element, stucco details, and decorative trim to minimize flat walls. The exterior treatment of the building is stucco. Trees, shrubs, and ground coverings along Hillside Boulevard and contained within planters in the parking areas complement the building architecture.

The architectural, site, and landscape design of the proposed project is similar to that of additional sites along Hillside Boulevard containing buildings and landscapes which incorporate Spanish/Mediterranean elements. Together, these sites achieve a consistent site, landscape, and building design theme for the Town of Colma. The proposed project will further extend a Spanish/Mediterranean theme towards the Town's southern border.

There are no height, setback, or buffering restrictions for a funeral home building in the "G" (Cemetery) Zone.

## **Sign Permit**

The applicant is also requesting a Sign Permit for permission to install entry signage consisting of a 3' x 5' sign incorporated into a 12' long and 6'-4" tall stone and stucco wall, topped with a 5'-5" stone lion, on either side of the driveway. The sign lettering will consist of 7" tall metal letters reading, "Golden Hill Memorial Park".

Section 4.07.120 (a)(6) of the Colma Municipal Code states:

### **4.07.120 Signs in the G Zone.**

(a) The following signs, subject to a sign permit, may be permitted in the G Zone:

(6) On-site signs, other than billboards, identifying a cemetery. Because of the special cemetery nature of the Town of Colma, said signs shall be without restrictions as to size, pole, illumination, or number, or as to devices giving times or temperatures; provided, however, that said signs shall be designed and constructed in a dignified style consistent with cemetery use, pursuant to design review and approval by the Planning Department of the Town of Colma.

Staff finds that the proposed signage is appropriate since it is designed and constructed in a dignified style consistent with the cemetery use and is appropriate in scale.

## **FINDINGS**

### **Conditional Use Permit**

#### *Funeral Home, Caretaker Unit, and Monument Shop*

Section 5.03.410 of the Colma Municipal Code requires that certain findings be made for approval of a Use Permit. Below is a listing of the findings and a discussion of how the application meets the findings:

1. The proposed uses will be consistent with the provisions of the Colma General Plan and Zoning Ordinance.

The property is designated in the General Plan and Zoning Ordinance for cemetery use. Zoning for the site is "G/DR" Cemetery/Design Review. Within this zoning designation, the Colma Zoning Code allows for a cemetery use and, and with approval of a Conditional Use Permit, uses incidental to the cemetery use. A funeral home, caretaker unit, and monument shop are all uses that are incidental to a cemetery use. 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.

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

Granting of the Use Permit will not be detrimental to the public health, safety or welfare because:

-All funeral home activities will be housed indoors. No noticeable changes from existing operations will be apparent to the public, and the Permittee shall be required to comply with the applicable San Mateo County Health Department Requirements related to the Hazardous Material Business Plan Program.

-The proposed caretaker's unit will be a support use for the cemetery and will resemble a single-family residence. Also, the Permittee shall be required to comply with the Town of Colma Property Maintenance Ordinance.

-All monument shop activities will be housed indoors, except for some monument displays which may be placed outside. No noticeable changes from existing operations will be apparent to the public, and the Permittee shall be required to comply with the Town of Colma Property Maintenance Ordinance.

3. Existing property uses, large or small, will not be detrimentally affected by the proposed use.

Golden Hill is surrounded by additional memorial parks on all sides. Funeral homes, caretaker units, and monument shops are complementary uses to memorial parks;

therefore, existing property uses in the area, large or small, will not be detrimentally affected by the proposed use.

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

Because incidental cemetery uses are permitted with a Use Permit on the Subject Property, the Permittee is not requesting any special consideration and the proposed uses would be subject to conditions similar to those required of other Use Permits. Therefore, granting the Use Permits 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.

5. The City Council is satisfied that the proposed uses conform to the purpose and intent of the General Plan and Zoning Ordinance.

Incidental cemetery uses are allowed in the Cemetery Zone subject to the issuance of a Conditional Use Permit; therefore, the City Council is satisfied that the proposed uses conform to the purpose and intent of the General Plan and Zoning Ordinance.

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

Conditions of the Use Permit will ensure that all activities related to the uses will not negatively impact adjoining uses. The proposed uses can be accommodated on-site. Therefore, the uses will not constitute a nuisance to neighboring persons or properties.

Staff believes that, subject to certain conditions of approval, all the required findings can be made to grant the Use Permit. The proposed findings and the recommended conditions are set out in the attached draft Resolution.

## **Design Review**

### *Funeral Home*

#### Findings Related to Design Review:

1. The architectural, site, and landscape design of the proposed project incorporates design elements adopted for the DR Zone.

The standards adopted for the DR Zone generally address the use of Spanish/Mediterranean design elements for the construction of new buildings and structures, and for comprehensive site and landscape design. Building architecture for the proposed project includes Spanish-Mediterranean elements, including arched openings, stylized columns, tile roofs, a tower element, stucco details, and decorative trim to minimize flat walls. The exterior treatment of the building is stucco. Trees, shrubs, and ground coverings along Hillside Boulevard, and contained within planters in the parking areas, complement the building architecture.

2. The architectural, site, and landscape design of the proposed project substantially reflects the intent of the DR zone to achieve a consistent site, landscape, and building design theme for the Town of Colma.

The architectural, site, and landscape design of the proposed project is similar to that of additional sites along Hillside Boulevard containing buildings and landscapes which incorporate Spanish/Mediterranean elements. Together, these sites achieve a consistent site, landscape, and building design theme for the Town of Colma. The proposed project will further extend a Spanish/Mediterranean theme towards the Town's southern border.

## **Sign Permit**

Section 4.07.210(d) of the Colma Municipal Code requires that certain findings be made for the approval of a Sign Permit. The following findings are listed in support of the project approval:

1. The signage is consistent with the provisions of the General Plan of the Town of Colma.

The proposed entry signage is allowed with a Sign Permit in areas designated and zoned for cemetery uses. The subject property is designated in the General Plan for cemetery use. 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.

2. 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.

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 reasonably sized, attractive, and located so as not to create a visibility hazard. The proposed signage will not create a visibility hazard or block other signs.

3. Existing property uses, large or small, will not be detrimentally affected by the proposed sign.

Existing property uses, large or small, will not be detrimentally affected by the new signage. Surrounding uses are all related to the cemetery land use, and the signage is consistent with the cemetery land use. Also, the signage is non-illuminated.

4. 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.

The proposed signage meets the regulations of the Colma Municipal Code. Specifically, cemeteries are permitted flexibility in sign type, size and illumination as long as the signage is dignified and appropriate for the setting. 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, and is similar to other signs permitted for cemetery uses in the Town.

5. The sign will not constitute a nuisance as to neighboring persons or properties.

The proposed sign is a tasteful, conventional design consistent with industry standards. 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.

## **VALUES**

The recommendation is consistent with the Council value of fairness because the recommended decision on the Conditional Use Permit, Design Review, and Sign Permit are 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**

Having multiple related uses at one location allows for a "one-stop-use," and results in less vehicle trips generated.

## **ALTERNATIVES**

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

- (1) Approve the Conditional Use Permit, Design Review, and Sign Permit with conditions of approval.
- (2) Approve the Conditional Use Permit, Design Review, and Sign Permit with modified or additional conditions of approval. This alternative may increase or reduce restrictions on the Use Permit to satisfy specific City Council concerns.
- (3) Deny the Conditional Use Permit, Design Review, and/or Sign Permit.

## **CONCLUSION**

Staff recommends the City Council approve the Conditional Use Permit, Design Review, and Sign Permit with the recommended conditions.

## **ATTACHMENTS**

- A. Resolution
- B. Project Plans

**RESOLUTION NO. 2015-\_\_**  
**Of The City Council Of The Town Of Colma**

**RESOLUTION GRANTING A CONDITIONAL USE PERMIT FOR A FUNERAL HOME, CARETAKER UNIT, AND A MONUMENT SHOP; DESIGN REVIEW APPROVAL FOR THE CONSTRUCTION OF A FUNERAL HOME BUILDING; AND A SIGN PERMIT FOR ENTRY SIGNAGE AT GOLDEN HILL MEMORIAL PARK**

*Property Owner:* Wilson Jang for Golden Hill Memorial Park  
*Location:* 2099 Hillside Boulevard  
*Assessor's Parcel Numbers:* 011-056-160/011-360-170

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

**1. Background**

- (a) On March 3, 2015, Wilson Jang submitted an application for a Conditional Use Permit for a funeral home, caretaker unit, and monument shop, Design Review approval for the construction of a funeral home, and a Sign Permit for entry signage at Golden Hill Memorial Park;
- (b) A public hearing was held on this matter on April 8, 2015, and evidence was taken at the public hearing;
- (c) 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 15303, Class 3(c), because the proposed project does not involve construction in excess of 10,000 square feet and does not involve significant amounts of hazardous substances.

*Findings Related to Conditional Use Permit for Funeral Home, Caretaker Unit, and Monument Shop Uses*

- (b) The proposed uses will be consistent with the provisions of the Colma General Plan and Zoning Ordinance.

The property is designated in the General Plan and Zoning Ordinance for cemetery use. Zoning for the site is "G/DR" Cemetery/Design Review. Within this zoning designation, the Colma Zoning Code allows for a cemetery use and uses incidental to the cemetery use. A funeral home, caretaker unit, and monument shop are all uses that are incidental to a cemetery use. Provided that 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.

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

Granting of the Use Permits will not be detrimental to the public health, safety or welfare because:

-All funeral home activities will be housed indoors. No noticeable changes from existing operations will be apparent to the public, and the Permittee shall be required to comply with the applicable San Mateo County Hazardous Material Business Plan Program requirements.

-The proposed caretaker's unit will be a support use for the cemetery and will resemble a single-family residence. Also, the Permittee shall be required to comply with the Town of Colma Property Maintenance Ordinance.

-All monument shop activities will be housed indoors, except for some monument displays which may be placed outside. No noticeable changes from existing operations will be apparent to the public, and the Permittee shall be required to comply with the Town of Colma Property Maintenance Ordinance.

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

Golden Hill is surrounded by additional memorial parks on all sides. Funeral homes, caretaker units, and monument shops are complementary uses to memorial parks; therefore, existing property uses in the area, large or small, will not be detrimentally affected by the proposed use.

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

Because incidental cemetery uses are permitted with a Use Permit on the Subject Property, the Permittee is not requesting any special consideration and the proposed uses would be subject to conditions similar to those required of other Use Permits. Therefore, granting the Use Permits 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.

- (f) The City Council is satisfied that the proposed uses conform to the purpose and intent of the General Plan and Zoning Ordinance.

Incidental cemetery uses are allowed in the Cemetery Zone subject to the issuance of a Conditional Use Permit; therefore, the City Council is satisfied that the proposed uses conform to the purpose and intent of the General Plan and Zoning Ordinance.

- (g) The use will not constitute a nuisance to neighboring persons or properties.



Conditions of the Use Permit will ensure that all activities related to the uses will not negatively impact adjoining uses. The proposed uses can be accommodated on-site. Therefore, the uses will not constitute a nuisance to neighboring persons or properties.

*Findings Related to Design Review for Funeral Home*

- (a) The architectural, site, and landscape design of the proposed project incorporates design elements adopted for the DR Zone.

The standards adopted for the DR Zone generally address the use of Spanish/Mediterranean design elements for the construction of new buildings and structures, and for comprehensive site and landscape design. Building architecture for the proposed project includes Spanish-Mediterranean elements, including arched openings, stylized columns, tile roofs, a tower element, stucco details, and decorative trim to minimize flat walls. The exterior treatment of the building is stucco. Trees, shrubs, and ground coverings along Hillside Boulevard, and contained within planters in the parking areas, complement the building architecture.

- (b) The architectural, site, and landscape design of the proposed project substantially reflects the intent of the DR zone to achieve a consistent site, landscape, and building design theme for the Town of Colma.

The architectural, site, and landscape design of the proposed project is similar to that of additional sites along Hillside Boulevard containing buildings and landscapes which incorporate Spanish/Mediterranean elements. Together, these sites achieve a consistent site, landscape, and building design theme for the Town of Colma. The proposed project will further extend a Spanish/Mediterranean theme towards the Town's southern border.

*Findings Related to Sign Permit*

- (a) The signage is consistent with the provisions of the General Plan of the Town of Colma.

The proposed entry signage is allowed with a Sign Permit in areas designated and zoned for cemetery uses. The subject property is designated in the General Plan for cemetery use. 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.

- (b) 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.

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 reasonably sized, attractive, and located so as not to create a visibility hazard. The proposed signage will not create a visibility hazard or block other signs.

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

Existing property uses, large or small, will not be detrimentally affected by the new signage. Surrounding uses are all related to the cemetery land use, and the signage is consistent with the cemetery land use. Also, the signage is non-illuminated.

(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.

The proposed signage meets the regulations of the Colma Municipal Code. Specifically, cemeteries are permitted flexibility in sign type, size and illumination as long as the signage is dignified and appropriate for the setting. 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, and is similar to other signs permitted for cemetery uses in the Town.

(e) The sign will not constitute a nuisance as to neighboring persons or properties.

The proposed sign is a tasteful, conventional design consistent with industry standards. 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.

### **3. Conditional Use Permit, and Sign Permit Granted, and Funeral Home Design Approved**

A Conditional Use Permit for a funeral home, caretaker unit, and monument shop, Design Review Approval for the construction and operation of a funeral home, and a Sign Permit for entry signage at Golden Hill Memorial Park, located at 2099 Hillside Boulevard (APN:011-056-160/011-360-170), is hereby approved, subject to the general terms and conditions set forth in this Resolution and the following project-specific conditions:

#### *Conditional Use Permit*

(a) This Use Permit shall specifically allow the use of the property for a cemetery, chapel, funeral home, caretaker unit, and monument shop. Any additional business uses are prohibited unless an amendment to the Use Permit is obtained.

(b) Prior to commencement of the use of the premises as a funeral home, caretaker unit, or monument shop, the Permittee must obtain an inspection and approval by the Colma Fire Protection District of the premises and must install all fire-safety equipment and improvements ordered by the Colma Fire Protection District. Thereafter, the Permittee must maintain all fire-safety equipment and improvements in good working condition.

(c) At no time shall inventory related to funeral sales block hallways or exits.

(d) The Permittee shall at all times comply with the standards and regulations set forth by the State Cemetery and Funeral Bureau.

(e) The Permittee shall at all times comply with the Town's Property Maintenance Ordinance and maintain the exterior of all structures in a tidy appearance, and shall care for and maintain all landscaping in a viable condition. The Permittee shall not allow any nuisance to be maintained at the premises.

(f) The caretaker unit shall be occupied only by a Golden Hill Cemetery employee and the employee's family. Verification shall be provided upon request of the Town of Colma.

(g) All funeral home and monument shop activities shall be housed within their respective buildings. Some monuments displays may be placed outside the monument shop.

(h) The Permittee shall comply with the applicable San Mateo County Hazardous Material requirements.

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

(j) The Permittee shall prepare plans, apply for and receive Administrative Design Review approval for the new caretaker unit, prior to issuance of a Building Permit.

#### *Design Review for Funeral Home*

(k) This approval is for the project presented in the Project Plans entitled "Golden Hills Memorial Park Funeral Home ," date stamped March 3, 2015 (with pages A0.0 to A4.0, C1.0 to C3.0 and L1.0), prepared by JST Architects and Cunningham Engineering, 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.

(l) The Permittee shall obtain all necessary building permits.

(m) Minor changes to the approved plans may be approved administratively by the City Planner or designee. Major changes to the approved plans shall be reviewed by the City Planner or designee to determine whether such changes require submittal and approval of a revision of the project approvals, or whether the changes require new or additional permits.

(n) Standard parking spaces shall be no smaller than 9' wide and 18' long and compact spaces shall be no longer 8' by 16'. Disabled parking spaces shall meet ADA width and overhead clearance requirements. All perpendicular parking spaces shall be served by an access aisle no smaller than 24' wide.

(o) Exterior colors and materials for the building must be consistent with plans submitted to and approved by the City Planner. Exterior colors and materials require approval by the City Planner prior to the issuance of a building permit.

(p) The building shall be provided with an address that is clearly visible from the roadway.

(q) Landscaping shall be primarily as shown in the Project Plans entitled "Golden Hills Memorial Park Funeral Home ," date stamped March 3, 2015 (with pages A0.0 to A4.0, C1.0 to C3.0 and L1.0), prepared by JST Architects and Cunningham Engineering, and on file in the office of the City Planner.

#### *Public Works*

(r) *Will-Serve Letters.* Prior to submitting application for a Grading and/or a Building Permit, the Permittee shall provide "will-serve" letters from all utility companies that will provide service to the project.

(s) *Grading Permit.* The Permittee shall fill out a Grading Permit Application form and apply for a Grading Permit from the Engineering Department prior to performing any clearing, grubbing, earth work or site work.

(t) *Encroachment Permit.* The Permittee shall obtain an Encroachment Permit from the Engineering Department prior to performing any work in the public right-of-way, including work on any utilities located within the public right-of-way.

(u) *Financial Guarantees.* The Permittee must post a security bond, cash deposit, or letter of credit in an amount no less than 100% of the estimated cost of all off-site and on-site 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.

(v) *Geotechnical Report.* At the time of application for a grading permit, the Permittee shall submit a Soils/Geotechnical Report prepared by a California-registered qualified Soils Engineer licensed to perform geotechnical analysis for City Engineer's review and approval. The plans submitted for permits shall incorporate all recommendations from the approved Soils Report and all construction shall comply with its recommendations.

(w) *Geotechnical Verification.* Along with filing for a grading permit, Permittee shall submit a letter from the Geotechnical Engineer verifying that the plans submitted are in conformance with the Geotechnical report submitted for the project.

(x) *Hydrology Study.* At the time of 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.

(y) *Runoff Across Property Lines Prohibited.* Runoff shall not be allowed to flow across lot lines or across subdivision boundaries onto adjacent private property without an easement being recorded by the Permittee at no cost to the Town.

(z) *Construction and Demolition Recycling.* The Permittee shall obtain a Demolition Permit from the Colma Building Department, and any other related permit(s) prior to starting any demolition work.

(aa) *Hazardous Materials and Contaminated Soil.* Prior to issuance of a grading permit or a demolition permit, the Permittee shall submit a Phase 1 Environmental Assessment report. 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 the San Mateo County Health Department [or Air District for building demolition which may include asbestos or lead paint]. 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. Best Management Practices (BMP's) shall be installed to prevent any hazardous materials from entering into the storm drain system.

(bb) *Sanitary Sewer Facility Standards.* All sanitary sewer facilities shall be designed in accordance with the Uniform Plumbing Code and the standards of the North San Mateo County Sanitation District (NSMCSD). Permittee shall be responsible to obtain a sewer connection permit from NSMCSD, install any pre-treatment devices as required by NSMCSD prior to connection to the Sewer Main, and pay all associated fees to NSMCSD.

(cc) *Traffic Control Plan.* The Permittee shall submit a Traffic Control Plan to the City Engineer for review and approval prior to commencing any work in the public right-of-way. 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 flaggers 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.

