

### AGENDA REGULAR MEETING

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

Wednesday, August 23, 2017 7:00 PM

#### PLEDGE OF ALLEGIANCE AND ROLL CALL

#### ADOPTION OF AGENDA

#### **PUBLIC COMMENTS**

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

#### **CONSENT CALENDAR**

- 1. Motion to Accept the Minutes from the July 26, 2017 Regular Meeting.
- 2. Motion to Approve Report of Checks Paid for July 2017.
- 3. Motion to Adopt an Ordinance Adding Colma Municipal Code Chapter 6.06 Regarding Procedures for Expediting Permit Processing for Electric Vehicle Charging Stations (second reading).
- 4. Motion to Adopt a Resolution Amending Subchapter 3.03 of the Colma Administrative Code, Relating to Personnel Policies, Substance Abuse.
- 5. Motion to Adopt a Resolution Approving a Renewal of the Existing Community Development Block Grant (CDBG) Cooperation Agreement with the County of San Mateo County for Federal Fiscal Years 2018, 2019 and 2020.

#### **NEW BUSINESS**

#### 6. TOWN HALL BID APPROVAL

Consider: Motion to Adopt a Resolution Approving Bid Document Package for the Town Hall Infill and Sitework Construction Project (Phase IV) and Authorizing Staff to Advertise Notice Inviting Bids from Contractors for the Town Hall Infill and Sitework Construction Project (Phase IV).

#### **REPORTS**

Mayor/City Council City Manager

#### **ADJOURNMENT**

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

#### 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 <a href="mailto:brian.dossey@colma.ca.gov">brian.dossey@colma.ca.gov</a>. 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, July 26, 2017** 7:00 p.m.

#### **CALL TO ORDER**

Mayor Helen Fisicaro called the Regular Meeting of the City Council to order at 7:02 p.m.

<u>Council Present</u> – Mayor Helen Fisicaro, Vice Mayor Raquel "Rae" Gonzalez, Council Members Joanne F. del Rosario, John Irish Goodwin and Diana Colvin were all present

<u>Staff Present</u> – Interim City Manager William C. Norton, City Attorney Christopher Diaz, Administrative Services Director Brian Dossey, Director of Public Works Brad Donohue, Police Chief Kirk Stratton, Police Commander Sherwin Lum, and City Clerk Caitlin Corley were in attendance.

#### ADOPTION OF THE AGENDA

Mayor Fisicaro requested that items #1 and 2 be pulled from the Consent Calendar to be discussed immediately following the approval of the Consent Calendar. She asked for a motion to adopt the agenda with the requested changes

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

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

#### **PRESENTATIONS**

Administrative Services Director Brian Dossey introduced Cynthia Morquecho as the new Recreation Manager.

Recreation Coordinator Liz Tapia introduced Sofia Cartagena as a new Recreation Leader.

#### **PUBLIC COMMENTS**

Mayor Fisicaro opened the public comment period at 7:13 p.m. and seeing no one come forward to speak, she closed the public comment period.

#### **CONSENT CALENDAR**

- 1. [Pulled from Consent Calendar]
- 2. [Pulled from Consent Calendar]

- 3. Motion Approving the Town's Response to the Grand Jury Report Dated June 29, 2017, Regarding Multilingual Access to Outreach Programs.
- 4. Motion to Adopt a Resolution Appointing the City Manager as the City Treasurer.
- 5. Motion to Adopt a Resolution Amending Subchapter 1.11 of the Colma Administrative Code, Relating to the Town of Colma Website Policy.

**Action:** Council Member del Rosario moved to approve the Consent Calendar items #3 through 5; the motion was seconded by Council Member Colvin and carried by the following vote:

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

1. Motion to Accept the Minutes from the July 12, 2017 Regular Meeting.

Mayor Fisicaro noted that the minutes incorrectly listed Vice Mayor Gonzalez as absent; she directed staff to correct the error.

2. Motion to Adopt an Ordinance Amending Sections 5.03.060 and 5.03.240 of the Colma Municipal Code Conditionally Allowing Vehicle Storage in the G Zoning District (second reading).

Mayor Fisicaro noted that the ordinance did not allow for cars to be offloaded outside of car dealerships, but that many currently offload on Hillside Boulevard. Council discussed the offloading of cars on Hillside Boulevard and whether this could be an option in the future. Council decided to adopt the ordinance as is, but directed staff to research the option of allowing offloading on Hillside Boulevard.

**Action:** Council Member Colvin moved to approve the Consent Calendar items #1 and 2; the motion was seconded by Council Member Goodwin and carried by the following vote:

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

#### **NEW BUSINESS**

#### 6. BOARD OF STATE AND COMMUNITY CORRECTIONS GRANT FUNDS

Police Chief Kirk Stratton presented the staff report. Marc Sabin, Executive Director of LifeMoves presented information about the organization's homeless outreach efforts. Mayor Fisicaro opened the public comment period at 7:29 p.m. and seeing no one come forward to speak, she closed the public comment period. Council discussion followed.