(dd) *Utility Undergrounding.* All utility lines serving the project site shall be installed through underground service connections only.

(ee) *Design of Public Improvements.* All public improvements including grading/ drainage/ driveways/ curbs/ gutters/ sidewalks/ lighting/ planting/ street resurfacing, etc shall be designed in accordance with the Town of Colma standard details and specifications, and installed to the satisfaction of the City Engineer.

(ff) *Stormwater Treatment/ Low Impact Development LID.* This Project shall comply with all requirements of Provisions C.3 and C.6 of the Municipal Regional Stormwater NPDES Permit (MRP), specifically:

- This project is subject to compliance with C-3 requirements of the MRP for Regulated Projects (Projects that create and/or replace 10,000 square feet or more of impervious surface). Design and install appropriate Site Design, Source Control, Low Impact Development (LID), Stormwater Treatment and Construction Best Management Practices (BMP's) as identified in the C.3 and C.6 Development Review Checklist and in substantial conformance with the Conceptual C-3 Stormwater Quality Plans for the project submitted for design review on March 3, 2015.
- The Permittee must subscribe to a regular refuse and recyclable items collection service (minimum pick-up of once per week) for the funeral home, the monument shop, and the caretaker unit. For the funeral home, adequate space for storage of standard containers for depositing trash, green waste and recyclable items awaiting pickup shall be provided in the garage (as shown in the project plans). For the monument shop, adequate space for storage of standard containers for depositing trash, green waste and recyclable items awaiting pickup shall be provided within a screened area along the east wall of the existing office unit. For the caretaker unit, adequate space for storage of standard containers for depositing trash and recyclable items awaiting pickup shall be indicated on the project plans submitted for required Administrative Design Review.

- 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.
- The project design and construction shall provide for fire sprinkler test water to be discharged into landscaped areas or the sanitary sewer system.
- Condensate from air conditioning units shall be directed to landscape areas and/or connected to the sanitary sewer system. Any anti-algal or descaling agents must be properly disposed of.
- Storm drain inlets shall be clearly marked with the words "No Dumping! Flows to Bay," or equivalent, using methods approved by the Town.
- A site specific erosion and sediment control plan (ESC) and Construction Best Management Practices (BMP) plan sheet shall be included in the construction plan set to be submitted for review and approval for a grading permit. Erosion & Sediment Control Measures and Best Management Practices shall be implemented and maintained throughout the duration of construction.

(gg) *Maintenance Agreement for Stormwater Treatment Measures.* For projects incorporating stormwater treatment measures, the Permittee shall enter into a Stormwater Treatment Measures Maintenance Agreement, in accordance with Provision C.3.e of the NPDES permit, which provides, in part, for the following:

- The Permittee 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; and
- Legal access to the on-site stormwater treatment measures for representatives of the City, the local vector control district, and staff of the Regional Water Quality Control Board, San Francisco Region, for the purpose of verifying the implementation, operation, and maintenance of the on-site stormwater treatment measures and to take corrective action if necessary.

The maintenance agreement shall be recorded at the County Recorder's Office at the Permittee's expense.

(hh) *Water Efficient landscaping requirements.* Drought and pest resistant landscaping shall be installed in compliance with the Town's Ordinance and Water Efficient Landscape Requirements of State AB 1881. Permittee shall submit water usage and efficiency calculations for City Planner's approval.

(ii) *Accessibility and Frontage Improvements.* All proposed walkways/pathways shall comply with ADA and California Title 24 requirements for accessibility.

- Sidewalk fronting the property shall meet accessibility requirements for path of travel width, slopes and clearances. Non-complaint and/or damaged sidewalk along the property frontage shall be replaced and/or reconstructed at the Permittees expense.

- A code compliant accessible ramp shall be installed at the SE corner of the project (Golf Course Rd. intersection).
- Utility cuts and trenches in the public right-of-way shall be restored in conformance with the Town's standard details. Two (2) or more utility trench cuts shall be repaired with a single asphalt patch.

(jj) *Approved Haul Route.* The Permittee shall submit proposed haul route for review and approval by the City Engineer. All contractors and suppliers shall be advised to use the approved haul route in moving materials and equipment to and from the project site.

(kk) *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. All damage that is a threat to public health or safety, as determined by the City Engineer, shall be repaired immediately.

(ll) *Storage of Materials in Public Roadway.* No materials or equipment shall be stored on the improved portion of any public roadway at any time.

(mm) *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.

(nn) A Final Certification from the Civil Engineer shall be submitted certifying that all grading operations complied with the approved Grading Plan.

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

#### *Building Code Compliance*

(pp) The Permittee shall incorporate the following into plans submitted for Building Permit:

- Occupancy Group: (as defined in the CA Building Code)
- Construction Type (as defined in the CA Building Code)

(qq) Construction shall comply with the following codes:

- 2013 California Building Code
- 2013 California Electrical Code
- 2013 California Mechanical Code
- 2013 California Plumbing Code
- 2013 California Energy Code
- 2013 California Fire Code – as amended by the Town of Colma
- 2013 California Green Building Standards Code

### *Fire Access*

- (rr) The building shall comply with the requirements of the 2013 California Fire Code and the Amendments of the Colma Fire Protection District.
- (ss) The building shall be provided with an Automatic Fire Extinguishing System designed in accordance with NFPA 13, 2013 Edition. A separate application and permit are required for the installation of Fire Sprinklers, Underground Fire Service, Fire Hydrant, and Fire Alarm System.
- (tt) The building shall be provided with an address, located where clearly visible from the street and in numerals a minimum of 6 inches in height 1 inch stroke and of contrasting color to their background.
- (uu) A Knox Key-Lock Box shall be provided at one or more locations, per the request of the Colma Fire District. Please contact Captain Pardini at 650-740-2073 to determine locations and to obtain an application for the key-lock box.
- (vv) All Inspections shall be scheduled a minimum of 48 hours in advance, please call Captain Bill Pardini to schedule. Captain Pardini can be reached at 650-740-2073.
- (ww) Location of the FDC, DDCV/OS&Y, Fire Sprinkler Riser, Fire Alarm Panel, Remote Annunciator (inside main entry) Fire Sprinkler Drain (Shall discharge to landscaping) Knox Key-Lock Box and Building Address shall be identified on plans submitted for Building Permits.
- (xx) A Maximum Occupant Load sign shall be displayed in the chapel.
- (yy) The funeral home building shall have Exit Signs as well as Emergency Egress Illumination – including at the exterior side of all egress doors in accordance with CBC 1006.3 item # 5.

### *Conditions Applicable to Construction Activities*

- (zz) *Posting of Construction Information and Construction Hours.* 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 (to be decided by Building Official at time of Building Permit issuance) and a phone number of the Permittee to call for noise complaints.
- (aaa) *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.
- (bbb) *Permitted Grading Season.* Grading work shall be limited to the period between April 15 and October 1 unless an alternative schedule is approved in writing by the City Engineer in conjunction with the approval of an Erosion and Sediment Control Plan.



## *Sign Permit*

(ccc) Signage shall be as shown in the Project Plans entitled "Golden Hills Memorial Park Funeral Home," date stamped March 3, 2015 (with pages A0.0 to A4.0, C1.0 to C3.0 and L1.0), prepared by JST Architects and Cunningham Engineering, and on file in the office of the City Planner.

(ddd) The signage shall be maintained in good repair at all times.

(eee) A copy of these conditions of approval shall be included in the building permit plan set.

### **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.

(b) *Recordable Covenant; Transfer.* The Town may record this Use Permit with the San Mateo County Recorder. The Use Permit shall run with the land and shall be freely and automatically transferred to each user of the property described herein, subject to each of the specific and general conditions herein.

(c) *Prior Entitlements.* The granting of this Use Permit shall supersede any existing use permits and non-conforming use rights, rendering them null and void. This includes Resolution 94 – 1, if and when the existing monument shop is demolished.

(d) *Amendments.*

(i) The City Planner may, through the administrative process, grant an extension of time to comply with any condition of approval or an amendment to the Sign Permit or a Minor Amendment to the Design Approval or the conditions of the Use Permit. Any other amendment may be granted only by the City Council.

(ii) A Minor Amendment means any approval that would qualify for a categorical exemption under CEQA Guidelines.

(e) *Modification or Revocation for Cause.* The Town may modify or revoke this 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**

(a) This Permit is conditioned upon the Permittee and each user of the subject property fully and faithfully performing each of the following generally-applicable obligations.

(b) *Duty to Comply With Laws.* The Permittee and each user must comply with all applicable federal, state and municipal laws, codes and regulations. 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.

(c) *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 Permittee’s project.

(d) *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.

//  
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**Certification of Adoption**

I certify that the foregoing Resolution No. 2015-## was duly adopted at a regular meeting of said City Council held on April 8, 2015 by the following vote:

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

Dated \_\_\_\_\_

\_\_\_\_\_  
 Joanne del Rosario, Mayor

Attest: \_\_\_\_\_  
 Sean Rabé, 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: \_\_\_\_\_  
Wilson Jang for Golden Hill Memorial Park

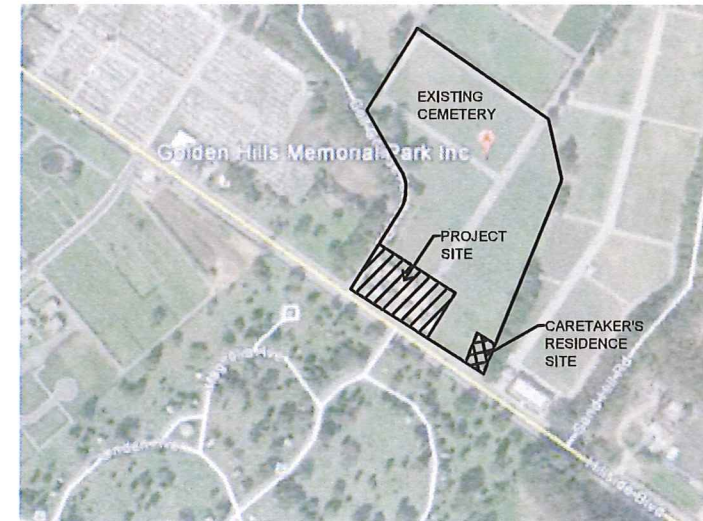
[Notarization of Property Owner's signature recommended]

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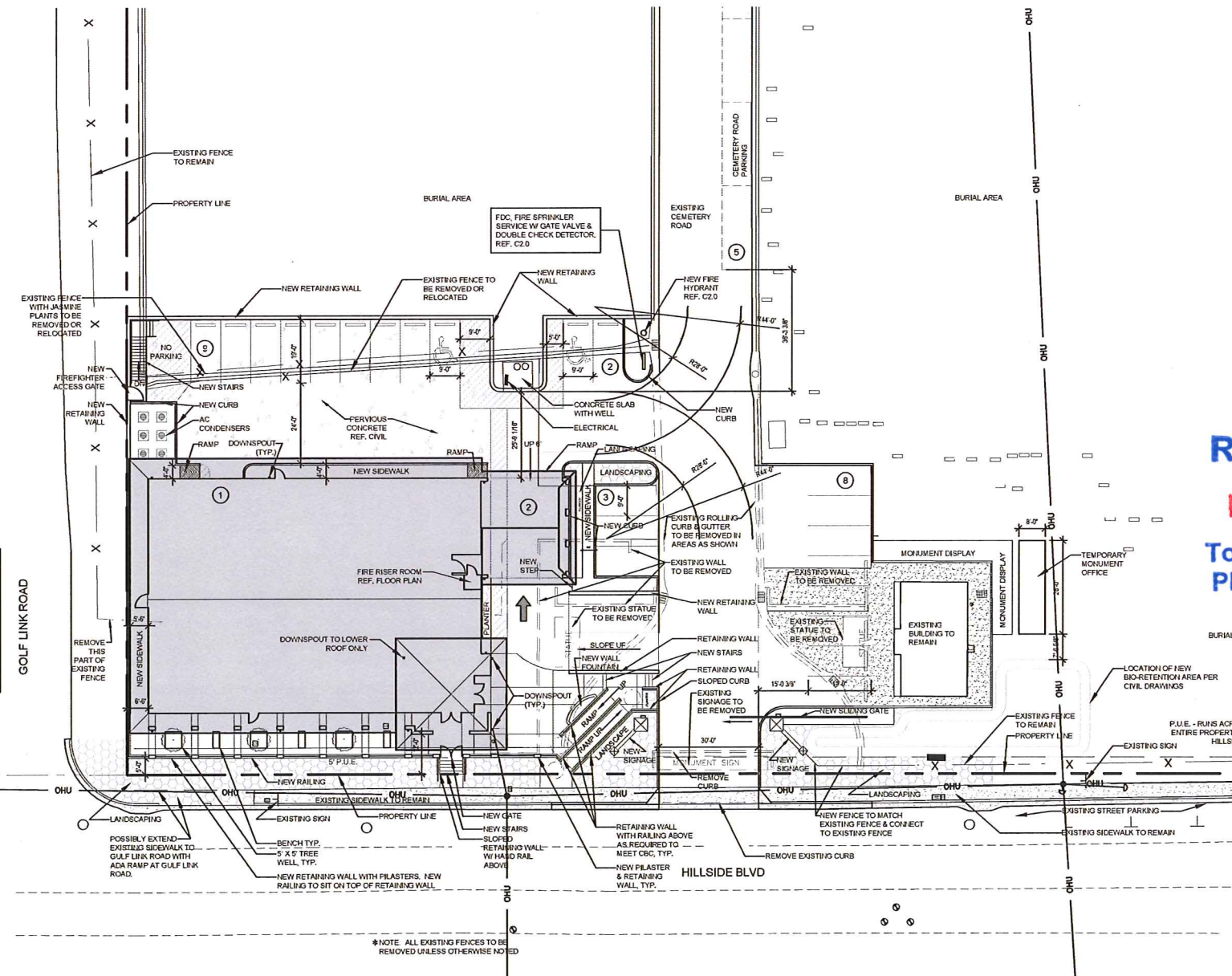
# GOLDEN HILLS MEMORIAL PARK FUNERAL HOME

2099 HILLSIDE BOULEVARD  
COLMA, CALIFORNIA 94014

ISSUE DATE:	FEBRUARY 9, 2015
REVISION:	MARCH 3, 2015

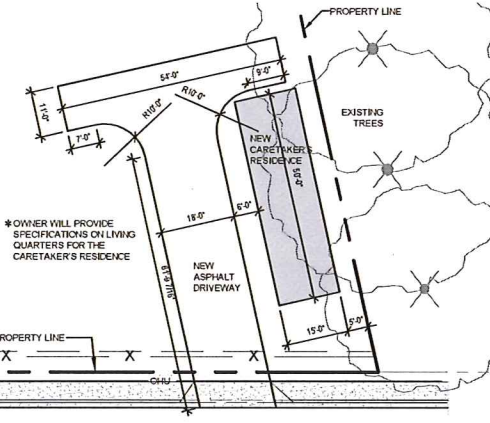


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ARCHITECTURE | PLANNING | MAUSOLEUM | CEMETERY INTERIORS  
WWW.JSTARCHITECTS.COM  
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2019 WELBORN STREET, SUITE 101, DALLAS, TEXAS 75219 | 214-522-4033  
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PARKING CALCULATIONS:	
PARKING SPACES	10
GARAGE / LOAD-OUT SPACES	3
HANDI-CAP SPACES	2
<b>TOTAL</b>	<b>15</b>
PROCESSIONAL SPACES	0

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<b>ZONING</b> SITE ZONING: ZONE G	<b>PAGE INDEX</b> A0.0 COVER PAGE & SITE PLAN A1.0 CURRENT SURVEY - EXISTING CONDITIONS A2.0 FLOOR PLAN A3.0 EXTERIOR ELEVATIONS A4.0 HAND DRAWN COLOR ELEVATION
<b>PROJECT DATA CALCULATIONS</b> USE AND OCCUPANCY CLASSIFICATION: A-3 NUMBER OF STORIES: ONE STORY W/ TOWER ACREAGE OF CEMETERY (INCLUDING PROJECT AREA): 9.48 ACRES APPROX. 413,043 SQ. FT. PROJECT SITE SQUARE FOOTAGE: 31,487 SQ. FT. (DOES NOT INCLUDE CARETAKER'S SITE) NEW FUNERAL HOME BUILDING FOOT PRINT: 8,395 SQ. FT. LANDSCAPE AREA: 3,641 SQ. FT. HANDSCAPE (PATIO, SIDEWALKS, ROADS, PARKING): 20,120 SQ. FT. (INCLUDES EXISTING BUILDING AND SIDEWALK/PAVING AROUND THE EXIST. BLDG. PART OF CEMETERY ROAD BETWEEN PARKING AREAS) CEMETERY ROAD PARKING (5 SPACES SHOWN): 1,116 SQ. FT. (PART OF EXISTING CEMETERY ROAD)	<b>CARETAKER'S RESIDENCE SITE</b> PROJECT SITE SQ. FT.: 4,203 SQ. FT. ± (INCLUDES NEW DRIVEWAY, CURB CUT AND YARD AREAS) (AREA ALSO INCLUDES PART OF THE SIDEWALK ALONG HILLSIDE BLVD. EAST OF THE NEW DRIVEWAY. THIS SIDEWALK TO REMAIN AS IS.) RESIDENCE BUILDING FOOT PRINT: 750 SQ. FT. ±

**01 SITE PLAN - GOLDEN HILLS MEMORIAL PARK**  
SCALE: 1" = 20'

**GOLDEN HILLS MEMORIAL PARK FUNERAL HOME**  
**PRELIMINARY PLAN REVIEW**  
COLMA, CALIFORNIA  
SHEET NO.  
**A0.0**  
JOB NUMBER: 14184

P:\2014 PROJECTS\14184 Golden Hills Memorial Park Funeral Home\Architectural\Photos\1516e Plan - Changes Per City Comments - 2015\03\03 - afternoon.dwg COVER PAGE WITH SITE PLAN. Printed by J. Stuart Todd on 2/10/2015 2:33:32 PM. WPL - JST - Full Pen Weight.dwg plot style







ISSUE DATE:	FEBRUARY 9, 2015
REVISION:	MARCH 3, 2015

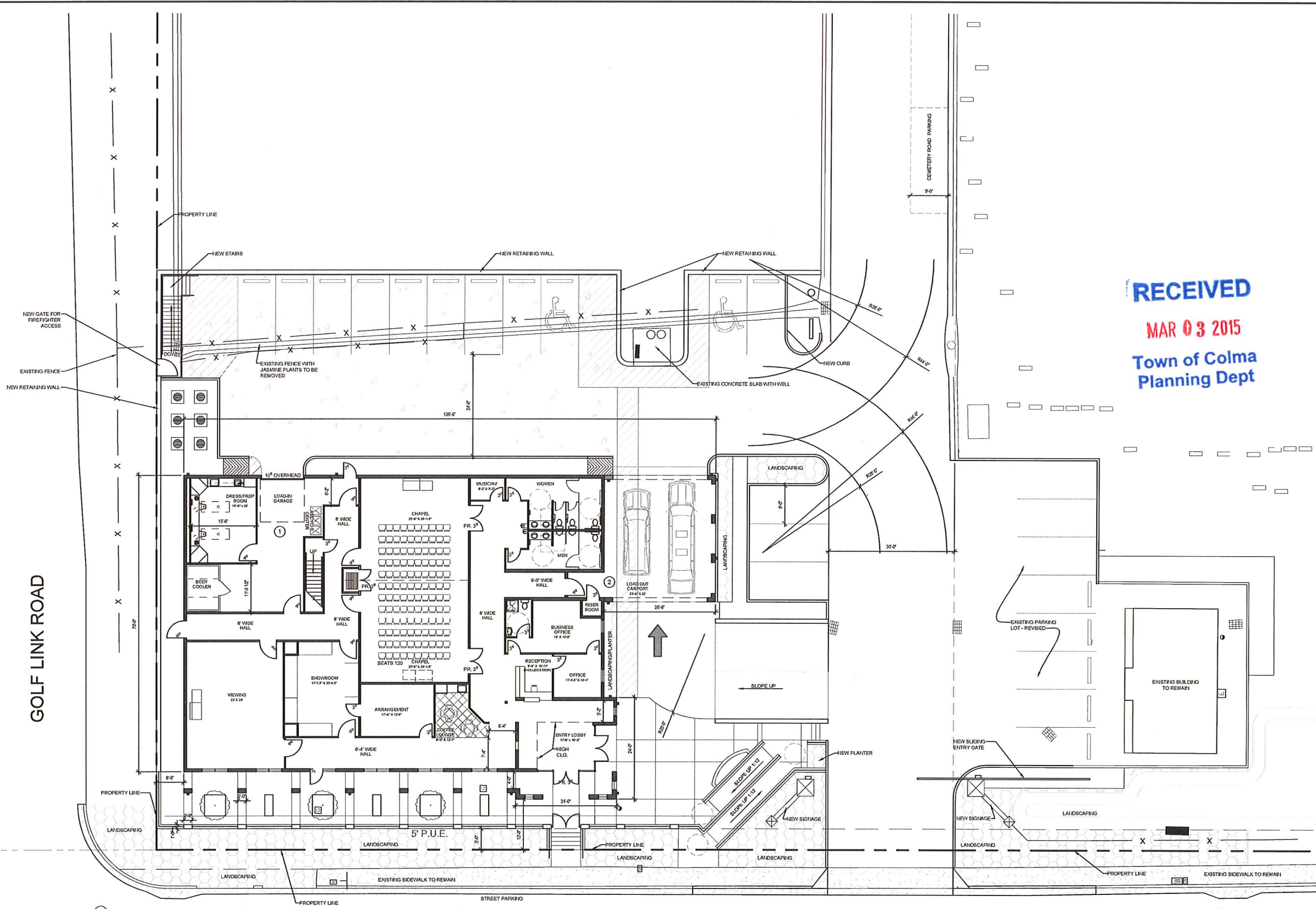
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**GOLDEN HILLS MEMORIAL PARK FUNERAL HOME**  
**PRELIMINARY PLAN REVIEW**  
 COLMA, CALIFORNIA

SHEET NO.  
**A2.0**  
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<b>AREA CALCULATIONS:</b>	
OFFICE AREA	4,367 SQ. FT.
ASSEMBLY AREA	1,930 SQ. FT.
GARAGE	676 SQ. FT.
CARPORIT & PORCHES	1,422 SQ. FT.
<b>TOTAL</b>	<b>8,395 SQ. FT.</b>

**01 FLOOR PLAN & SITE PLAN**  
 SCALE: 3/32" = 1'-0"



HILLSIDE BLVD.

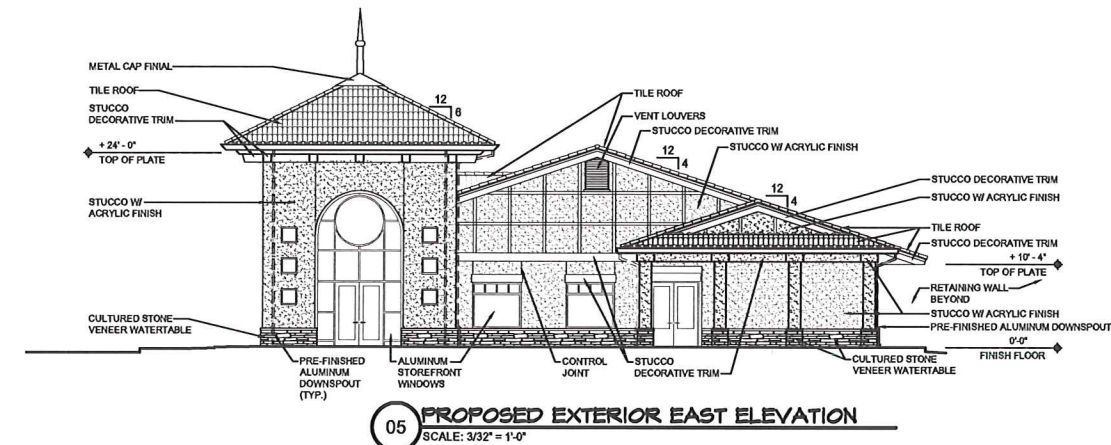
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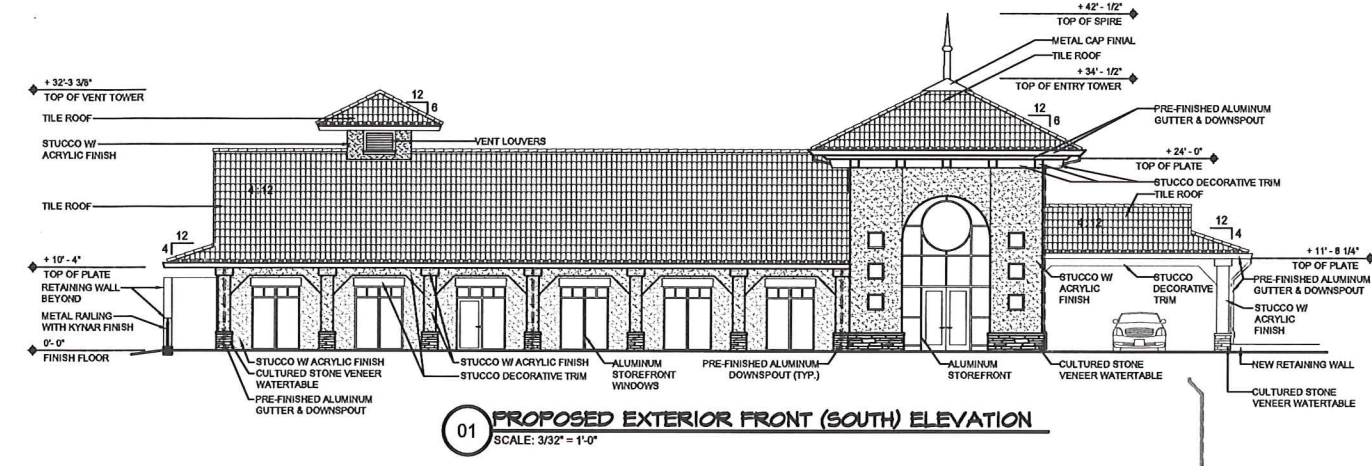
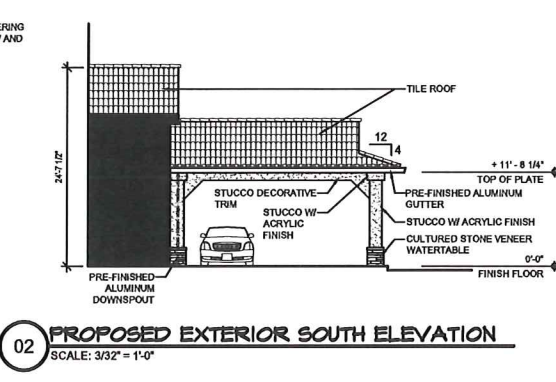
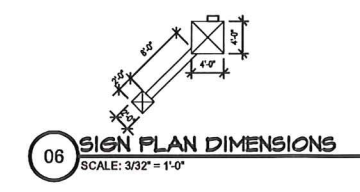
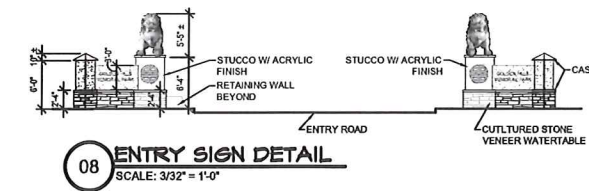
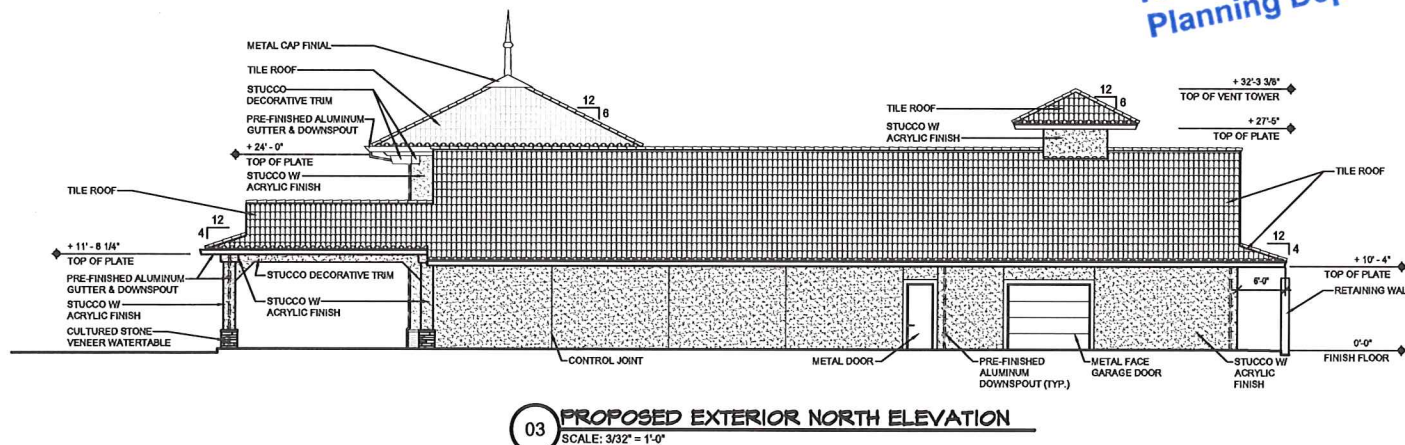
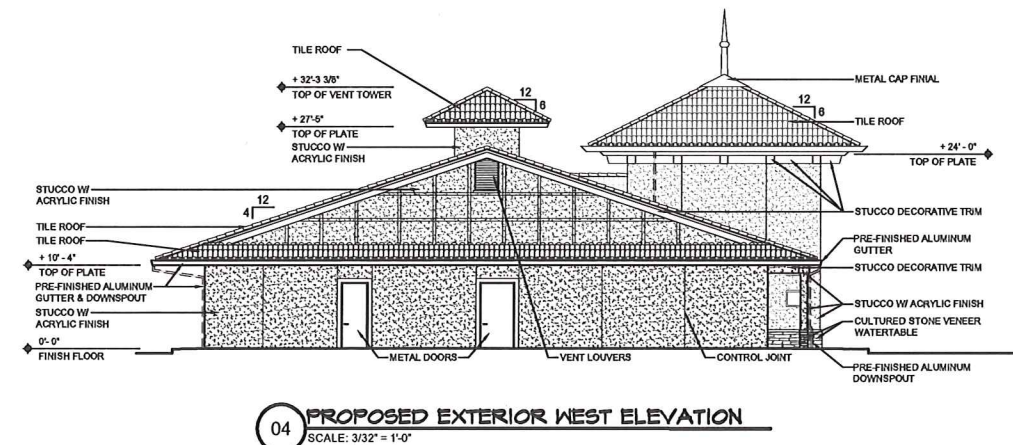
ISSUE DATE:	FEBRUARY 9, 2015
REVISION:	

**MATERIALS LEGEND**

1. CULTURED STONE VENEER WATERTABLE - TEXAS CREAM COBBLEFIELD
2. STUCCO W/ ACRYLIC FINISH FOR EXTERIOR WALLS - 10612 AUTUMN WHEAT WITH TEXTURE SANDBLAST NTX (SBNTX)
3. STUCCO W/ ACRYLIC FINISH DECORATIVE TRIM - 392 COCONUT SHELL WITH TEXTURE SANDBLAST NTX (SBNTX)
4. CLADDING FOR DOORS, WINDOWS, AND ALUMINUM STOREFRONTS - KYNAR 500 MEDIUM BRONZE
5. FASCIA, SOFFIT, DOWNSPOUTS & GUTTERS - KYNAR 500 MEDIUM BRONZE
6. ROOF TILE - CONCRETE TILE -VILLA 900 CALIFORNIA MISSION BLEND BY BORAL



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**GOLDEN HILLS MEMORIAL PARK FUNERAL HOME**  
**PRELIMINARY PLAN REVIEW**  
COLMA, CALIFORNIA

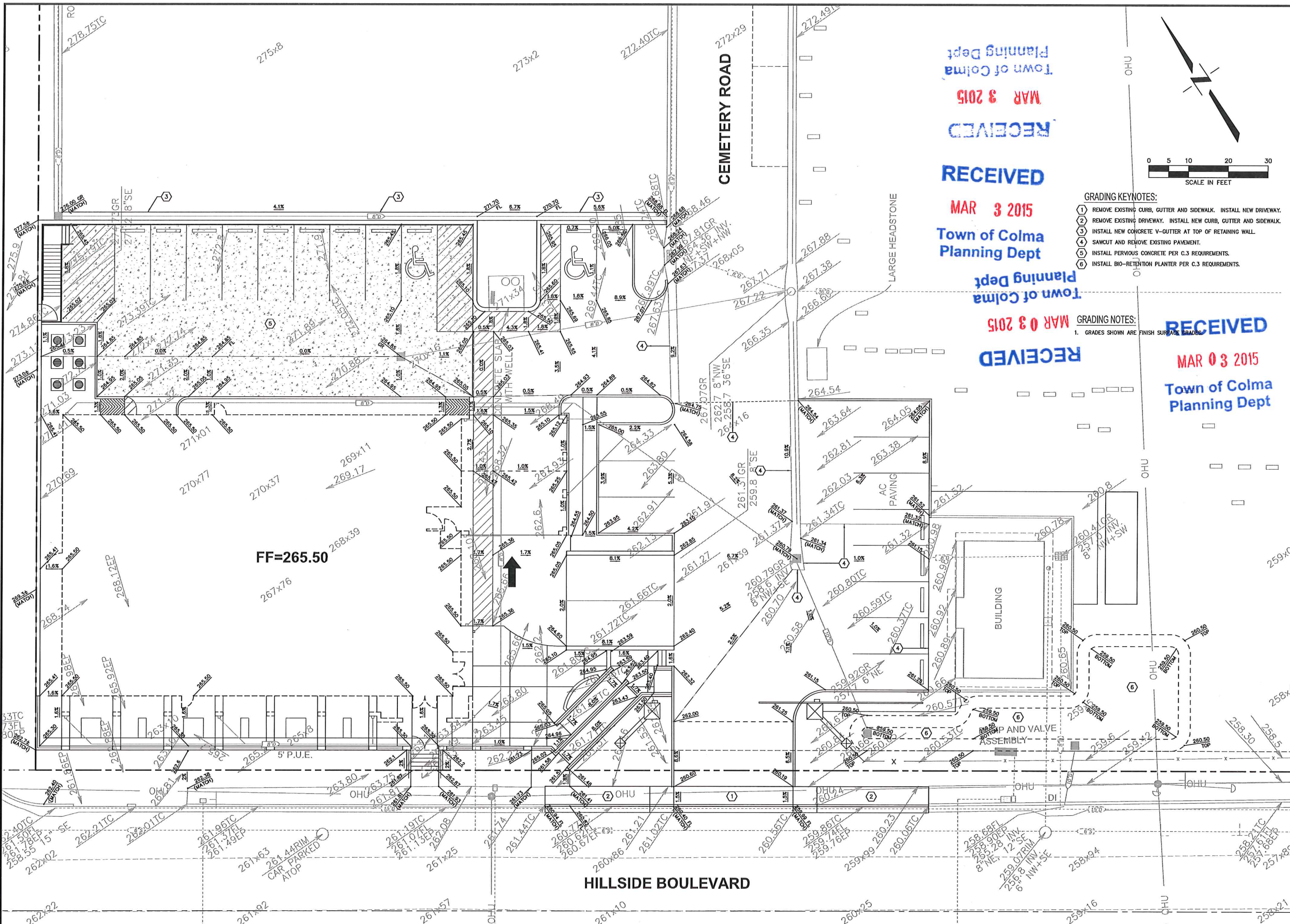
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**A3.0**  
JOB NUMBER: 14184

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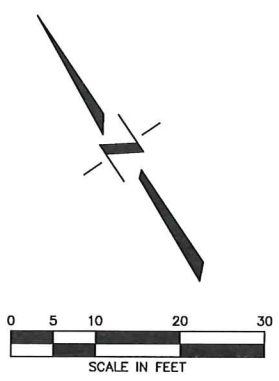






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- GRADING KEYNOTES:**
- 1 REMOVE EXISTING CURB, GUTTER AND SIDEWALK. INSTALL NEW DRIVEWAY.
  - 2 REMOVE EXISTING DRIVEWAY. INSTALL NEW CURB, GUTTER AND SIDEWALK.
  - 3 INSTALL NEW CONCRETE V-GUTTER AT TOP OF RETAINING WALL.
  - 4 SAWCUT AND REMOVE EXISTING PAVEMENT.
  - 5 INSTALL PERVIOUS CONCRETE PER C.3 REQUIREMENTS.
  - 6 INSTALL BIO-RETENTION PLANTER PER C.3 REQUIREMENTS.