**Action:** Council Member Goodwin moved to Adopt a Resolution Authorizing the Receipt and Allocation of \$30,174 in Board of Corrections Grant Funds to Enhance Homeless Outreach Efforts, Training and High Risk Youth Outreach; the motion was seconded by Vice Mayor Gonzalez and carried by the following vote:

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

#### 7. PARKING CODE AMENDMENTS

Director of Public Works Brad Donohue presented the staff report. Mayor Fisicaro opened the public comment period at 8:07 p.m. and seeing no one come forward to speak, she closed the public comment period. Council discussion followed.

**Action:** Mayor Fisicaro moved to Adopt a Resolution Amending Sections 3.3, 3.5, 5.4, and 8.6, and Adding a New Section 5.8 to the Colma Parking Code Relating to the Stopping, Standing or Parking of Vehicles in Various Locations Within the Town of Colma; the motion was seconded by Council Member Colvin and carried by the following vote:

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

#### **PUBLIC HEARING**

#### 8. STERLING PARK PARKING PLAN APPROVAL

Police Chief Kirk Stratton presented the staff report. Mayor Fisicaro opened the public hearing at 8:37 p.m. and seeing no one come forward to speak, she closed the public hearing. Council discussion followed.

**Action:** Vice Mayor Gonzalez moved to Introduce an Ordinance Amending Colma Municipal Code Section 6.02.020 and 6.02.050 Relating to the Number of Guest Parking Permits and to the Number of Preferential Parking Permits Issues to Qualified Residents, and Waive a

Further Reading of the Ordinance; the motion was seconded by Council Member Colvin and carried by the following vote:

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

#### 9. STERLING PARK PARKING PLAN APPROVAL

Director of Public Works presented the staff report. Mayor Fisicaro opened the public hearing at 9:00 p.m. and seeing no one come forward to speak, she closed the public hearing. Council discussion followed.

**Action:** Council Member Colvin moved to Introduce an Ordinance Adding Municipal Code Chapter 6.06 Regarding Procedures for Expediting Permit Processing for Electric Vehicle Charging Stations, and Waive a Further Reading of the Ordinance; the motion was seconded by Council Member del Rosario and carried by the following vote:

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

#### **COUNCIL CALENDARING**

The Regular City Council Meeting on Wednesday, August 9, 2017 will be cancelled. The next Regular Meeting will be on Wednesday, August 23, 2017 at 7:00 p.m.

Council discussed a possible Special Meeting on Wednesday, August 16, 2017 at 7:00 p.m.

#### **REPORTS**

#### Helen Fisicaro

Colma Community Fair, 7/15/17

Colma Historical Association Anniversary Event, 7/26/17

#### Raquel "Rae" Gonzalez

Colma Community Fair, 7/15/17

#### Joanne F. del Rosario

Colma Community Fair, 7/15/17

#### John Irish Goodwin

Colma Community Fair, 7/15/17

#### **ADJOURNMENT**

Mayor Fisicaro adjourned the meeting at 8:08 p.m. in honor of Richard Zavala, Colma resident, Paul Peter Doyle, Colma resident, Adalberto Navarro, father of Recreation Leader Dinora Navarro, Nancy Lotti, mother of former Colma Police Chief Bob Lotti and Joseph Nano, community member.