**GRADING NOTES:**  
 1. GRADES SHOWN ARE FINISH SURFACE GRADES

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CEWEST.COM  
 Project Planning & Civil Engineering & Landscape Architecture  
 220 20th Street, Suite 200  
 San Francisco, CA 94103  
 (415) 457-2000



**GOLDEN HILL MEMORIAL PARK FUNERAL HOME  
 PRELIMINARY PLAN REVIEW  
 PRELIMINARY GRADING & DRAINAGE PLAN  
 CITY OF COLMA  
 CALIFORNIA**

SHEET  
**C1.0**  
 OF

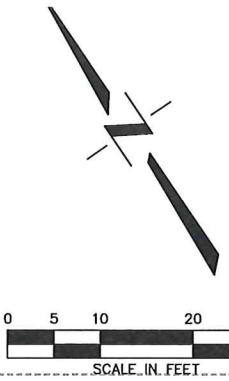
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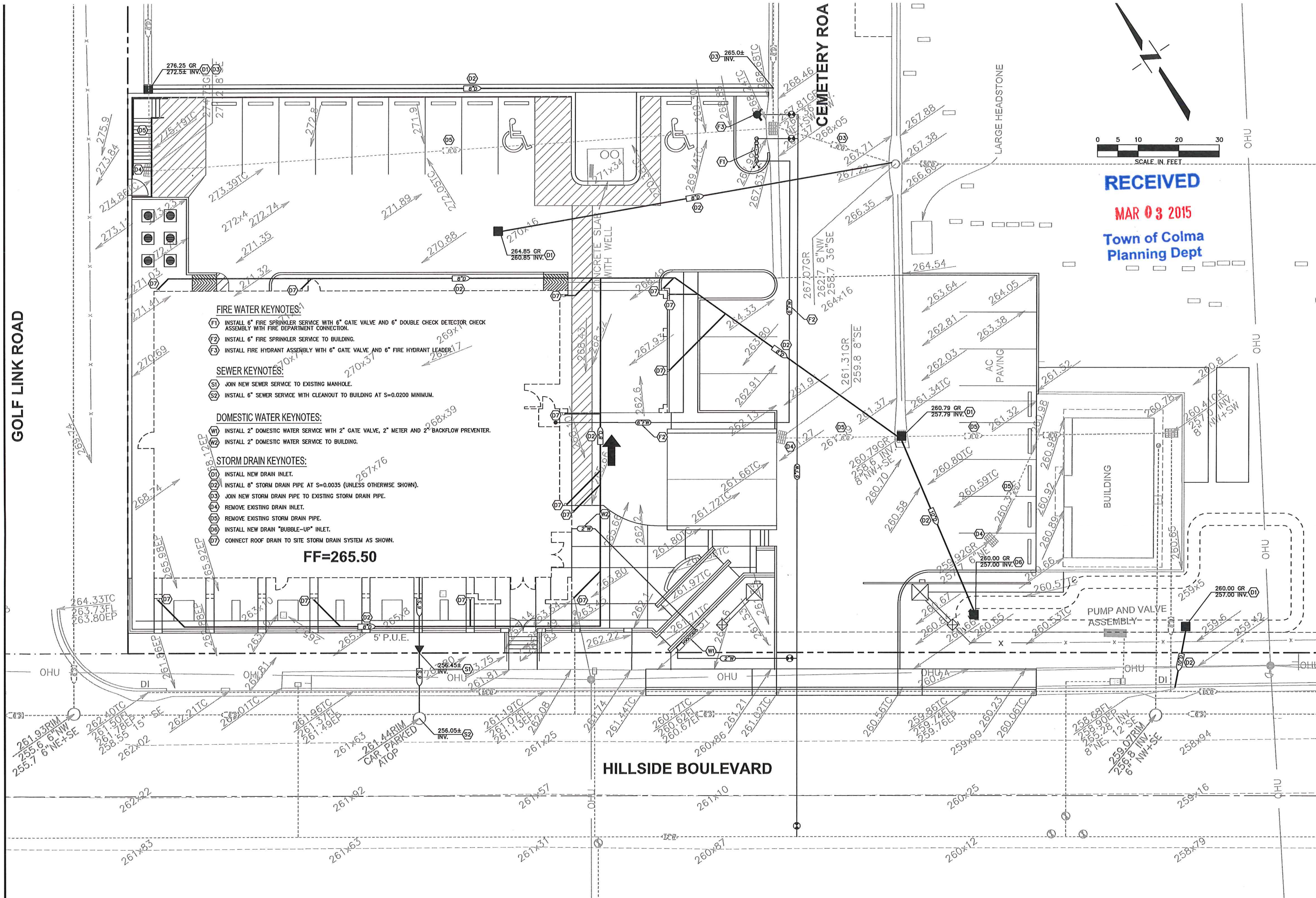
GOLF LINK ROAD

CEMETERY ROA

HILLSIDE BOULEVARD



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- FIRE WATER KEYNOTES:**
- F1 INSTALL 6" FIRE SPRINKLER SERVICE WITH 6" GATE VALVE AND 6" DOUBLE CHECK DETECTOR CHECK ASSEMBLY WITH FIRE DEPARTMENT CONNECTION.
  - F2 INSTALL 6" FIRE SPRINKLER SERVICE TO BUILDING.
  - F3 INSTALL FIRE HYDRANT ASSEMBLY WITH 6" GATE VALVE AND 6" FIRE HYDRANT LEADER.
- SEWER KEYNOTES:**
- S1 JOIN NEW SEWER SERVICE TO EXISTING MANHOLE.
  - S2 INSTALL 6" SEWER SERVICE WITH CLEANOUT TO BUILDING AT S=0.0200 MINIMUM.
- DOMESTIC WATER KEYNOTES:**
- W1 INSTALL 2" DOMESTIC WATER SERVICE WITH 2" GATE VALVE, 2" METER AND 2" BACKFLOW PREVENTER.
  - W2 INSTALL 2" DOMESTIC WATER SERVICE TO BUILDING.
- STORM DRAIN KEYNOTES:**
- D1 INSTALL NEW DRAIN INLET.
  - D2 INSTALL 8" STORM DRAIN PIPE AT S=0.0035 (UNLESS OTHERWISE SHOWN).
  - D3 JOIN NEW STORM DRAIN PIPE TO EXISTING STORM DRAIN PIPE.
  - D4 REMOVE EXISTING DRAIN INLET.
  - D5 REMOVE EXISTING STORM DRAIN PIPE.
  - D6 INSTALL NEW DRAIN "BUBBLE-UP" INLET.
  - D7 CONNECT ROOF DRAIN TO SITE STORM DRAIN SYSTEM AS SHOWN.

FF=265.50

DESIGNED BY \_\_\_\_\_  
 DRAWN BY \_\_\_\_\_  
 CHECKED BY \_\_\_\_\_  
 SCALE 1"=10'

NO. DATE REVISIONS BY APPD.

CEWEST.COM  
 Project Planning = Civil Engineering = Landscape Architecture  
 © Kenneth Otter  
 220 20th Street, Suite Three  
 Saratoga, CA 95070  
 Phone: 408.885.8888

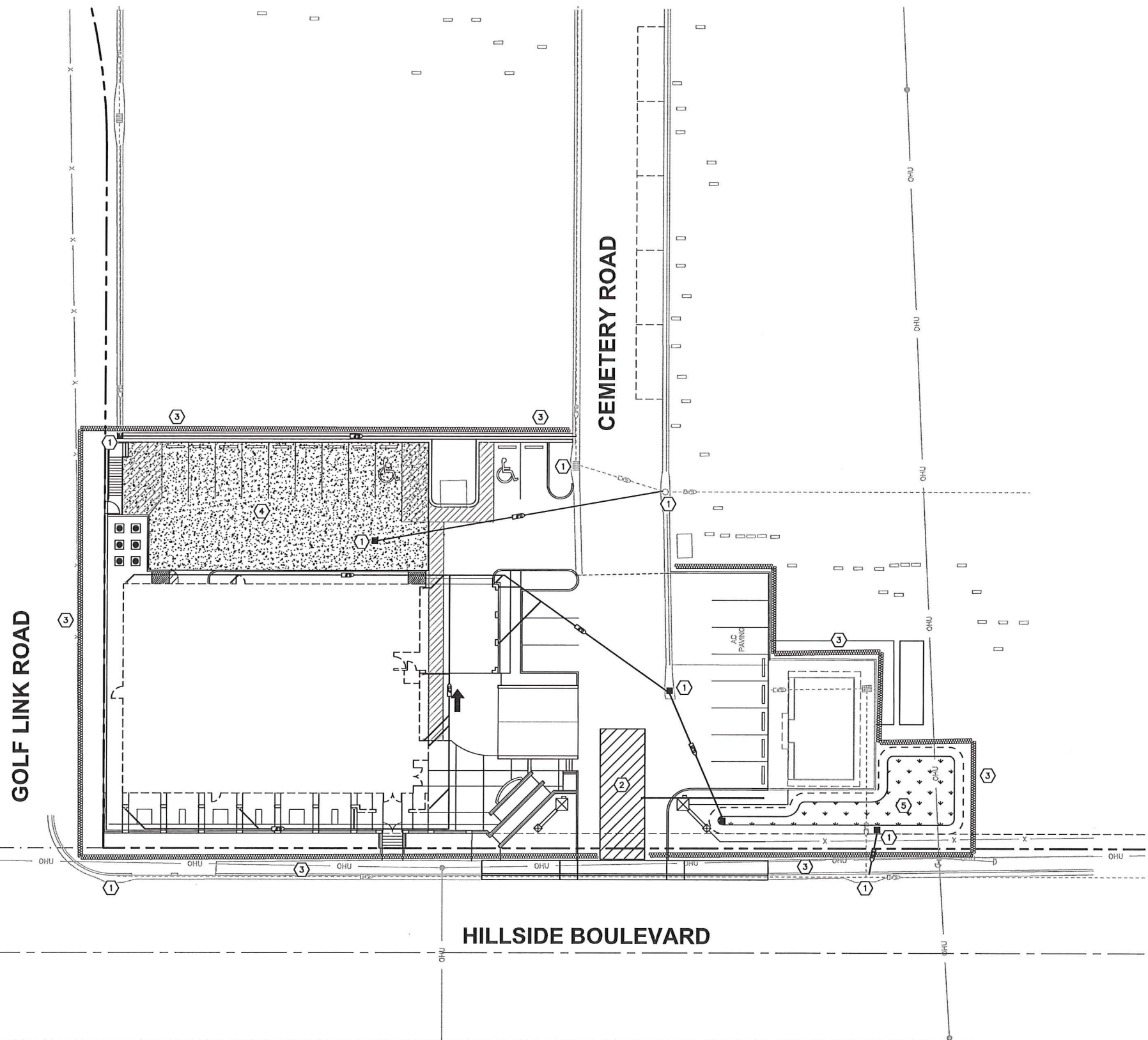
**CUNNINGHAM ENGINEERS**

GOLDEN HILL MEMORIAL PARK FUNERAL HOME  
 PRELIMINARY PLAN REVIEW  
 PRELIMINARY UTILITY PLAN

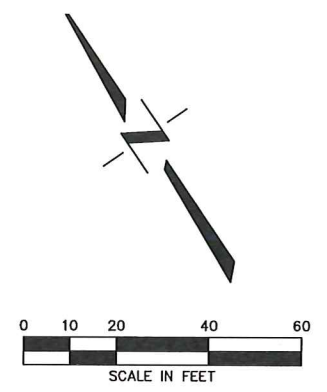
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**CONSTRUCTION STORMWATER BMP NOTES:**

- CONTROL AND PREVENT THE DISCHARGE OF ALL POTENTIAL POLLUTANTS, INCLUDING PAVEMENT CUTTING WASTES, PAINTS, CONCRETE, PETROLEUM PRODUCTS, CHEMICALS, WASH WATER OR SEDIMENTS, RINSE WATER FROM ARCHITECTURAL COPPER, AND NON-STORMWATER DISCHARGES TO STORM DRAINS AND WATERCOURSES.
- STORE, HANDLE, AND DISPOSE OF CONSTRUCTION MATERIALS/WASTES PROPERLY TO PREVENT CONTACT WITH STORMWATER.
- DO NOT CLEAN, FUEL, OR MAINTAIN VEHICLES ON-SITE, EXCEPT IN A DESIGNATED AREA WHERE WASH WATER IS CONTAINED AND TREATED.
- TRAIN AND PROVIDE INSTRUCTION TO ALL EMPLOYEES/SUBCONTRACTORS RE: CONSTRUCTION BMPS.
- PROTECT ALL STORM DRAIN INLETS IN VICINITY OF SITE USING SEDIMENT CONTROLS SUCH AS BERMS, FIBER ROLLS, OR FILTERS.
- LIMIT CONSTRUCTION ACCESS ROUTES AND STABILIZE DESIGNATED ACCESS POINTS.
- USE TEMPORARY EROSION CONTROLS TO STABILIZE ALL DENUDEED AREAS UNTIL PERMANENT EROSION CONTROLS ARE ESTABLISHED.
- PERFORM CLEARING AND EARTH MOVING ACTIVITIES ONLY DURING DRY WEATHER.
- PROTECT ADJACENT PROPERTIES AND UNDISTURBED AREAS FROM CONSTRUCTION IMPACTS USING VEGETATIVE BUFFER STRIPS, SEDIMENT BARRIERS OR FILTERS, DIKES, MULCHING, OR OTHER MEASURES AS APPROPRIATE.

**CONSTRUCTION STORMWATER BMP KEYNOTES:**

- INSTALL INLET PROTECTION.
- INSTALL STABILIZED CONSTRUCTION ENTRANCE.
- INSTALL SILT FENCE AROUND PERIMETER OF SITE.

**SOURCE CONTROL MEASURES**

- STORM DRAIN - MARK ON-SITE INLETS WITH THE WORDS 'NO DUMPING! FLOWS TO BAY' OR EQUIVALENT.
- LANDSCAPING - SELECT DIVERSE SPECIES APPROPRIATE TO THE SITE, INCLUDE PLANTS THAT ARE PEST- AND/OR DISEASE-RESISTANT, DROUGHT-TOLERANT, AND/OR ATTRACT BENEFICIAL INSECTS. MINIMIZE USE OF PESTICIDES AND QUICK-RELEASE FERTILIZERS. USE EFFICIENT IRRIGATION SYSTEM; DESIGN TO MINIMIZE RUNOFF.

**SOURCE CONTROL MEASURE KEYNOTES:**

- MARK ON-SITE INLETS WITH THE WORDS 'NO DUMPING! FLOWS TO BAY' OR EQUIVALENT.

**SITE DESIGN MEASURE KEYNOTES:**

- PLACE PERVIOUS CONCRETE.

**TREATMENT MEASURE KEYNOTES:**

- INSTALL BIO-RETENTION AREA (832 S.F. MINIMUM AREA).

**BIO-RETENTION AREA SIZING CALCULATIONS:**

**SITE AREAS**

DMA	IMPERVIOUS AREA (SF)	PERVIOUS AREA (SF)	TOTAL AREA (SF)
A	20,420	3,873	24,293
S-T AREA	0	4,245	4,245
TOTALS	20,420	8,118	28,538

**SIZING CALCULATION (4% METHOD)**

DMA	IMPERVIOUS AREA (SF)	PERVIOUS AREA (SF)	PERVIOUS AREA X0.1(SF)	EFFECTIVE IMPERVIOUS AREA (SF)	E.I.A.x0.4 (SF)
A	20,420	3,873	387.3	20,807	832

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DESIGNED BY: [Signature] APPD. BY: [Signature]  
 DRAWN BY: [Signature] CHECKED BY: [Signature]  
 SCALE: 1"=20'

NO. DATE REVISIONS

CECWEST.COM  
 Project Planning - Civil Engineering - Landscape Architecture  
 Main Office: 220 20th Street, Suite 200, Sacramento, CA 95833  
 Sacramento Office: 220 20th Street, Suite 200, Sacramento, CA 95833

**CUNNINGHAM ENGINEERING**

**GOLDEN HILL MEMORIAL PARK FUNERAL HOME  
 PRELIMINARY PLAN REVIEW  
 PRELIMINARY STORMWATER QUALITY PLAN**

SHEET **03.0** OF [Blank]

DATE: 3/3/2015



**IRRIGATION NOTES:**

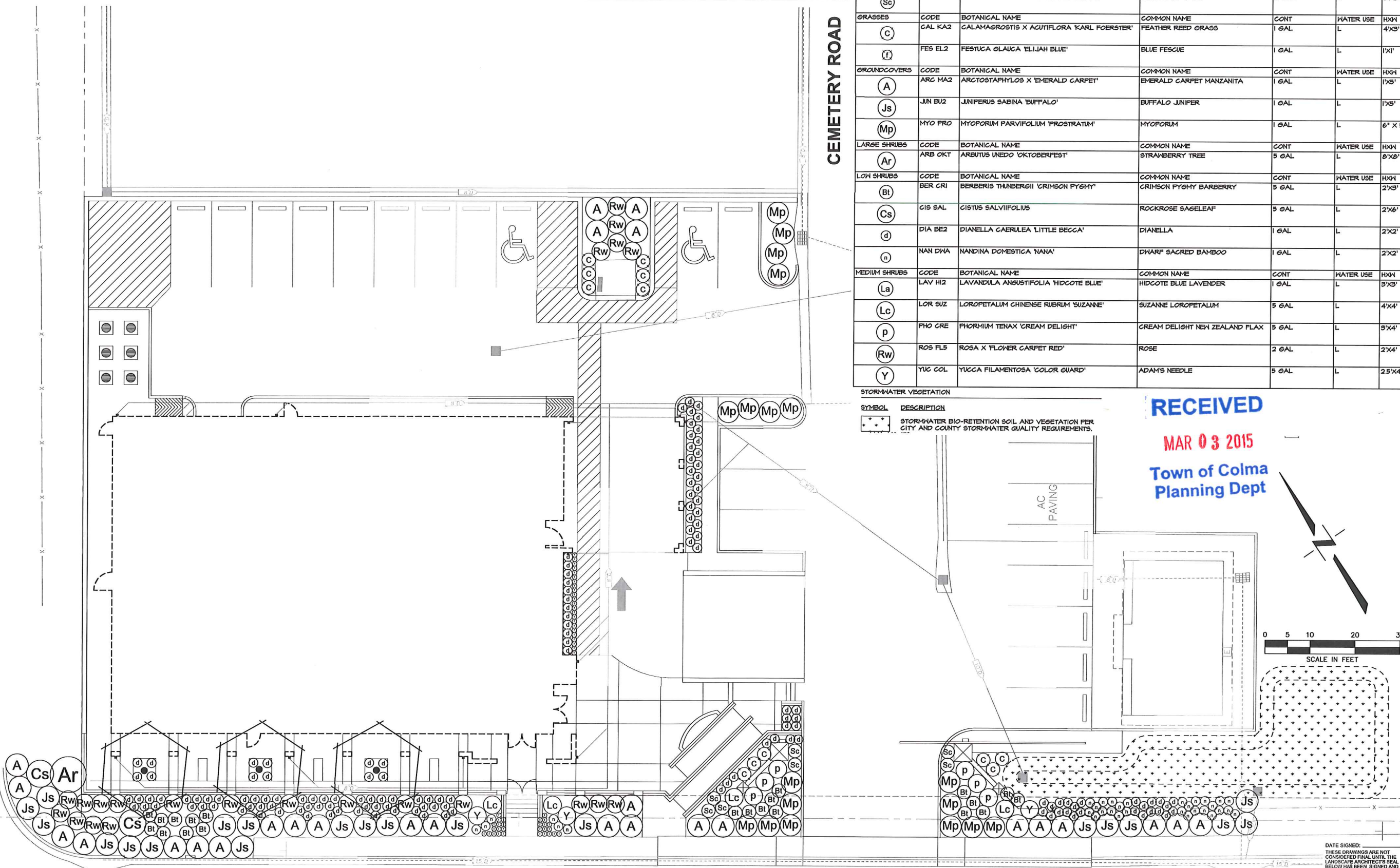
1. ALL SHRUB IRRIGATION TO INCLUDE POINT SOURCE WATER DELIVERY (I.E. BUBBLER OR DRIP).
2. ALL STORMWATER IRRIGATION TO INCLUDE WATER EFFICIENT MATCH PRECIPITATION RATE ROTORS.
3. IRRIGATION SYSTEM WILL TIE INTO PROPOSED 2" BACKFLOW PREVENTER.
4. IRRIGATION CONTROLLER WILL BE A "SMART" CONTROLLER WITH SOIL MOISTURE OR EVAPOTRANSPIRATION SENSORS TO AUTOMATICALLY ADJUST THE CONTROLLER SCHEDULE.
5. IRRIGATION SYSTEM SHALL HAVE A FLOW SENSOR AND MANUAL SHUT OFF VALVES.

**PLANT SCHEDULE**

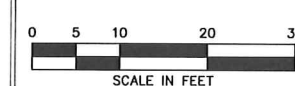
TREES	CODE	BOTANICAL NAME	COMMON NAME	CONTAINER SIZE	CAL.	SIZE
	LAG 1H1	LAGERSTROEMIA X 'NATCHEZ'	WHITE GRAPE MYRTLE	15 GAL		
SHRUBS	CODE	BOTANICAL NAME	COMMON NAME	CONT.	WATER USE	HXXH
	SAL CLE	SALVIA CLEVELANDII 'MINNIFRED GILMAN'	CLEVELAND SAGE	5 GAL	L	3'X3'
GRASSES	CODE	BOTANICAL NAME	COMMON NAME	CONT.	WATER USE	HXXH
	CAL KA2	CALAMAGROSTIS X ACUTIFLORA 'KARL FOERSTER'	FEATHER REED GRASS	1 GAL	L	4'X3'
	FES EL2	FESTUCA GLAUCA 'ELIJAH BLUE'	BLUE FESCUE	1 GAL	L	1'X1'
GROUNDCOVERS	CODE	BOTANICAL NAME	COMMON NAME	CONT.	WATER USE	HXXH
	ARC MA2	ARCTOSTAPHYLOS X 'EMERALD CARPET'	EMERALD CARPET MANZANITA	1 GAL	L	1'X3'
	JUN BU2	JUNIPERUS SABINA 'BUFFALO'	BUFFALO JUNIPER	1 GAL	L	1'X3'
	MYO PRO	MYOPORUM PARVIFOLIUM 'PROSTRATUM'	MYOPORUM	1 GAL	L	6" X 5"
LARGE SHRUBS	CODE	BOTANICAL NAME	COMMON NAME	CONT.	WATER USE	HXXH
	ARB OKT	ARBUTUS UNEDO 'OKTOBERFEST'	STRAWBERRY TREE	5 GAL	L	8'X6'
LOW SHRUBS	CODE	BOTANICAL NAME	COMMON NAME	CONT.	WATER USE	HXXH
	BER CRI	BERBERIS THUNBERGII 'CRIMSON PYGMY'	CRIMSON PYGMY BARBERRY	5 GAL	L	2'X3'
	GIS SAL	CISTUS SALVIIFOLIUS	ROCKROSE SAGELEAF	5 GAL	L	2'X6'
	DIA BE2	DIANELLA GAERULEA 'LITTLE BECCA'	DIANELLA	1 GAL	L	2'X2'
	NAN DWA	NANDINA DOMESTICA 'NANA'	DWARF SACRED BAMBOO	1 GAL	L	2'X2'
MEDIUM SHRUBS	CODE	BOTANICAL NAME	COMMON NAME	CONT.	WATER USE	HXXH
	LAV HI2	LAVANDULA ANGUSTIFOLIA 'HIDCOTE BLUE'	HIDCOTE BLUE LAVENDER	1 GAL	L	3'X3'
	LOR SUZ	LOROPETALUM CHINENSE RUBRUM 'SUZANNE'	SUZANNE LOROPETALUM	5 GAL	L	4'X4'
	PHO GRE	PHORMIUM TENAX 'CREAM DELIGHT'	CREAM DELIGHT NEW ZEALAND FLAX	5 GAL	L	3'X4'
	ROS FL5	ROSA X 'FLOWER CARPET RED'	ROSE	2 GAL	L	2'X4'
	YUC COL	YUCCA FILAMENTOSA 'COLOR GUARD'	ADAM'S NEEDLE	5 GAL	L	2.5'X4'

**STORMWATER VEGETATION**

SYMBOL DESCRIPTION  
 STORMWATER BIO-RETENTION SOIL AND VEGETATION PER CITY AND COUNTY STORMWATER QUALITY REQUIREMENTS.



**RECEIVED**  
**MAR 03 2015**  
 Town of Colma  
 Planning Dept



DATE SIGNED:  
 THESE DRAWINGS ARE NOT  
 CONSIDERED FINAL UNTIL THE  
 LANDSCAPE ARCHITECT'S SEAL  
 BELOW HAS BEEN SIGNED AND  
 DATED.



DESIGNED BY: ME  
 DRAWN BY: JB  
 CHECKED BY: OG  
 SCALE: 1"=10'

NO. DATE REVISIONS

CECWEST.COM  
 Project Planning = Civil Engineering = Landscape Architecture  
 Michael G. Engle  
 250 25th Street, Suite 300  
 San Francisco, CA 94105  
 (415) 457-2000

**CUNNINGHAM ENGINEERS**

**GOLDEN HILL MEMORIAL PARK FUNERAL HOME  
 PRELIMINARY PLAN REVIEW**

**PRELIMINARY LANDSCAPE PLAN**  
 CITY OF COLMA  
 CALIFORNIA

SHEET **L1.0**  
 OF

DATE: 2/9/2015  
 JOB NO: 1446.02

**HILLSIDE BOULEVARD**

**GOLF LINK ROAD**

**CEMETERY ROAD**

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# STAFF REPORT

TO: Mayor and Members of the City Council  
 FROM: Michael P. Laughlin, AICP, City Planner  
 VIA: Sean Rabé, City Manager  
 MEETING DATE: April 8, 2015  
 SUBJECT: 203-207B Collins Avenue – Assisted Living Facility

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## RECOMMENDATION

Staff recommends that the City Council adopt the following:

MOTION TO INTRODUCE AN ORDINANCE ADOPTING AN AMENDED ZONING MAP AND APPROVING A PLANNED DEVELOPMENT ZONE FOR 203-207B COLLINS AVENUE

RESOLUTION CONDITIONALLY APPROVING SECOND AMENDED PLANNED DEVELOPMENT (PD) CONDITIONAL USE PERMIT AND DESIGN REVIEW FOR AN ASSISTED LIVING FACILITY AT 203-207B COLLINS AVENUE

## EXECUTIVE SUMMARY

Claremont Retirement Management Services is seeking a Planned Development Amendment for the former Home Sweet Home property (now Peninsula Reflections). A Planned Development Amendment is required since the current designated use for the vacant lot located at the northeast corner of Collins Avenue and El Camino Real is for a skilled nursing facility that was never constructed. This lot is now proposed for surface parking. A Conditional Use Permit (CUP) amendment is also required for a new additional memory care use on-site. A minor Design Review approval is required for reconfiguration of the building entrance, construction of a fenced courtyard for the memory care services, and flatwork associated with the parking lot expansion.

## PROCEDURE

The City Attorney has recommended that should the City Council choose to adopt the resolution approving the second amended planned development Conditional Use Permit and Design Review, that the approval be conditional and only become effective if the City Council also adopts the ordinance approving the Planned Development Amendment. The City Attorney has included language in the resolution to indicate the resolution will only become effective at the time the ordinance becomes effective, which is 30 days after final adoption.

## **FISCAL IMPACT**

The Planned Development rezoning, associated exterior improvements, and additional memory care use will not have a fiscal impact to the Town.

## **BACKGROUND**

The City Council rezoned the project site as Planned Development in 1992 (Ordinance 439), and the property was developed, with occupation of the buildings in 1995. The buildings consist of a 34 room, 57 bed senior care facility and two small commercial buildings with 21 parking spaces. The two small commercial buildings were previously used for senior day care, resident storage and a second hand shop approved by a separate CUP (Resolution 2009-28).

In June of 2000, the City Council rezoned the adjacent vacant parcel east of the buildings located at 203 Collins Avenue as Planned Development for a 28 room skilled nursing facility (Ordinance 574). At this same time, the City Council approved a CUP amendment to allow a skilled nursing facility (Resolution 2000-34). This facility was never built.

In January of 2015, the City Council approved a Conditional Use Permit that repealed the two prior CUPs for the site and allowed the Applicant to re-occupy the facility for assisted living with the same number of beds (Resolution 2015-03). The Applicant is working with the State Department of Social Services to transition the existing care license into their name. The applicant anticipates opening of the facility in April of 2015.

In anticipation of this opening, the Applicant is now seeking to provide memory care on-site. This is a new use which triggers the need for a CUP amendment. In providing memory care (and to advertise that the facility takes memory care residents), the Applicant is required by the State to provide a secured perimeter and area of refuge at least 50 feet away from the building for residents in the event of an emergency. In order to satisfy this requirement, the Applicant is proposing to improve the existing entrance into the building and to create a fenced outdoor courtyard area in front of the building triggering the need for Design Review approval. Creation of the courtyard will necessitate removal of parking spaces. The Applicant is proposing to relocate these parking spaces on the adjoining vacant lot which requires the Planned Development Amendment.

## **ANALYSIS**

### **CEQA Determination**

This application was reviewed pursuant to the requirements of the California Environmental Quality Act (CEQA). The application was determined to be exempt pursuant to Section 15301 Class 1(a) of the state CEQA Guidelines which permits the minor alteration of an existing private structure with negligible expansion of the use.

### **Planned Development Amendment**

A Planned Development Amendment is required to implement the change in use from skilled nursing facility to surface parking for the vacant lot and to consolidate the existing Planned Development approvals. As shown in the attached Planned Development Ordinance, the



ordinance establishes development standards for site development (such as setbacks, height, land use etc.) consistent with the improvements already on the property and the minor improvements proposed (parking lot expansion and fenced courtyard). It also specifies the conditionally permitted land uses for the property.

Recommended findings for the Planned Development Amendment are as follows:

- 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 proposed use is consistent with the existing PD District, which was established in 1992 for assisted living.

- 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: Adoption of the PD zoning for the site is consistent with, and is a logical amendment to, the existing PD zoning for the properties which comprise the assisted living complex. The PD Zoning Amendment is consistent with prior uses on the site for assisted living. The proposed assisted living with memory care use and parking changes will not impact surrounding uses. The net increase in parking will benefit the project and surrounding uses since the project will not impact street parking.

- 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: The development is served by existing streets with all access from Collins Avenue. Residents of the assisted living facility do not drive and are not permitted to maintain a vehicle on-site; therefore, the only traffic generated will be from staff and visitors. There is sufficient off-street parking proposed to satisfy anticipated parking demand for employees and guests.

- d) The proposed development can be economically justified at the location proposed.

Discussion: The assisted living facility has been a successful assisted living facility since its opening in 1995.

- e) The impact created by the development can be absorbed and serviced by the Town.

Discussion: The applicant proposes to staff the assisted living facility on a 24 hour basis and proposes to operate the facility in a manner that will minimize calls for police and fire services. No unusual demands for water and sewer service will occur. Utilities exist in the adjacent street and are available to the property.

### **Conditional Use Permit Amendment**

Approval of the CUP amendment will amend the existing CUP approved via Resolution No. 2015-03 to clarify that memory care is allowed on the project site and impose appropriate

conditions. All uses in the PD zone require a CUP pursuant to Colma Municipal Code section 5.03.130.

Conditions have been included in the CUP amendment to address allowed uses, maintenance of the site, fire/life safety and deliveries to the project site. Approval of the CUP amendment will not constitute a grant of special privilege inconsistent with the limitations imposed by the Zoning Ordinance. Allowing memory care at a senior assisted living facility is consistent with the Zoning Ordinance and General Plan as further stated below.

Recommended findings for approval of the CUP amendment are as follows:

- a) The proposed use will be consistent with the provisions of the Colma General Plan and Zoning Ordinance.

Discussion: The proposed use is consistent with the General Plan and Zoning Ordinance of the Town of Colma. The General Plan also contains a goal to encourage facilities which provide care for senior citizens (Colma Administrative Code Section 5.02.216). The Colma Zoning Ordinance allows for the rezoning of properties to a Planned Development Zone to accommodate uses such as assisted living with memory care. Since 1992, the site has been zoned for assisted living use.

- b) Granting the CUP amendment will not be detrimental to the public health, safety or public welfare, or materially injurious to the properties or improvements in the vicinity.

Discussion: Granting the CUP amendment will not be detrimental to the public health, safety or welfare because the facility is residential in nature. The use is beneficial since it provides a facility for local seniors to live when needed and provides memory care. The facility is located adjacent to existing commercial and office uses, and there is no evidence that the proposed use will affect these neighboring uses.

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

Discussion: Granting the CUP amendment will allow for memory care use in addition to the existing assisted living use granted by the CUP in January of 2015. Given the minimal level of activity that will be occurring on the site and the provision of adequate parking for staff and guests, surrounding properties will not be impacted. Upon implementing the exterior changes, there will be a net increase of five parking spaces. Therefore, existing property uses, large or small, will not be detrimentally affected by the proposed use.

- d) Granting the CUP amendment will not constitute a grant of a 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 CUP amendment will authorize a use consistent with the Planned Development Zone. As a CUP is required for any use in the Planned Development Zone, approval of the CUP amendment would not constitute the granting of a 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. The Colma Zoning Ordinance allows uses such as memory care in an assisted living facility in a PD zone.

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

Discussion: The General Plan contains a goal to encourage facilities which provide care for senior citizens (Colma Administrative Code Section 5.02.216). In 1992, the City Council rezoned the subject site to Planned Development to allow for this land use. Since the site is zoned specifically for assisted living, the addition of the memory care use is consistent with both the General Plan and the PD zoning of the site.

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

The CUP amendment is conditioned to ensure that all activities related to the assisted living facility, with memory care use, will not negatively impact adjoining commercial and office uses. Specifically, the CUP is conditioned to require property and landscape maintenance; to maintain an assistance and evacuation plan; and to regulate truck deliveries. The proposed use will provide required parking on-site for employees and visitors.

## **Design Review**

Design Review approval is required as the applicant is proposing to improve the existing entrance into the building and to create a fenced outdoor courtyard area in front of the building. This change is required by the State for dementia/memory care uses. Because the applicant plans to advertise that they are a dementia/memory care community, they must provide a secured perimeter and area of refuge at least 50 feet away from the building for residents in the event of an emergency.

To create the courtyard activity area and the new entryway into the building, six existing parking spaces are proposed to be relocated onto the adjoining vacant lot. Two parking spaces will be restriped for disabled parking directly across from the new entrance walkway. Eleven spaces are proposed on the adjoining lot, creating a net increase of parking of 5 spaces, for a total of 27 spaces for the facility.

The proposed courtyard area will be fenced with a five-foot tall stucco wall with columns that will be painted to match the building.

Recommended findings for the Design Review are as follows:

- a) The architectural, site, and landscape design of the proposed project incorporates design elements adopted for the DR Zone.

Discussion: The standards adopted for the DR Zone generally address the use of Spanish/Mediterranean design elements for the construction of new buildings and structures, and for comprehensive site and landscape design. Building architecture for the existing building includes Spanish-Mediterranean elements. The exterior treatment of the building is stucco with a barrel tile roof. The front patio enclosure wall will be

stucco and painted to match the existing building. Trees, shrubs, flowers, and foundation plantings along the front façade of the building complement the building architecture.

- b) The architectural, site, and landscape design of the proposed project substantially reflects the intent of the DR zone to achieve a consistent site, landscape, and building design theme for the Town of Colma.

Discussion: The architectural, site, and landscape design of the proposed project is similar to that of additional sites visible from El Camino Real containing buildings and landscapes which incorporate Spanish/Mediterranean elements. Together, these sites achieve a consistent site, landscape, and building design theme for the Town of Colma.

## **Values**

The recommendation is consistent with the Council value of *fairness* because the recommended decisions are 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 involves the ongoing use of an existing facility, and, therefore, will not have a sustainability impact.

## **Alternatives**

One alternative to adopting the ordinance for the Planned Development would be to introduce the ordinance with modified or additional standards which differ in one or more aspects from what is being proposed. This alternative would require the applicant or their architect to modify the plans and bring them back to the City Council at a later date. This alternative is not recommended since it will delay the project. In addition, staff believes the ordinance and plans, as proposed and conditioned, represent a positive improvement to the site.

A second alternative would be to not introduce (or deny with findings) the ordinance for the Planned Development. This alternative would leave the existing Planned Development zoning in place which only allows for assisted living at 205 Collins Avenue and a skilled nursing facility on the vacant lot (i.e. the parking lot expansion could not occur). This alternative is problematic because it would not allow for the applicant to advertise the facility for memory care (since they would not be able to build the required courtyard), stifling their business plans. In addition, the facility would operate with the existing on-site parking, which is five fewer on-site parking spaces once the project is completed.

## **CONCLUSION**

Staff recommends that the City Council introduce the Ordinance for the Planned Development Amendment, and adopt the Resolution conditionally approving the Conditional Use Permit and Design Review.

## **ATTACHMENTS**

- A. Ordinance\_\_\_\_\_, Adopting an Amended Zoning Map and Approving a Planned Development Zone
- B. Resolution 2015-\_\_\_\_\_, Conditionally Approving Second Amended Conditional Use Permit and Design Review
- C. Site and Fence Plans

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**ORDINANCE NO. \_\_\_\_\_**

**ORDINANCE ADOPTING AN AMENDED ZONING MAP AND  
APPROVING A PLANNED DEVELOPMENT ZONE  
FOR 203-207B COLLINS AVENUE**

Property Owner: Apollo Fund I, LLC, Donald Kung  
Applicant: Claremont Retirement Management Services (CRMS), Brian Walgenbach  
Location/APN:  
Vacant lot/008-421-170  
205 Collins Avenue (assisted living facility)/ 008-421-180  
203 and 207A&B Collins Avenue (commercial buildings)/ 008-421-190

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

**1. BACKGROUND**

(a) The Town received an application from Claremont Retirement Management Services for approval of an Amended Planned Development for the property at 203-207 Collins Avenue, Colma (Assessor's Parcel Numbers: 008-421-170,180,190) to allow for an assisted living facility with memory care, administrative offices, meeting space and storage with associated surface parking. A Planned Development Amendment is required since the current designated use for the vacant lot located at the northeast corner of Collins Avenue and El Camino Real is for a skilled nursing facility that was never constructed. This lot is now proposed for surface parking.

(b) The application was determined to be exempt pursuant to Section 15301 Class 1(a) of the state CEQA Guidelines which permits the minor alteration of an existing private structure with negligible expansion of the use.

(c) 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 of conditionally permitted under the zoning classification for the proposed district in existence at the time of the application.

Discussion: The proposed use is consistent with the existing PD District, which was established in 1992 for assisted living.

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: Adoption of the PD zoning for the site is consistent with and is a logical amendment to the existing PD zoning for the properties which comprise the assisted living complex. The PD Zoning Amendment is consistent with prior uses on the site for

assisted living. The proposed assisted living with memory care use and parking changes will not impact surrounding uses. The net increase in parking will benefit the project and surrounding uses since the project will not impact street parking.