Respectfully submitted,

Caitlin Corley City Clerk



Final Check List	Town of Colma

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Page: 1

Bank	: first FIR	ST NATIO	Bank: first FIRST NATIONAL BANK OF DALY		•		
Check #		Date Vendor	Invoice	Inv Date	Inv Date Description	Amount Paid	<b>Check Total</b>
46091	7/3/2017	00000	CA POLICE CHIEFS ASSN 7378	1/1/2017	FY 2017/2018 MEMBERSHIP F	331.00	331.00
46092	7/3/2017	00055	CORA COI FY17-18	7/1/2017	FY 2017/2018 ERP SERVICES	493.00	493.00
46093	7/3/2017	00117	DELTA DENTAL OF CALIFORN BE002254241	7/1/2017	DENTAL INSURANCE	12,609.40	12,609.40
46094	7/3/2017	00334	S.B.R.P.S.T.C. 106378	5/31/2017	07/11/17 REPORT WRITING U	169.00	169.00
46095	7/3/2017	00345	SMC SHERIFF'S OFFICE July 11-12, 2017	6/28/2017	JULY 11-12, 2017 DRIVER TR/	450.00	450.00
46096	7/3/2017	00363	SMC NARCOTICS TASK FORCFY 2017/2018	6/6/2017	FY 2017/2018 CONTRIBUTION	3,068.00	3,068.00
46097	7/3/2017	00388	SONITROL 1302553-IN	6/1/2017	427 F ST. MONTHLY MONITO	113.00	113.00
46098	7/3/2017	00432	VISION SERVICE PLAN July 2017	6/21/2017	VISION SERVICE PLAN	1,054.20	1,054.20
46099	7/3/2017	00646	ICMA FY 2017/2018	6/28/2017	FY 2017/2018 #440342 B. DOS	200.00	200.00
46100	7/3/2017	00714	SMC ASSESSOR-COUNTY CLIG Zoning Amend	6/28/2017	<b>G ZONING AMENDMENT NOT</b>	2,266.25	2,266.25
46101	7/3/2017	00812	SMCCMA FY 2017/2018	3/17/2017	FY 2017/2018 DUES COMMUN	100.00	100.00
46102	7/3/2017	01036	MANAGED HEALTH NETWORIPRM-009026	6/16/2017	<b>EMPLOYEE ASSISTANCE PROPRIET OF A SECOND </b>	99.20	99.20
46103	7/3/2017	01038	ALLIANT INSURANCE SERVIC642236	6/15/2017	FY 2017/2018 DIFFERENCE IN	125,836.40	125,836.40
46104	7/3/2017	01414	VERANO HOMEOWNERS ASS7	7/1/2017	VERANO OWNERS ASSOCIAT	310.00	310.00.
46105	7/3/2017	02224	STANDARD INSURANCE COMJuly 2017	6/14/2017	LIFE INSURANCE	231.00	231.00
46106	7/3/2017	02542	TYCO INTEGRATED SECURIT 28779556	6/10/2017	FIRE SYSTEM AT SR. HOUSIN	389.13	389.13
46107	7/3/2017	02787	AECO SYSTEMS, INC. 18352	6/1/2017	07/01/17-06/30/18 FIRE & BUR	2,400.00	2,400.00
7032017	7/3/2017	00282	CALIFORNIA PUBLIC EMPLOY 1000000149749; 6/14/2017	6/14/2017	MEDICAL INSURANCE	4,430.38	4,430.38

154,549.96

b total for FIRST NATIONAL BANK OF DALY CITY:

154,549.96

Grand Total All Checks:

18 checks in this report.

Fina eck List

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**Town of Colma** 

Bank: first FIRST NATIONAL BANK OF DALY

## Final Check List Town of Colma

Check Total	18.75	749.39	51.06	1,260.15	641.66						2,504.98	00.099	158.17	. `	633.94	342.63	75.00	1,225.47	00.099	396.72	800.00	128.04	338.00	34.00	14.87	1,400.75	248.00	33.00	12,374.58
Amount Paid	18.75	749.39	51.06	1,260.15	641.66	2,169.54	229.46	53.62	29.43	12.34	10.59	00.099	158.17	440.36	193.58	342.63	.75.00	1,225.47	. 00.099	396.72	800.00	128.04	338.00	34.00	14.87	1,400.75	248.00	33.00	OF DALY CITY:
Description	Spring Water 5 Gal	6544607057 SW CORNER HIL	PW FIRST AID SUPPLIES	TRAFFIC SIGNAL MAINTENAN	<b>BIG 5 BRUSHES AND SLTEN</b>	0092128195-2 1520 HILLSIDE	9248309814-8 601 F STREET	0678090639-9 S/E CORNER H	9593452526-2 1500 HILLSIDE	2039987372-6 OPPOSITE 507	9956638930-2 NEXT TO 540 B	LAB FEES	5/22/17 COSTCO COUNCIL MI	HP 80A BLACK TONER, BOOK	HP 12A TONER, #2 YELLOW F	PAPER AND CLEANING SUPP	SECTION 125 PARTICIPANT 8	CELL PHONE SERVICE	CARDROOM BACKGROUND	JUNE 21-23, 2017 SLI MEALS.	TAE KWON DO	INSURANCE EVENTS	INSTALL (6) 15G TRISTANIA L	REPLACE BATTERY	JUNE 1-29, 2017 MILEAGE RE	50 FULL ZIP HOODIES	06/26/17 BIG JUMPER, COTTC	JUNE 2017 YOGA 1 PARTICIP,	b total for FIRST NATIONAL BANK OF DALY CITY
Inv Date	6/21/2017	6/16/2017	6/16/2017	6/12/2017	6/20/2017	6/23/2017	6/23/2017	6/20/2017	6/20/2017	6/23/2017	6/23/2017	6/30/2017	6/30/2017	6/3/2017	6/17/2017	6/23/2017	6/30/2017	6/15/2017	6/27/2017	6/29/2017	6/29/2017	6/30/2017	6/26/2017	6/26/2017	6/30/2017	6/22/2017	6/26/2017	6/27/2017	b to
Invoice	ASSOCIATED SERVICES INC 117063875	CALIFORNIA WATER SERVICE6544607057 SW	CINTAS CORPORATION #2 8403227401	CITY OF SOUTH SAN FRANCI:516839	FIRST NAT BANK OF NO CA 06/20/17 Jordan	PACIFIC GAS & ELECTRIC 0092128195-2	- 9248309814-8	6-6290638-9	9593452526-2	2039987372-6	9956638930-2	SMC SHERIFF'S OFFICE CL05159	PETTY CASH Petty Cash Reim	STAPLES ADVANTAGE 8044865162	8045069645	SUPPLYWORKS 404574105	NAVIA BENEFIT SOLUTIONS 10093080	VERIZON WIRELESS SERVICF9787543902	CELESTE, MIKE L. 17-0701	WOLLMAN, JASON June 21-23, 201	DOMINIC A. DE LUCCA DBA DI781	HUB INTERNATIONAL OF CA June 2017	FRANK AND GROSSMAN LANI40447139	DITO'S MOTORS 16282	土		JUMPIN' GIRAFFE PARTY REND186	MOSQUEDA, VANESSA 06222017	
Vendor	0000	00051	2000	00093	00140	00307						00364	00563	00830		00928	01340	01370	. 01995	02132	02144	02179	02274	02793	02909	02931	02948	02993	
Date	7/5/2017	7/5/2017	7/5/2017	7/5/2017	7/5/2017	7/5/2017						7/5/2017	7/5/2017	7/5/2017	*	7/5/2017	7/5/2017	7/5/2017	7/5/2017	7/5/2017	7/5/2017	7/5/2017	7/5/2017	7/5/2017	7/5/2017	7/5/2017	•	•	
Check #	46108	46109	46110	46111	46112	46.113						46114	46115	46116		46117	46118	46119	46120	46121	46122	46123	46124	46125	46126	46127	46128	46129	•.