- 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 Collins Avenue. Residents of the assisted living facility do not drive, therefore, the only traffic is related to staff and visitors. There is sufficient off-street parking proposed to satisfy anticipated parking demand for employees and guests.

- d) The proposed development can be economically justified at the location proposed.

Discussion: The assisted living facility has been a successful assisted living facility since its establishment in 1995.

- e) The impact created by the development can be absorbed and serviced by the Town.

Discussion: The applicant proposes to staff the assisted living facility on a 24 hour basis and proposes to operate the facility in a manner that will minimize calls for police and fire services. 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**

This City Council hereby approves and applies the Planned Development (PD) overlay zone to the properties, as shown on the Amended Zoning Map attached hereto 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 an assisted living facility with memory care and associated office, administrative 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 36 feet in height. One story buildings are permitted in front of the three-story building, not to exceed 20 feet in height.

(d) *Street Frontage.* A minimum eight (8) foot wide planting strip shall be provided and maintained along the Collins Avenue frontage (except at driveway cuts).



(e) *Off-Street Parking.* The property shall have a minimum of twenty-seven (27) off-street parking spaces, including a minimum of one (2) disabled parking spaces, one of which must be van accessible. Standard spaces shall be no smaller than 9' wide and 18' long and compact spaces shall be no smaller than 8' by 16'. 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. Employees shall use parking spaces behind the gate and in the back portion of the surface parking lot to free up visitor parking spaces in front of the building entrance.

(f) *Open space features.* Development of the site shall include a landscaped patio area enclosed by an ornamental fence and site landscaping.

(g) *Access.* The horseshoe driveway on the site also functions as a fire lane and shall be kept free from vehicles and delivery trucks at all times. A thirty-six (36) wide shared access easement, allowing access from Collins Avenue to the project site and to the adjoining lot to the west is required.

(h) *Minimum Building Setbacks.* The office building shall be set back from the perimeter property boundary of the site. Setbacks shall be varied along the north and east property boundaries. The following distances shall apply:

- (i) From El Camino Real (East): thirty feet;
- (ii) From Collins Avenue (South): five feet;
- (iii) From the northerly boundary line: five feet;
- (iv) From the westerly boundary line, twelve feet;

(i) *Refuse Disposal and Recycling.* Adequate space for storage of standard containers and recycling for depositing trash and recyclable items awaiting pickup shall be provided. The Permittee must subscribe to a regular refuse and recyclable items collection service.

(j) *Site Security.* The operator shall provide site security, including controlled access through the reception area.

## **5. EXISTING PLANNED DEVELOPMENT APPROVALS REPEALED**

Ordinance 439 which established the Planned Development zone which permitted the original construction of the assisted living facility and ancillary structures is hereby repealed.

Ordinance 574 which established a Planned Development which included a skilled nursing facility on the vacant lot is hereby repealed.

**6. EFFECTIVE DATE**

This ordinance shall be posted as required by law, to wit, upon the three (3) official bulletin boards of the Town of Colma and is to take force and effect thirty (30) days after its passage.

**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 April 8, 2015, and duly adopted at a regular meeting of said City Council held on \_\_\_\_\_, 2015 by the following vote:

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

Dated \_\_\_\_\_

\_\_\_\_\_  
Joanne del Rosario, Mayor

Attest: \_\_\_\_\_

Sean Rabe', City Clerk

**RESOLUTION NO. 2015-\_\_  
OF THE CITY COUNCIL OF THE TOWN OF COLMA**

**RESOLUTION CONDITIONALLY APPROVING A SECOND AMENDED  
PLANNED DEVELOPMENT (PD) CONDITIONAL USE PERMIT AND DESIGN  
REVIEW FOR AN ASSISTED LIVING FACILITY AT 203-207B COLLINS  
AVENUE**

*Property Owner: Apollo Fund I, LLC, Donald Kung  
Applicant: Claremont Retirement Management Services (CRMS), Brian Walgenbach  
Location/APN:  
Vacant lot/008-421-170  
205 Collins Avenue (assisted living facility)/ 008-421-180  
203 and 207A&B Collins Avenue (commercial buildings)/ 008-421-190*

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

**1. Background**

- (a) Claremont Retirement Management Services has submitted an application for an Amendment to the existing Planned Development (PD) Use Permit under the Zoning Code of the Town of Colma to use the property at the above-referenced addresses and Assessor's Parcel Numbers 008-421-170,180,190 ("Subject Properties") for an assisted living facility with memory care.
- (b) A Notice of Public Hearing was duly posted on the three official bulletin boards of the Town and in a conspicuous place on or near the subject property and was duly mailed to the persons to whom given, as required by law, and a public hearing was conducted on this matter on April 8, 2015.
- (c) The City Council has considered the application, the accompanying staff report, and all relevant evidence presented at the public meeting.

**2. Findings**

The City Council hereby finds that:

*Findings Relating to CEQA Review*

- (a) Pursuant to the Section 15301, Class 1(a) of the State CEQA Guidelines, the project is Categorically Exempt from further environmental review because the project will entail the use of an existing private structure involving a negligible expansion of use.

*Findings Relating to a Conditional Use Permit (CMC § 5.03.410)*

- (b) The proposed use will be consistent with the provisions of the Colma General Plan and Zoning Ordinance.

Discussion: The proposed use is consistent with the General Plan and Zoning Ordinance of the Town of Colma. The General Plan also contains a goal to encourage facilities

which provide care for senior citizens (Colma Administrative Code Section 5.02.216). The Colma Zoning Ordinance allows For the rezoning of properties to a Planned Development Zone to accommodate uses such as assisted living with memory care. Since 1992, the site has been zoned for assisted living use.

- (c) Granting the CUP amendment will not be detrimental to the public health, safety or public welfare, or materially injurious to the properties or improvements in the vicinity.

Discussion: Granting the CUP amendment will not be detrimental to the public health, safety or welfare because the facility is residential in nature, with no resident driving. The use is beneficial since it provides a facility for local seniors to live when needed and provides memory care. The facility is located adjacent to existing commercial and office uses, and there is no evidence that the proposed use will affect these neighboring uses.

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

Discussion: Granting the CUP amendment will allow for memory care use in addition to the existing assisted living use granted by the CUP in January of 2015. Given the minimal level of activity that will be occurring on the site and the provision of adequate parking for staff and guests, surrounding properties will not be impacted. Upon implementing the exterior changes, there will be a net increase of 5 parking spaces. Therefore, existing property uses, large or small, will not be detrimentally affected by the proposed use.

- (e) Granting the CUP amendment will not constitute a grant of a 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 CUP amendment will authorize a use consistent with the Planned Development Zone. As a CUP is required for any use in the Planned Development Zone, approval of the CUP amendment would not constitute the granting of a 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. The Colma Zoning Ordinance allows uses such as memory care in an assisted living facility In a PD zone.

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

Discussion: The General Plan contains a goal to encourage facilities which provide care for senior citizens (Colma Administrative Code Section 5.02.216). In 1992, the City Council rezoned the subject site to Planned Development to allow for this land use. Since the site is zoned specifically for assisted living, the addition of the memory care use is consistent with both the General Plan and the PD zoning of the site.

- (g) The use will not constitute a nuisance to neighboring persons or properties.

Discussion: The CUP amendment is conditioned to ensure that all activities related to the assisted living facility, with memory care use, will not negatively impact adjoining commercial and office uses. Specifically, the CUP is conditioned to require property and landscape maintenance; to maintain an assistance and evacuation plan; and to regulate truck deliveries. The proposed use will provide required parking on-site for employees and

visitors.

*Findings Related to Design Review*

(h) The architectural, site, and landscape design of the proposed project incorporates design elements adopted for the DR Zone.

Discussion: The standards adopted for the DR Zone generally address the use of Spanish/Mediterranean design elements for the construction of new buildings and structures, and for comprehensive site and landscape design. Building architecture for the existing building includes Spanish-Mediterranean elements. The exterior treatment of the building is stucco with a barrel tile roof. The front patio enclosure wall will be stucco and painted to match the existing building. Trees, shrubs, flowers, and foundation plantings along the front façade of the building complement the building architecture.

(i) The architectural, site, and landscape design of the proposed project substantially reflects the intent of the DR zone to achieve a consistent site, landscape, and building design theme for the Town of Colma.

Discussion: The architectural, site, and landscape design of the proposed project is similar to that of additional sites visible from El Camino Real containing buildings and landscapes which incorporate Spanish/Mediterranean elements. Together, these sites achieve a consistent site, landscape, and building design theme for the Town of Colma.

**3. Amended Planned Development Use Permit and Design Review Granted Subject to Conditions**

The City Council hereby conditionally grants an Amended Conditional Use Permit and Design Review Approval to use property located at 203-207B Collins Avenue (APN's 008-421-170, 180 and 190) ("Subject Properties"), for an assisted living facility with memory care and ancillary uses, subject to the general conditions set forth in this Resolution and the following project-specific conditions set forth below. This approval shall become effective only if the City Council adopts Ordinance No. \_\_\_ adopting an Amended Zoning Map and Approving a Planned Development Zone for 203-207B Collins Avenue, with such effective date being the effective date of the Ordinance, which is 30 days after final adoption.

(a) Resolution 2015-03 is hereby amended in its entirety to read as provided herein.

(b) The uses allowed on the Subject Properties is as follows:

- Vacant lot, APN 008-421-170: Surface parking;
- 205 Collins Avenue (assisted living facility, APN 008-421-180): One 34-Bedroom residential care facility with memory care in one building with reception, manager's office, conference room, multi-purpose room, kitchen, dining room, laundry room, television room and beauty services salon for up to 57 residents; and
- 203 and 207A&B Collins Avenue (commercial buildings, APN 008-421-190): Administrative Offices, meeting space and storage measuring a cumulative total of approximately 2,600 square feet.

Any additional uses, including an increased level of skilled elderly care, are prohibited unless an amendment to this Use Permit is obtained.

(c) The proposed parking lot expansion and redesign is approved as shown on plans by Robert Gooyer dated February 1, 2015. Fencing of the courtyard shall include solid concrete block with stucco finish, painted to match the building.

(d) The Permittee shall maintain landscaping on the site, and keep the vacant property on the corner of Collins Avenue and El Camino Real free from weeds, garbage, and any other debris.

(e) If the Permittee wishes to paint the exterior of the building, color samples shall be submitted to the City Planner for review and approval prior to painting.

(f) The Permittee shall provide and maintain parking striping and signage for onsite parking spaces and required disabled parking spaces.

(g) Prior to the operation of the assisted living facility, the Permittee shall submit an Emergency Evacuation Plan to the Fire Marshal. The Evacuation Plan shall describe procedures, staffing, and equipment to evacuate all or part of the facility in the event of fire, earthquake or other disaster. Approval by the Fire Marshal of the training portion of the plan is required prior to occupancy. The Permittee shall implement and be prepared to follow the Emergency Evacuation Plan at all times.

(h) Prior to the operation of the assisted living facility, the Permittee shall submit an Emergency Assistance Plan to the Fire Marshal. The Emergency Assistance Plan shall describe the procedures, training, staffing and equipment necessary to provide assistance to residents not requiring an emergency response from paramedics. Approval by the Fire Marshal of the training portion of the plan is required prior to occupancy. A goal of the plan shall be to reduce 911 calls generated by the facility. The Permittee shall implement and be prepared to follow the Emergency Assistance Plan at all times.

(i) The Permittee, owner, or operator, shall ensure the fire and alarm system is monitored by a central station monitoring company approved by the Fire Marshal.

(j) The Permittee, owner or operator shall be responsible for regular refuse disposal and shall not allow for the accumulation of trash or other debris on the premises.

(k) The Permittee, owner or operator shall ensure that delivery trucks and moving vans are not parked on Collins Avenue or El Camino Real or in the access aisles of the parking lots on the project site for loading and unloading purposes during regular business hours. Truck parking is limited to the Collins Avenue street parking area between the project driveways, outside of the no-parking zones. Parking or loading is prohibited in all no parking zones (red painted curb areas).

#### **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.

(b) *Recordable Covenant; Transfer.* The Town may record this Conditional 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 Conditional 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 this Conditional Use Permit null and void.

(a) *Duty to Comply With Laws.* 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. 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. Without limiting the foregoing:

(i) A building permit shall be required for all improvements to the building except surface treatments such as carpet and paint.

(ii) 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.

(iii) All signs must comply with the Town's sign regulations, as set forth in Colma Municipal Code, subchapter 4.07.

(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 Project or this Conditional 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 Conditional 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 Conditional Use Permit.

**6. Effective Date**

This resolution shall become effective only if the City Council adopts Ordinance No. \_\_\_ adopting an Amended Zoning Map and Approving a Planned Development Zone for 203-207B Collins Avenue, with such effective date being the effective date of the Ordinance, which is 30 days after final adoption. If the City Council fails to adopt the Ordinance, this approval shall become null and void and the Permittee shall have no vested right or other rights to make use of this Second Amended Use Permit and Design Review approval.

\* \* \* \* \*

***Certification of Adoption***

I certify that the foregoing Resolution No. 2015-\_\_\_ was duly adopted at a regular meeting of the City Council of the Town of Colma held on April 8, 2015, by the following vote:

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

Dated \_\_\_\_\_

Joanne del Rosario, Mayor

Attest: \_\_\_\_\_

Sean Rabe', City Clerk



## NOTICE OF RIGHT TO PROTEST

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

### AGREEMENT

#### *Permittee*

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

Dated: \_\_\_\_\_  
[Printed Name of Permittee]

#### *Property Owner*

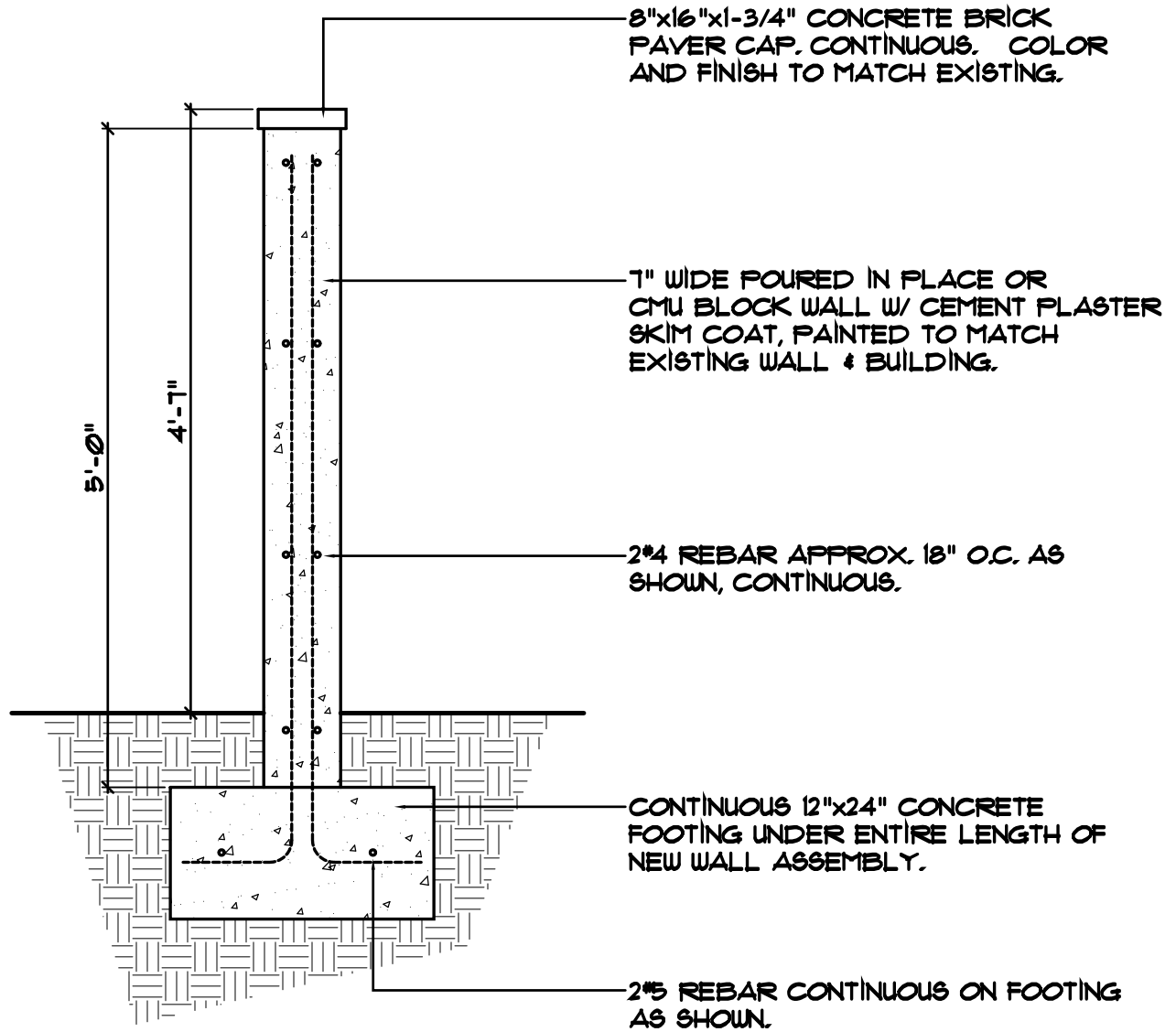
The undersigned agrees to use of the property on the terms and conditions set forth in this resolution.

Dated: \_\_\_\_\_  
[Printed Name of Property Owner]

[Notarization of Property Owner's signature recommended]


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**NOTE:**  
IT IS THE PROJECT INTENT THAT THE NEW WALL SHOWN SHALL MATCH THE EXISTING  
WALL SYSTEM AT THE ENTRY OF THE BUILDING EXACTLY WHEN IT COMES TO  
TEXTURE, MATERIALS, COLOR AND SIZE.

CONTRACTOR SHALL VERIFY EXISTING WALL TO VERIFY.

<b>Project:</b> PENINSULA REFLECTIONS 209 COLLINS AVENUE COLMA, CA 94014	<b>Sheet:</b> EXTERIOR WALL SECTION	<b>Scale:</b> 1/8" = 1'-0"	<b>Project #:</b> 141018
 <b>RCG Achitecture</b> ARCHITECTURE / PLANNING / INTERIORS  1900 S. Norfolk Street #216 San Mateo, CA. 94403 Tel:(650) 349-6549 Fax:(650) 349-2940	<b>Project:</b> RESIDENTIAL CARE FACILITY REMODEL	<b>Date:</b> 03-23-15	<b>Drawn by:</b> RCG <b>Sheet No:</b> <h1>A1.0</h1>



# STAFF REPORT

TO: Mayor and Members of the City Council  
 FROM: Christopher J. Diaz, City Attorney  
 VIA: Sean Rabé, City Manager  
 MEETING DATE: April 8, 2015  
 SUBJECT: Regular Meeting Start Time Ordinance

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## RECOMMENDATION

Staff recommends that the City Council adopt the following motion:

MOTION TO INTRODUCE AN ORDINANCE AMENDING SECTION 1.02.080 OF THE  
 COLMA MUNICIPAL CODE, RELATING TO THE START TIME OF REGULAR MEETINGS,  
 AND WAIVE A FURTHER READING OF THE ORDINANCE

## EXECUTIVE SUMMARY

The proposed ordinance will amend section 1.02.080 of the Colma Municipal Code to allow for the City Manager, in concurrence with the Mayor or other presiding officer if the Mayor is absent, to modify the regular meeting start time to a time earlier than 7:30 p.m.