12,374.58

Grand Total All Checks:

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Bank: first FIRST NATIONAL BANK OF DALY

Town of Colma Final Check List

Page: 1

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46131	7/5/2017	79900	CSM BEHAVIORAL HEALTH & FY17-18 HOT 00 5/19/2017	17 FY 17-18 HOMELESS OUTRE	626.00	626.00
46132	7/5/2017	01030	STEPFORD, INC. 1701651 6/20/2017	17 MONTHLY SERVICE CONTRA	5,622.00	5,622.00
46133	7/5/2017	01037	COMCAST CABLE 06/25-07/24 Intel 6/20/2017	17 8155 20 022 0097051 Internet '	286.16	
			06/25-07/24 427 6/20/2017	17 8155 20 022 0097028 427 F ST	236.16	
			06/27-07/26 XFII 6/17/2017	17 8155 20 022 0002770 1520 HIL	10.20	532.52
46134	46134 7/5/2017	01480	LEXIPOL, LLC 20919 6/20/2017	17 FY 2017/2018 LE UPDATE MAI	5,000.00	5,000.00
46135	7/5/2017	01687	UNITED SITE SERVICES OF 114-5439346 6/19/2017	17 STANDARD AND REGULAR SI	136.73	136.73
46136	7/5/2017	02336	CONSERVATION EARTH 26547 3/24/2017	17 07/11/17 SPIRIT OF THE RAIN	495.00	495.00
46137	7/5/2017	02864	MOBILE MODULAR MANAGEN 1347566 6/17/2017	17 24 X 60 HCD OFFICE RENTAL	719.71	
			1342634 6/11/2017	17 8 X 20 OFFICE HCD, RAMP RI	438.37	1,158.08
46138	46138 7/5/2017	02955	LITTLE EXPLORERS PETTING7.28.17ColmaPa 6/13/2017	17 07.28.17.2 HOURS OF FARM #	372.50	372.50
46139	7/5/2017	03066	BMX FREESTYLE TEAM, LLC 07/15/17 Fair 3/27/2017	17 07/15/17 BMX SHOW FOR CO	1,525.00	1,525.00
		· ,		b total for FIRST NATIONAL BANK OF DALY CITY:	OF DALY CITY:	16,069.83

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16,069.83

Grand Total All Checks:

Final sck List Town of Colma

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10 checks in this report.

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Final Check List Town of Colma

Page: 1

Check#	Check # Date Vendor	Vendor	Invoice	Inv Date	Inv Date Description	Amount Paid	Check Total
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46141	7/7/2017	01340	NAVIA BENEFIT SOLUTIONS 07072017 B	7/7/2017	FLEX 125 PLAN: PAYMENT	331.16	331.16
46142		01375	NATIONWIDE RETIREMENT S'07072017 B	7/7/2017	NATIONWIDE: PAYMENT	5,900.00	
			07072017 M	7/7/2017	NATIONWIDE: PAYMENT	1,200.00	7,100.00
46143	46143 7/7/2017	02377	CALIFORNIA STATE DISBURSI07072017 B	7/7/2017	WAGE GARNISHMENT: PAYM	188.37	188.37
93559	7/7/2017	00521	UNITED STATES TREASURY 07072017 M	7/7/2017	FEDERAL TAX: PAYMENT	940.97	940.97
93560	7/7/2017	01360	VANTAGE TRANSFER AGENT (07072017 M	7/7/2017	ICMA CONTRIBUTION: PAYME	463.86	463.86
93561	7/7/2017	00631	P.E.R.S. 07072017 M	7/7/2017	PERS MISC NON-TAX: PAYME	587.19	587.19
93563	7/7/2017	00130	EMPLOYMENT DEVELOPMEN07072017 B	7/7/2017	CALIFORNIA STATE TAX: PAY	9,748.52	9,748.52
93564	7/7/2017	00521	UNITED STATES TREASURY 07072017 B	7/7/2017	FEDERAL TAX: PAYMENT	52,076.47	52,076.47
93565	7/7/2017	00631	P.E.R.S. 07072017 B	7/7/2017	PERS - BUYBACK: PAYMENT	36,039.37	36,039.37
93566	7/7/2017	01340	NAVIA BENEFIT SOLUTIONS 07072017 B	7/7/2017	COMMUTER PLAN: PAYMENT	47.00	47.00
93567	7/7/2017	01360	VANTAGE TRANSFER AGENT(07072017 B	7/7/2017	ICMA CONTRIBUTION: PAYME	3,422.54	3,422.54
7072017	7/7/2017	00631	P.E.R.S. FY2017-2018 Lu 7/7/2017	7/7/2017	FY2017-2018 LUMP SUM PRE	641,632.00	641,632.00

753,268.28

b total for FIRST NATIONAL BANK OF DALY CITY:

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Grand Total All Checks:

753,268.28

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13 checks in this report.

	1:26:07PM
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Final Check List Town of Colma

Bank: first F	IRST NATION	Bank: first FIRST NATIONAL BANK OF DALY					,
Check # Date	Vendor		Invoice	Inv Date	Inv Date Description	Amount Paid	Check Total
12	17 00112	DEPARTMENT OF JUSTICE	241683 6/ 243470 6/	6/30/2017	PD ACCOUNT #140503 HR ACCOUNT #145931	765.00 49.00	814.00
46145 7/12/2017 00254	17 00254	METRO MOBILE COMMUNICA39404	000000000000000000000000000000000000000	6/26/2017	2 KMC-41 SPEAKER/MICROPI	208.58	305.36
A6146 7/19/2017 00411	17 00411	THERO DATA SYSTEMS	26237 54 Dalalice 0/	5/31/2017	CITATION PROCESSING	184.85	184.85
46147 7/12/2017	17 01367	DUO DANCE ACADEMY		7/7/2017	DANCE CLASSES	480.00	480.00
		VINCE'S OFFICE SUPPLY, INCJune 2017		6/30/2017	OFFICE SUPPLIES DD GASOLINE PLIRCHASES 1	1 124.91	000
46149 7/12/2017	17 02216	KAMOS OIL CO. INC.	880551 6/	6/10/2017	PD GASOLINE PURCHASES 1	1,106.14	
				6/30/2017	PD GASOLINE PURCHASES 2	990.26	3,221.31
00 7100/01/2 00810	17 02812	WAR NETWORK SYSTEMS		6/27/2017	REPLACED AND TESTED NEV	1,551.33	1,551.33
46150 7/12/2017	17 02012			6/28/2017	ADM 2 CHANGE OIL & BRAKE	872.38	872.38
•		GYMDOC, INC.	459	6/14/2017	SPIRIT CT850ENT COMMERC	5,412.03	5,412.03
		CALL ONE INC.		5/31/2017	1 PLANTRONICS HW540 ENC	225.11.	225.11
		IJ S BANK CORPORATE PMT	Г 06/22/17 Таріа	6/22/2017	CREDIT CARD PURCHASE	2,922.25	
			06/22/17 Dossey	6/22/2017	CREDIT CARD PURCHASE	2,092.89	
•	,			6/22/2017	CREDIT CARD PURCHASE	1,272.08	
			06/22/17 Gogan 6	6/22/2017	CREDIT CARD PURCHASE	367.82	
				6/22/2017	CREDIT CARD PURCHASE	314.80	
•				6/22/2017	CREDIT CARD PURCHASE	206.51	1
			06/22/17 Rabe 6	6/22/2017	CREDIT CARD PURCHASE	16.73	7,193.08
46155 7/12/2017 03034	17 03034	FLEX ADVANTAGE	98839 6	6/30/2017	RETIREE ADMIN AND PROCE	00.00	00.00
				b tc	b total for FIRST NATIONAL BANK OF DALY CITY:	OF DALY CITY:	20,894.13

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20,894.13

Grand Total All Checks:

12 checks in this report.