## FISCAL IMPACT

The proposed ordinance may have a small beneficial effect on the Town budget as it will no longer require the Town to issue two agendas, one for the earlier meeting start time prior to 7:30 p.m., and one for the regular 7:30 p.m. start time.

## ANALYSIS

The proposed ordinance will amend section 1.02.080 of the Colma Municipal Code to allow for the City Manager, in concurrence with the Mayor or other presiding officer if the Mayor is absent, to modify the regular meeting start time to a time earlier than 7:30 p.m. This proposed ordinance is consistent with the Ralph M. Brown Act as the Act has not been construed to require a definitive consistent start time or preclude the City from modifying the normal start time where such language is provided by ordinance.

Currently, when there is a need for a regular meeting to start earlier in order to hold a closed session, or to hold a ceremonial type event, the City Clerk issues two agendas. One for the earlier start time that is labeled as a special meeting agenda, and one for the 7:30 p.m. start time that is labeled as a regular meeting agenda. As you know, under the terms of the Brown Act, there are two types of meetings, regular meetings and special meetings. Regular meetings

are those meetings detailed in the City's ordinance that occur on a regular date and time. Special meetings are those meetings occurring on another date and time from a regular meeting.

The proposed ordinance would amend the Town's Municipal Code to provide language that allows for greater flexibility in the start time of a regular meeting. If there is a need for an earlier start time, the City Manager can advise the Mayor, or other presiding officer, of the need for the earlier start time and obtain their concurrence. Consistent with the requirements of the Brown Act, staff will then issue one regular meeting agenda at least 72 hours prior to the meeting. This agenda will note the earlier start time and will also note that the traditional meeting will continue to commence at 7:30 p.m.

### **Reasons For the Recommended Action/Findings**

The proposed ordinance will eliminate the need for staff to issue two agendas and will save staff time and expense associated with issuing two agendas. Consistent with the Brown Act, staff will continue to post the agenda at least 72 hours in advance of a regular meeting.

### **Values**

The City Council's introduction and ultimate adoption of the ordinance is *responsible* as it will eliminate the need for staff to issue two agendas and will reduce staff time and paper distribution.

### **Sustainability Impact**

The proposed ordinance will eliminate the need for staff to issue two agendas which will reduce the amount of paper distributed to the public.

### **Alternatives**

The City Council could choose not to introduce the ordinance or may seek changes to the ordinance.

### **CONCLUSION**

The City Council should introduce the ordinance.

### **ATTACHMENTS**

- A. Ordinance

**ORDINANCE NO. \_\_\_\_**  
**OF THE CITY COUNCIL OF THE TOWN OF COLMA**

**ORDINANCE AMENDING SECTION 1.02.080 OF THE**  
**COLMA MUNICIPAL CODE, RELATING TO THE START TIME**  
**OF REGULAR MEETINGS**

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

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**ARTICLE 1. CMC SECTION 1.02.080, REGULAR MEETINGS, AMENDED.**<sup>1</sup>

Section 1.02.080(a), Regular Meetings, of Subchapter 1.02, City Council and Mayor, is hereby amended in its entirety to read as follows:

**1.02.080 Regular Meetings**

(a) The City Council shall meet regularly at 7:30 p.m. on the second Wednesday of each month, at the Colma Community Center, 1520 Hillside Boulevard, Colma, California, then and there to conduct such business as may properly come before it. When the second Wednesday of any month falls on a public holiday, the regular meeting shall be held at 7:30 p.m. The City Council's regular 7:30 p.m. start time can be modified by the City Manager, with the concurrence of the Mayor or other presiding officer, to commence earlier depending upon the volume of business for the City Council to consider at any given meeting. The City Clerk shall provide prior written notice of the adjusted start time consistent with the Ralph M. Brown Act. The City Council's intention is to make use of an earlier start time for closed session purposes or ceremonial type events, with all other regular agenda items continuing to commence at 7:30 p.m.

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**ARTICLE 2. 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 3. 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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<sup>1</sup> Substantive changes have been identified as follows: New text has been underlined; revised text has been underlined, without showing the prior wording; and deleted text is shown with a strike-through line. Non-substantive changes, such as grammar and formatting are not identified. All markings will be removed from the final version that is adopted by the City Council.

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**ARTICLE 4. EFFECTIVE DATE.**

This ordinance including the vote for and against the same shall be posted in the office of the City Clerk and on the three (3) official bulletin boards of the Town of Colma within 15 days of its passage and shall take force and effect thirty (30) days after its passage.

**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 April 8, 2015, and duly adopted at a regular meeting of said City Council held on \_\_\_\_\_, 2015 by the following vote:

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

Dated \_\_\_\_\_

\_\_\_\_\_  
Joanne del Rosario, Mayor

Attest: \_\_\_\_\_  
Sean Rabé, City Clerk





# MEMORANDUM

TO: Mayor and City Council  
FROM: Sean Rabé, City Manager  
DATE: April 3, 2015  
SUBJECT: Council Agenda Item #8 Regarding Development Application Processing Fees

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Mayor and Council Members,

Agenda Item #10, which is a public hearing regarding Development Application Processing Fees, will need to be continued to the May 13, 2015 City Council meeting due to the need for staff to obtain further data to support the fee structure proposed.

Because this agenda item was duly noticed as occurring on April 8 through posting in the newspaper, the Council should follow the procedure for continuance as outlined below:

1. The Mayor will introduce the item
2. The City Attorney will explain the need for the continuance and will encourage any members of the public who have attended for this item to hold their comments until the May 13 meeting
3. The Mayor **must** open the public hearing and allow any comments from the public
4. Once all public comments are heard a Council Member should motion to **continue** the public hearing to the May 13, 2015 City Council meeting. That motion should be seconded by another Council Member.
5. The Mayor will call for the vote on the continuance. Assuming the motion to continue is passed, the Mayor will announce that the public hearing has been continued to May 13, 2015.

As always, please do not hesitate to contact me should you have any questions or concerns.

Thank you,

A handwritten signature in blue ink that reads 'Sean Rabé'.

Sean Rabé  
City Manager

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# STAFF REPORT

## Study Session

TO: Mayor and Members of the City Council  
 FROM: Sean Rabé, City Manager  
 MEETING DATE: April 8, 2015  
 SUBJECT: Proposed Fiscal Year 2015/2016 Budget

---

### STAFF RECOMMENDATION

Provide direction to staff as necessary. No other Council direction is required at this time.

### EXECUTIVE SUMMARY

Fiscal Year 2015/16 revenues are projected to be approximately \$16.77 million, pending any additional information from the Town's sales tax consultants. Additional information regarding anticipated sales tax revenue will be presented at the May meeting. This revenue amount includes transfers in of \$1.76 million from unassigned reserves to fund the capital improvement plan for Fiscal Year 2015/16.

The anticipated revenue is an increase of \$598,000 from the FY 2014/15 estimated actual revenue (or about 3.7 percent) and is an increase of 11.4 percent over the original FY 14/15 budgeted revenue amount.

The proposed FY 14/15 budget provides a total of \$15.71 million in expenditures, assuming the Council makes no funding changes to the approved Capital Improvement Plan (CIP). This leaves a positive balance (surplus) in the budget of approximately \$1.06 million.

### FISCAL IMPACT

The FY 15/16 Proposed Budget totals approximately \$16.77 million. As noted above, preliminary figures show a \$1.06 million surplus projected for FY 15/16 (with no anticipated changes to the CIP). This includes \$100,000 for the water conservation incentive program (creating a sewer fee subsidy) that the Council approved in July 2012.

### BACKGROUND

The Town's fiscal year starts on July 1<sup>st</sup> and ends on June 30<sup>th</sup>. During the year the Finance Department works with department heads to address funding issues and monitor expenditures. As you know, staff prepared a Mid-Year Budget Review and presented it to the Council and the public at the February City Council Meeting. That report provided Council with a review of expenses and revenues halfway through the fiscal year. Council will remember that sales tax numbers were up significantly over what staff originally budgeted.

During March and April, Consulting Finance Director Charles Francis and I met with department heads to review the Town's fiscal status and to provide direction on budget preparation. Generally, departments were told to prepare status-quo budget proposals, keeping expenditures even with FY 14/15 (with the exception of personnel-related costs that departments have no

control over, such as medical insurance). This is the same approach taken in fiscal year 2014/15 as well. Some personnel changes are being recommended in the City Manager Department, as outlined in the Analysis section below.

The proposed summary budget before you is meant to provide the City Council an initial discussion on the Town's spending plan for next fiscal year, with a more complete detailed Proposed Budget to be presented in May. Changes will be made based on Council's review tonight, with the Proposed Budget (including any revisions) presented at the May meeting. Additional review and discussion on the proposed final budget will occur during a public hearing held at the June City Council meeting. At the conclusion of the public hearing, the Council takes action on the budget. The Town is required by law to adopt a budget by June 30th of each year.

## **ANALYSIS**

### **Budget Preparation Approach**

Each department was asked to keep its budget request as close to the FY 2014/15 budget as possible. Departments were not asked to absorb medical benefit cost increases, (estimated at 7 percent over estimated FY 14/15) because the Town's revenue picture continues to improve.

Attachment B shows the Proposed Budget by department compared to prior years. Attachment C provides a breakdown of the Proposed Budget by department and category of expenditures (e.g. salaries and benefits).

### **Budget Highlights:**

- Committed and assigned reserves remain set per policy
- Total revenues are projected at approximately \$16.77 million, or about \$598,000 higher than the FY 2014/15 estimated actual revenue (or about 3.7 percent). This amount is a total increase of 11.4 percent over the original FY 14/15 budgeted revenue amount. Attachment A contains the Revenue Summary by fiscal year. Key revenue points include the following:
  - Sales tax revenue is projected to continue to grow at a 4.9 percent growth overall from the amended FY 14/15 budget (or nearly 18.5 percent higher than the original FY 14/15 budget). Car sales are forecasted to remain strong, while retail sales are estimated to have a slight increase. The sales tax projection includes a slight dip in revenue from the departing Bed Bath & Beyond store. Staff believes our sales tax projection is conservative.
  - Card room tax revenue is budgeted flat from our latest projections, which shows a 3.75 percent decline in revenue from the budgeted amount in FY 14/15.
  - All other revenues are generally projected flat.
- Total expenses (including the CIP) are budgeted at approximately \$15.71 million, which is roughly \$3.37 million less than the FY 14/15 approved budget (without the revised Town Hall appropriation). It is difficult to compare year-to-year expenditures due to the ongoing capital improvements the Town is undertaking. Removing the capital improvements and debt service for the Town Hall project

shows a total \$550,000 increase in spending from our estimated expenditures for FY 14/15. Key expenditure points include the following:

- Debt service payments are included in the FY 15/16 budget because of the future incurred debt for the Town Hall project.
- An increase in the City Manager department budget of \$54,880 to accommodate increased staffing. The increases are partially offset by the retirement of the departing Administrative Technician III and other tightened budgetary numbers. Proposed staffing changes include the following:
  - Move existing part-time Administrative Technician I to full-time (total budgetary impact of \$54,500)
  - Move existing Administrative Technician III to City Clerk (total budgetary impact of \$11,136)
  - Continuation of Special Projects Manager position at 20 hours per week for six months (total budgetary impact of \$26,913)
- Purchase of a new Town Hall Administrative vehicle
- A significant savings in the City Attorney Department (\$96,000) to reflect the new retainer arrangement with Best Best & Krieger.
- An increase in the Human Resources Department budget to accommodate a salary survey for upcoming negotiations (\$15,000)
- Increase to the Recreation Department budget to accommodate the Holiday Party and increased consultant (classes) costs
- This budget continues to include a fully-staffed Police Department
- Purchase of one new Police Patrol vehicle and possible purchase of one zero-emissions Police motorcycle
  - These vehicle purchases are offset by the consolidation of two vehicle repair line items and savings from switching to a new repair vendor
- The water conservation incentive program sewer subsidy is funded at \$100,000.
- Sewer revenues are assumed at 100 percent of actual cost, less the water conservation program subsidy

At this point, revenue in the FY 2015/16 Proposed Budget exceeds expenditures by \$1.06 million (with no anticipated changes to the CIP).

Revenues are projected to be approximately \$16.77 million, pending additional information from Town's sales tax consultants. FY 2015/16 revenues are expected to be about \$598,000 higher than the FY 2014/15 estimated actual revenue (or about 3.7 percent) and are 11.4 percent higher than the original FY 14/15 budgeted revenue amount.

The Proposed Budget revenue estimate assumes sales tax receipts increase to \$10.5 million and card room tax revenue drops to \$3.85 million. The drop in card room revenue reflects the continuing decline that staff has seen since October. Sales tax revenue is estimated

conservatively. Staff is expecting revised sales tax estimates from the consultants and this information will be presented at the May 13, 2015 meeting.

### **Staffing Changes**

As noted in the expenditure highlights above, this budget includes the following staffing changes in the City Manager's Office:

- Moving the existing Administrative Technician III to City Clerk
- Moving existing part-time Administrative Technician I to full-time
- Continuation of Senior Project Manager at 20 hours per week for six months

This budget continues to leave the Assistant City Manager position vacant.

The FY 2015/16 Proposed Budget staffing chart (Attachment D) reflects the increase in staffing for the City Manager's Office. The total staffing increases from 54 FTE in the 2014/15 Budget to 54.5 in the FY 2015/16 budget.

### **NON-PROFIT DONATION REQUESTS**

As the Council knows, the process by which non-profits are granted funding by the Town was modified last year. Thus, the Proposed Budget includes the same level of non-profit funding as last year. Council will allocate the funding after the Final Budget has been approved.

### **CAPITAL IMPROVEMENT PROGRAM**

The FY 15/16 Proposed Budget includes \$1.76 million in Capital Improvements.

### **CONCLUSION**

Staff is requesting comments from the Council and the public on the FY 2015/16 Proposed Budget during the April 8, 2015 Study Session. A second Study Session will be held on May 13, 2015 and a public hearing will be held on June 10, 2015. A more detailed budget document will be provided in advance of these meetings.

Staff is prepared to answer any questions you may have.

### **ATTACHMENTS:**

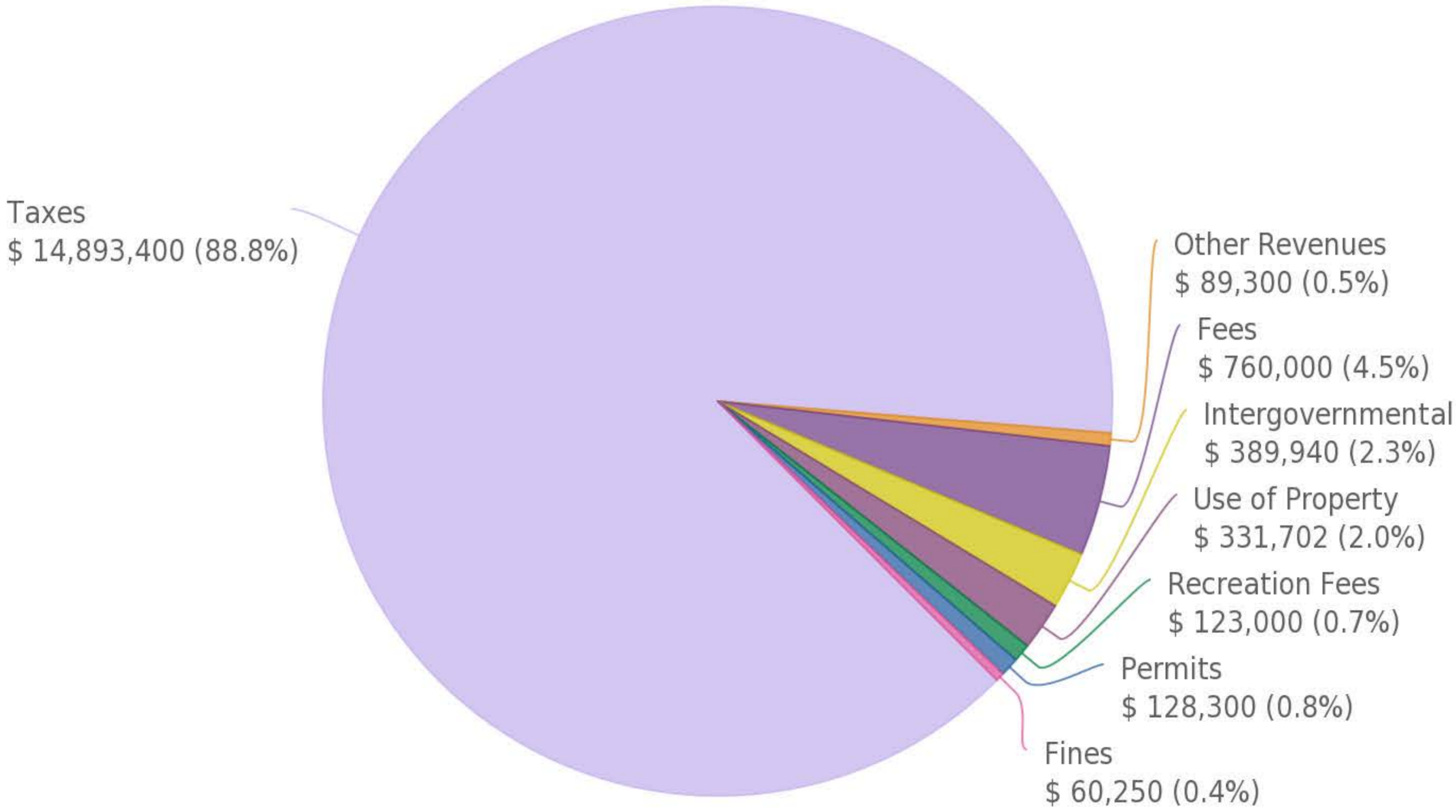
- A. Revenue Summary
- B. Expenditure Summary By Department
- C. Expenditure Summary By Category
- D. Staffing