Final Check List	Town of Colma

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Page: 1

Bank: first FIR	ST NATION	Bank: first FIRST NATIONAL BANK OF DALY					
Check # Date Vendor	Vendor		Invoice	Inv Date	Inv Date Description	Amount Paid	Check Total
46156 7/12/2017 00071	00071	CSG CONSULTANTS, INC.	04/29/17 - 05/26, 6/22/2017	6/22/2017	CSG TONER & FASY SFAL FOR PC	108,159.31	108,159.31
4615/ //12/201/ 00311 46158 7/12/2017 00414	00311	TERMINEX INTERNATIONAL L366532541	, . D	7/12/2017	TERMITE BAIT TREATMENT	2,240.00	
			•	7/12/2017	PEST CONTROL	446.00	
			366532531 7	7/12/2017	601 F St.	61.00	
			364715157 7	7/12/2017	601 F St.	61.00	2,808.00
46159 7/12/2017 00500	00500	SMC CONTROLLERS OFFICE June 2017		7/7/2017	ALLOCATION OF PARKING PE	1,151.10	1,151.10
76160 7/12/2017 02182	02182	DALY CITY KLIMON CENTER	•	7/12/2017	TUTORING	5,250.00	5,250.00
46160 1/12/2011 02:102	02274			6/30/2017	CREDIT CARD PURCHASE	6,784.64	6,784.64
46162 7/12/2017	03015	U.S. BANK CORPORATE PMT	Sotelli	6/22/2017	CREDIT CARD PURCHASE	397.18	
			06/22/17 De Leo 6/22/2017	3/22/2017	CREDIT CARD PURCHASE	155.22	
-	-		06/22/17 Burns 6	6/22/2017	CREDIT CARD PURCHASE	29.91	
			06/22/17 Velasqt 6/22/2017	5/22/2017	CREDIT CARD PURCHASE	11.42	593.73
46163 7/12/2017 03061	03061	NORTH BAY PETROLEUM	1857844 6	6/30/2017	JUNE 16-30, 2017 PW GAS PL	416.25	416.25
				b to	b total for FIRST NATIONAL BANK OF DALY CITY:	OF DALY CITY:	125,284.10

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Grand Total All Checks:

125,284.10

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335,171.69

b total for FIRST NATIONAL BANK OF DALY CITY:

Bank: first FIRST NATIONAL BANK OF DALY

335,171.69

Grand Total All Checks:

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# Final Check List Town of Colma

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Check # Date	Vendor	Invoice	Inv Date	Inv Date Description	Amount Paid	Check Total
46484 7/48/2017	00013	ANDY'S WHEELS & TIRES June 2017	6/30/2017	TIRE SERVICE	709.70	709.70
46182 7/18/2017			6/27/2017	WATER BILL	7,594.66	7,594.66
46183 7/18/2017		CINTAS CORPORATION #2 June 2017	6/30/2017	CLEANING SERVICE	1,268.24	1,268.24
46184 7/18/2017		≳	28 6/29/2017	MAY 31- JUNE 28,2017 PW PL	594.81	594.81
46185 7/18/2017		KELLY-MOORE PAINTS 112100000613, 6/26/2017	37, 6/26/2017	PAINT AND SUPPLIES	32.87	32.87
- '		SIC	6/29/2017	0567147369-1 JSB S/O SERR/	133.69	133.69
46187 7/18/2017				JAN - JUNE 2017 THREE FALS	850.00	820.00
		DDUCT	_	2 P320 45 ACO CARRY NS~	933.08	933.08
		SAN MATEO LAWN MOWER June 2017	6/28/2017	GUARD SET, SPARK PLUGS,	610.31	610.31
			6/30/2017	JUNE 12-26, 2017 PUBLIC NO	504.67	504.67
		IAN	6/29/2017	06/26/17 REMOVE, REPLACE	1,944.44	1,944.44
-		CIJS FRIN May 27-June 24, 7/17/2017	4, 7/17/2017	BOOT CAMP FITNESS	200.00	200.00
•		IFF ARCHITECTS	7/12/2017	COLMA TOWN HALL RENOVA	8,977.75	8,977.75
		Ľ	1::6/20/2017	ZUMBA CLASSES	300.00	300.00
46195 7/18/2017		CORODATA SHREDDING, INC. RS2899759	6/30/2017	STORAGE, PICKUP/DELIVER	141.38	141.38
,			b to	b total for FIRST NATIONAL BANK OF DALY CITY:	OF DALY CITY:	25,095.60

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Grand Total All Checks:

25,095.60

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Final Check List Town of Colma

Check #	Check # Date Vendor	Vendor		Invoice	Inv Date	Inv Date Description	Amount Paid	Check Total
46196	46196 7/18/2017 00280	00280	OFFICE DEPOT, INC.	941256118001	7/6/2017	OFFICE SUPPLIES	35.49	47.01
46197	46197 7/18/2017 00345	00345	SMC SHERIFF'S OFFICE	August 28-29, 20 7/18/2017	7/18/2017	AUG 28-29, 2017 J ROSSET [	900.00	00.006
46198	46198 7/18/2017	00388	SONITROL	1304008-IN	7/1/2017	427 F ST. MONTHLY MONITO	113.00	113.00
46199	7/18/2017		TELECOMMUNICATIONS ENG44955	IG44955	7/10/2017	Facilities Mgmt & Maintenance	1,328.00	1,328.00
46200			GOMEZ, SARA	2000873.003	7/10/2017	07.10.17 DEPOSIT REFUND	300.00	300.00
46201			ALLIANT INSURANCE SERVI	IC661416	7/13/2017	FY 2017-2018 COMMERCIAL (	2,272.46	2,272.46
46202			BATERINA, BARBARA	2000877.003	7/12/2017	07.12.17 CA ACADEMY OF SC	17.00	17.00
46203			BAY CONTRACT MAINTENANGUIN 2017	NCJuly 2017	7/10/2017	JANITORIAL SERVICES	8,312.18	
				19464	7/10/2017	PAPER & CLEANING SUPPLIE	2,537.90	10,850.08
46204	46204 7/18/2017	01569	DARLING INTERNATIONAL IN(600:2967097	N(600:2967097	7/11/2017	TRAP SERVICE CHARGE	102.71	102.71
46205	7/18/2017	02274	FRANK AND GROSSMAN LANI151619	NI151619	7/1/2017	LANDSCAPE MAINTENANCE	. 10,608.00	10,608.00
46206	7/18/2017		CUS, ERIN	July 1-15, 2017	7/17/2017	BOOT CAMP FITNESS	300.00	300.00
46207			GE CAPITAL INFORMATION		7/5/2017	REC COPY MACHINE RENTAL	601.18	601.18
46208	7/18/2017		CNOA	Sept 12, 2017	7/18/2017	SEPTEMBER 12, 2017 MARIJI	45.00	45.00
46209			DITO'S MOTORS	16366	7/12/2017	REPLACE THERMOSTAT ASS	429.61	429.61
. 46210		02977	PEREZ, MARCO ANTONIO	2000874.003	7/10/2017	07.10.17 DEPOSIT REFUND	20.00	20.00
:					o t	b total for FIRST NATIONAL BANK OF DALY CITY:	OF DALY CITY:	27,964.05

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Grand Total All Checks:

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Final Check List Town of Colma

Page: 1

Check # Date Vendor	te Vendor	Invoice	Inv Date	Inv Date Description	Amount Paid	Check Total
46211 7/21/2017	2017 00047	C.L.E.A. 07212017 B	7/21/2017	7/21/2017 CLEA: PAYMENT	294.00	294.00
46212 7/21/2017	2017 00068	COLMA PEACE OFFICER'S 07212017 B	7/21/2017	COLMA PEACE OFFICERS: P/	690.83	690.83
46213 7/21/2017	2017 01340	NAVIA BENEFIT SOLUTIONS 07212017 B	7/21/2017	FLEX 125 PLAN: PAYMENT	331.16	331.16
46214 7/21/2017	2017 01375	NATIONWIDE RETIREMENT S07212017 B	7/21/2017		5,900.00	5,900.00
46215 7/21/2	2017 02224	STANDARD INSURANCE COM07212017 B	7/21/2017	LIFE INSURANCE: PAYMENT	381.50	381.50
93562 7/21/2017	017 00282	CALIFORNIA PUBLIC EMPLOY07212017 B	7/21/2017	AUGUST 2017 ACTIVE PREMI	62,637.06	62,637.06
93568 7/21/2017	2017 00130	EMPLOYMENT DEVELOPMEN 07212017 B	7/21/2017	CALIFORNIA STATE TAX: PAY	9,917.68	9,917.68
93569 7/21/2017	2017 00521	UNITED STATES TREASURY 07212017 B	7/21/2017	FEDERAL TAX: PAYMENT	52,713.14	52,713.14
93570 7/21/2017	2017 00631		7/21/2017	PERS - BUYBACK: PAYMENT	36,542.66	36,542.66
93571 7/21/2017	2017 01360	VANTAGE TRANSFER AGENT(07212017 B	7/21/2017	ICMA CONTRIBUTION: PAYME	3,298.65	3,298.65

172,706.68

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172,706.68

**Grand Total All Checks:** 

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Town of Colma Final Check List

Page: 1

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Grand Total All Checks:

169,921.13

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Bank: first FIRST NATIONAL BANK OF DALY