## REVENUE SUMMARY

FUND #	REVENUE SOURCE	FY 2012-13	FY 2013-14	FY 2014-15	FY 2014-15	FY 2015-16
		ACTUAL	ACTUAL	AMENDED	ESTIMATED	PROPOSED
11	<b>GENERAL FUND</b>					
	<b>TOTAL GENERAL FUND REVENUES</b>	<b>15,314,224</b>	<b>15,926,982</b>	<b>14,806,282</b>	<b>16,014,570</b>	<b>16,582,220</b>
	Transfers to Capital Improvement Fund	(167,700)	(364,031)	(16,046,890)	(16,046,893)	(1,762,000)
	Transfers to COP Debt Service	(957,884)	(11,719,159)	-	-	(308,990)
	Transfers from Special Gas Tax Fund	48,710	60,803	50,750	53,350	43,670
	Transfers from Measure A Fund	56,156	54,682	50,000	50,000	50,000
	Transfers from Debt Service Fund	-	-	-	4,750,000	-
	<b>TOTAL GENERAL FUND REVENUES (NET)</b>	<b>14,293,506</b>	<b>3,959,277</b>	<b>(1,139,858)</b>	<b>4,821,027</b>	<b>14,604,900</b>
21	<b>SPECIAL GAS TAX FUND</b>					
	Revenues from Other Agencies	48,710	60,803	50,750	53,350	43,670
	Transfers to General Fund	(48,710)	(60,803)	(50,750)	(53,350)	(43,670)
	<b>TOTAL SPECIAL GAS TAX FUND</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
22	<b>MEASURE A FUND</b>					
	Revenues from Other Agencies	56,156	53,298	50,000	50,000	50,000
	Transfers to General Fund	(56,156)	(54,682)	(50,000)	(50,000)	(50,000)
	Transfers to Capital Improvement Fund	-	-	-	-	-
	<b>TOTAL MEASURE A FUND</b>	<b>-</b>	<b>(1,384)</b>	<b>-</b>	<b>-</b>	<b>-</b>
29	<b>POLICE GRANTS FUND</b>					
	State Police Programs	91,305	90,966	100,000	100,000	100,000
	<b>TOTAL POLICE GRANTS FUND</b>	<b>91,305</b>	<b>90,966</b>	<b>100,000</b>	<b>100,000</b>	<b>100,000</b>
31	<b>CAPITAL IMPROVEMENT FUND</b>					
	Federal Grants	-	-	-	-	-
	State Grants	-	-	-	-	-
	Transfers to General Fund	-	-	-	-	-
	Transfers from General Fund	167,700	364,031	16,046,893	16,046,893	1,762,000
	Transfers from Other Funds	-	-	-	-	-
	<b>TOTAL CAPITAL IMPROVEMENT FUND</b>	<b>167,700</b>	<b>364,031</b>	<b>16,046,890</b>	<b>16,046,893</b>	<b>1,762,000</b>
43	<b>COPs DEPT SERVICE FUND</b>					
	Interest on Investments	-	-	-	-	-
	Proceeds from COP Issuance	-	-	-	4,750,000	-
	Transfers from General Fund	957,884	11,719,159	-	-	308,990
	Transfers to Other Funds	-	-	-	(4,750,000)	-
	<b>TOTAL COPs DEBT SERVICE FUND</b>	<b>957,884</b>	<b>11,719,159</b>	<b>-</b>	<b>-</b>	<b>308,990</b>
<b>TOTAL REVENUES OF ALL FUNDS</b>		<b>15,510,395</b>	<b>16,132,049</b>	<b>15,007,032</b>	<b>20,967,920</b>	<b>16,775,890</b>

# Colma – Revenues 2015–16 Proposed Budget

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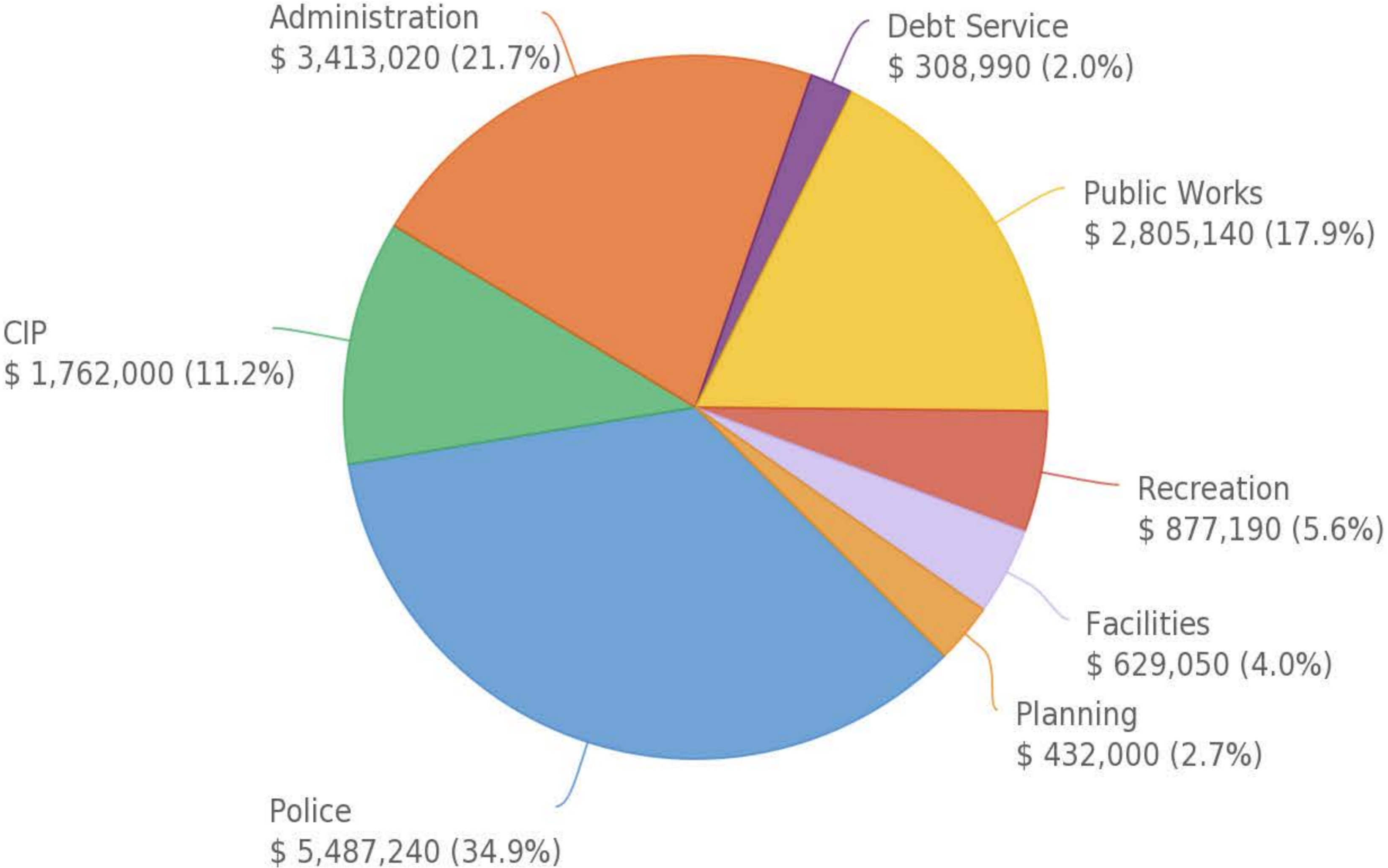


## EXPENDITURE SUMMARY BY DEPARTMENT

FUND #	DEPARTMENTS/DIVISIONS	FY 2012-13 ACTUAL	FY 2013-14 ACTUAL	FY 2014-15 AMENDED	FY 2014-15 ESTIMATED	FY 2015-16 PROPOSED
11	<b>GENERAL FUND</b>					
	110 - CITY COUNCIL	209,123	220,643	239,010	231,800	238,650
	120 - CITY TREASURER	6,608	7,964	5,110	5,110	1,500
	130 - CITY ATTORNEY	359,957	388,159	401,000	386,000	305,000
	140 - CITY MANAGER/CITY CLERK ADMIN	948,376	972,971	1,059,870	1,018,400	1,116,670
	141 - HUMAN RESOURCES	188,970	195,792	199,540	197,010	217,490
	150 - FINANCE	317,502	257,819	425,070	402,500	408,590
	151 - GENERAL SERVICES	890,540	930,774	1,105,750	1,105,750	1,127,040
	210 - POLICE ADMINISTRATION	941,558	840,124	1,044,030	1,015,480	1,027,010
	220 - POLICE PATROL	3,360,711	3,555,969	3,551,630	3,407,060	3,519,540
	230 - POLICE COMMUNICATIONS	927,725	769,019	799,880	811,830	823,880
	310 - PW ADMIN/ENGINEERING/BUILDING	787,408	736,639	878,000	875,000	878,000
	320 - PW MAINTENANCE	1,803,436	1,762,506	1,929,120	1,922,200	1,927,140
	410 - PLANNING	395,809	417,626	422,000	421,000	432,000
	510 - RECREATION SERVICES	757,639	797,258	848,240	845,830	877,190
	800's - FACILITY OPERATIONS MAINTENANCE	507,422	510,995	615,900	614,120	629,050
	<b>TOTAL GENERAL OPERATING EXPENDITURES</b>	<b>12,402,784</b>	<b>12,364,258</b>	<b>13,524,150</b>	<b>13,259,090</b>	<b>13,528,750</b>
29	<b>POLICE GRANTS FUND</b>					
	240 - POLICE GRANTS	108,605	114,109	113,610	115,640	116,810
31	<b>CAPITAL IMPROVEMENT FUND</b>					
	900's - CAPITAL IMPROVEMENT PROJECTS	66,899	512,052	16,046,893	16,046,893	1,762,000
43	<b>COPs DEBT SERVICE FUND</b>					
	620 - COPs DEBT SERVICE	959,584	12,677,209	-	-	308,990
<b>TOTAL EXPENDITURES OF ALL FUNDS</b>		<b>13,537,872</b>	<b>25,667,627</b>	<b>29,684,653</b>	<b>29,421,623</b>	<b>15,716,550</b>

# Colma – Departments 2015–16 Proposed Budget

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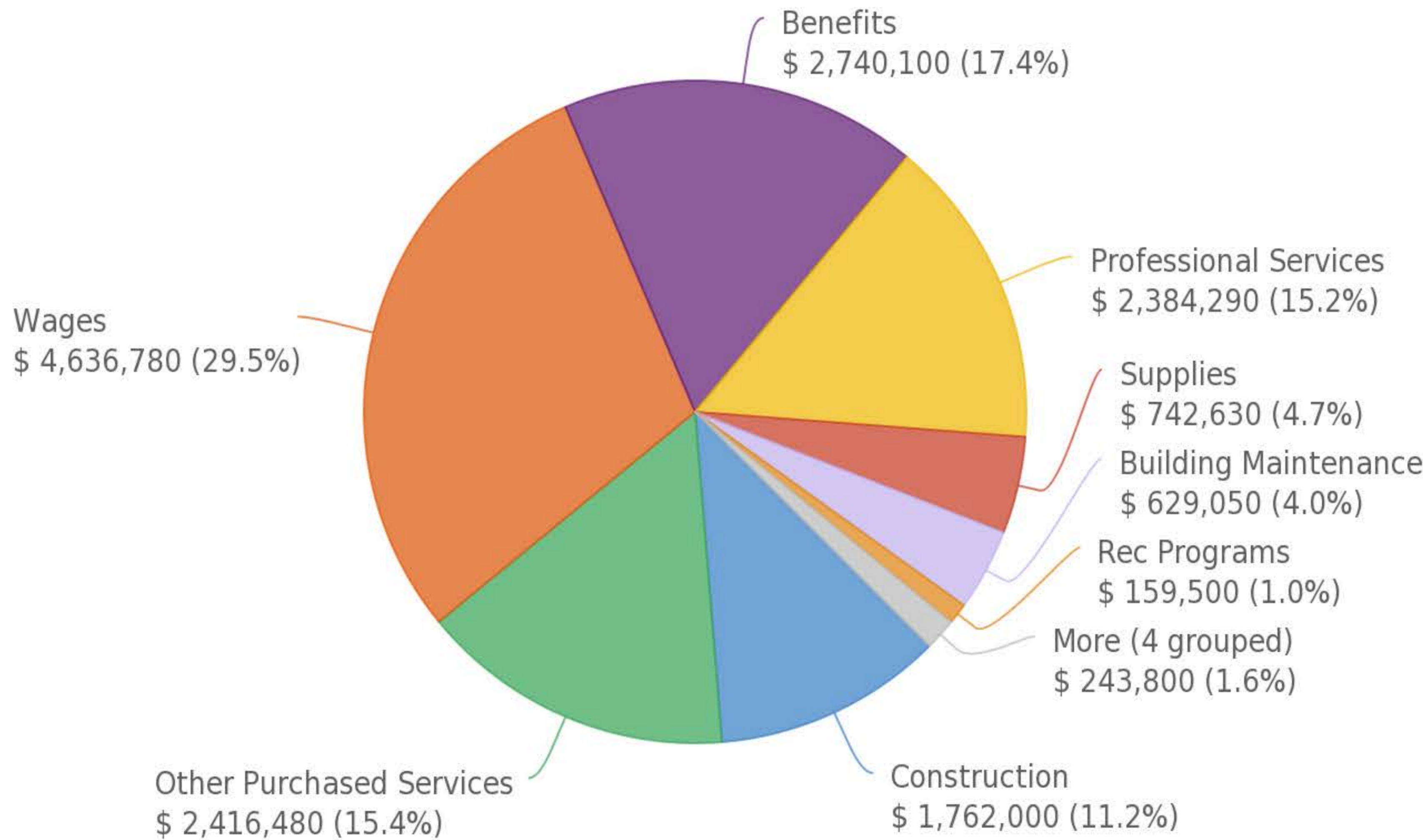


## EXPENDITURE SUMMARY BY CATEGORY

DEPARTMENTS / DIVISIONS	SALARIES	BENEFITS	SUPPLIES & SERVICES	CONTRACTS	CAPITAL OUTLAY	TOTAL DEPARTMENT
CITY COUNCIL	63,240	104,110	71,300	-	-	238,650
CITY TREASURER	-	-	1,500	-	-	1,500
CITY ATTORNEY	-	-	-	305,000	-	305,000
CITY MANAGER/CITY CLERK ADMIN	371,600	609,470	59,600	45,000	31,000	1,116,670
HUMAN RESOURCES	114,080	63,930	9,480	30,000	-	217,490
FINANCE	137,090	55,000	41,500	175,000	-	408,590
GENERAL SERVICES	-	-	217,500	909,540	-	1,127,040
POLICE ADMINISTRATION	570,990	303,180	69,800	81,040	2,000	1,027,010
POLICE PATROL	2,229,560	1,094,180	118,800	-	77,000	3,519,540
POLICE COMMUNICATIONS	411,940	200,740	146,200	64,000	1,000	823,880
PW ADMIN/ENGINEERING/BUILDING	-	-	8,000	870,000	-	878,000
PW MAINTENANCE	253,240	141,550	16,650	1,510,200	5,500	1,927,140
PLANNING	-	-	-	432,000	-	432,000
RECREATION SERVICES	407,340	135,350	214,500	115,000	5,000	877,190
FACILITY OPERATIONS/MAINTENANCE	-	-	629,050	-	-	629,050
<b>TOTAL GENERAL FUND EXPENDITURES</b>	<b>4,559,080</b>	<b>2,707,510</b>	<b>1,603,880</b>	<b>4,536,780</b>	<b>121,500</b>	<b>13,528,750</b>
POLICE GRANTS FUND	77,700	34,510	4,600	-	-	116,810
CAPITAL IMPROVEMENT FUND	-	-	-	-	1,762,000	1,762,000
COPs DEBT SERVICE FUND	-	-	-	308,990	-	308,990
<b>TOTAL EXPENDITURES OF ALL FUNDS</b>	<b>4,636,780</b>	<b>2,742,020</b>	<b>1,608,480</b>	<b>4,845,770</b>	<b>1,883,500</b>	<b>15,716,550</b>

# Colma – Expenses 2015–16 Proposed Budget

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## STAFFING

POSITION TITLE	FY 2010-11 ADOPTED	FY 2011-12 ADOPTED	FY 2012-13 ADOPTED	FY 2013-14 ADOPTED	FY 2014-15 ADOPTED	FY 2015-16 PROPOSED
<b>Town Staffing</b>						
Accountant I	1.00	1.00	1.00	-	-	-
Accounting Technician	0.75	0.75	0.75	0.75	1.80	1.80
Administrative Technician I						1.00
Administrative Technician II/III	2.00	1.50	1.50	1.50	1.50	-
Assistant City Manager / Deputy City Clerk	1.00	1.00	1.00	1.00	1.00	1.00
City Clerk						1.00
City Manager						1.00
City Manager / City Clerk	1.00	1.00	1.00	1.00	1.00	-
Human Resources Manager	1.00	1.00	1.00	1.00	1.00	1.00
Vacant, unfunded Assistant City Manager	(1.00)	(1.00)	(1.00)	(1.00)	(1.00)	(1.00)
City Manager Department Total	5.75	5.25	5.25	4.25	5.30	5.80
Maintenance Technician I/II/III	3.00	3.00	3.00	3.00	3.00	3.00
Public Works Department Total	3.00	3.00	3.00	3.00	3.00	3.00
Administrative Technician II	1.00	1.00	1.00	1.00	-	-
Part-time Facility Attendant (7 x .5)	3.00	3.00	3.00	3.50	3.50	3.50
Part-time Recreation Leader (8 x .5)	4.00	4.00	4.00	4.00	4.00	4.00
Recreation Coordinator	1.00	1.00	1.00	1.00	2.00	2.00
Recreation Services Director	1.00	1.00	1.00	1.00	1.00	1.00
Recreation Department Total	10.00	10.00	10.00	10.50	10.50	10.50
Administrative Technician III	1.00	1.00	1.00	1.00	1.00	1.00
Community Services Officer	1.00	0.75	1.00	1.00	1.00	1.00
Detective	1.00	1.00	1.00	1.00	1.00	1.00
Detective Sergeant	1.00	1.00	1.00	1.00	1.00	1.00
Dispatch Supervisor	1.00	1.00	1.00	1.00	1.00	1.00
Dispatcher	4.00	4.00	4.00	3.20	3.20	3.20
Officer	11.00	11.00	11.00	11.00	11.00	11.00
Police Chief	1.00	1.00	1.00	1.00	1.00	1.00
Police Commander	1.00	1.00	1.00	1.00	1.00	1.00
Sergeant	4.00	4.00	4.00	4.00	4.00	4.00
Vacant Police Officer	(1.00)	-	-	-	-	-
Vacant, unfunded Police Officer	(1.00)	(2.00)	(2.00)	-	-	-
Police Department Total	24.00	23.75	24.00	25.20	25.20	25.20
<b>Town Total</b>	<b>42.75</b>	<b>42.00</b>	<b>42.25</b>	<b>42.95</b>	<b>44.00</b>	<b>44.50</b>
<b>Contract Staffing</b>						
Building	1.50	1.25	1.25	1.25	1.25	1.25
City Attorney	1.00	1.00	1.00	1.00	1.00	1.00
Engineering	2.50	3.50	3.50	3.50	3.50	3.50
Finance	-	-	-	0.75	0.75	0.75
Planning	1.80	1.80	1.80	2.50	2.50	2.50
Public Works	1.00	1.00	1.00	1.00	1.00	1.00
<b>Contract Total</b>	<b>7.80</b>	<b>8.55</b>	<b>8.55</b>	<b>10.00</b>	<b>10.00</b>	<b>10.00</b>
<b>Total Budgeted Staffing</b>	<b>50.55</b>	<b>50.55</b>	<b>50.80</b>	<b>52.95</b>	<b>54.00</b>	<b>54.50</b>

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