Final Check List Town of Colma

Check Total	1,496.24	1,063.00		38.00	768,533.02	22,950.00	46,715.40	67.08		3,968.22	335.00	20.00	180.88	106.16	310.00	27.00	2,674.16	1,101.00	1,900.00	18.00	808.92		201,596.00	99.00	4,445.65
Amount Paid	1,496.24	1,063.00	29.00	00.6	768,533.02	22,950.00	46,715.40	67.08	3,707.87	260.35	335.00	· 20.00·	180.88	106.16	310.00	22.00	2,674.16	1,101.00	1,900.00	18.00	808.92	100,798.00	100,798.00	99.00	4,445.65
Inv Date Description	C3A1210TS01 06/13/17-07/12/	FY 17/18 ABAG MEMBERSHIF	MTN POU HOT/COLD COUNT	JULY 2017 WATER MACHINE	FY 2017-2018 ANNUAL SEWE	DISPATCH SERVICES	FY 2017-2018 ANNUAL SEWE	BINDER CLIPS, #20 RECYCLE	PG&E	PG&E	08.04.17 DECOMPOSERS WC	07.17.17 DEPOSIT REFUND	SEB REMAN TONER HP 49A E	8155 20 022 0096715 601 F ST	VERANO OWNERS ASSOCIAT	07.21.17 SIX FLAGS TRIP WIT	4X6 FT US 2 PLY POLY FLAG	REPAIR DAMAGED GUIDE RA	08.20.17 TO 08.20.18 RENEW	07.20.17 SUMMER CAMP REF	PD COPY MACHINE RENTAL	OPEB CONTRIBUTION	OPEB CONTRIBUTION	08/25/17 DISPATCHER ETHIC:	MEDICAL INSURANCE
Inv Date	7/12/2017	7/1/2017	7/1/2017	7/1/2017	7/18/2017	7/14/2017	7/18/2017	7/10/2017	7/10/2017	7/12/2017	5/24/2017	7/17/2017	7/8/2017	7/7/2017	8/1/2017	7/21/2017	7/18/2017	7/18/2017	7/20/2017	7/20/2017	7/7/2017	3 7/24/2017	7/24/2017	7/14/2017	(7/24/2017
Invoice	AT&T 000009948041	ABAG - PLAN AR013950	ASSOCIATED SERVICES INC 117065652	117065651	CITY OF SOUTH SAN FRANCI:FY 2017-2018 S	CITY OF SOUTH SAN FRANCI:516873	NSMC SANITATION DISTRICT FY 2017-2018 SA	OFFICE DEPOT, INC. 941798324001	PACIFIC GAS & ELECTRIC 07/10/2017	07/12/2017	MAD SCIENCE OF THE BAY AI08/04/17 Decom	FLORES, LORENA 2000878.003	STAPLES ADVANTAGE 8045388043	COMCAST CABLE .07/11-08/10 601	VERANO HOMEOWNERS ASS8	BATERINA, BARBARA 2000043.004	JON'S FLAGS & POLES INC. F77623	CHAIX COMPANY 111696	S & J SALES 33373	PAREDES, IRIS 2000041.004	GE CAPITAL INFORMATION 99083512	U.S. BANK PARS ACCOUNT, 6 July 2017 OPEB		IXII GROUP, INC. 2581	CALIFORNIA PUBLIC EMPLOY 1000000150134( 7/24/2017
Check# Date Vendor	46231 7/24/2017 00004	46232 7/24/2017 00005	46233 7/24/2017 00020		46234 7/24/2017 00060	46235 7/24/2017 00093		7/24/2017	46238 7/24/2017 00307		46239 7/24/2017 00630	46240 7/24/2017 00709	46241 7/24/2017 00830	46242 7/24/2017 01037	46243 7/24/2017 01414	46244 7/24/2017 01457			46247 7/24/2017 02122	7/24/2017	7/24/2017	7/24/2017		46251 7/24/2017 03070	8012017 8/1/2017 00282

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Fina eck List Town of Colma

Grand Total All Checks:

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**Check Total** Page: 1 750.00 72.99 880.00 163.38 50.00 **Amount Paid** TRAFFIC SIGNAL MAINTENAN 2017 IAPE ANNUAL MEMBERS CHECK FOR ENGINE LIGHT MICRO CHANNEL & LINES RECORDS MANAGEMENT SHIPPING FEES Inv Date Description 4/20/2017 6/23/2017 7/11/2017 7/21/2017 7/11/2017 Town of Colma 7/22/2017 Final Check List 17-07 Colma 5-872-65265 SMC INFORMATION SERVICE:1YCL11706 INTERNATIONAL ASSOCIATIOLI572257 Invoice CITY OF SOUTH SAN FRANCI:516865 FEDEX OFFICE AND PRINT API CONSULTING Bank: first FIRST NATIONAL BANK OF DALY DITO'S MOTORS Vendor 00093 00215 01076 02208 02793 00534 2:35:04PM 7/31/2017 7/31/2017 7/31/2017 7/31/2017 7/31/2017 7/31/2017 Date 07/31/2017 apChkLst Check # 46255 46256 46257 46252 46253 46254

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Town of Colma

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nt Paid Check Total	34.89 34.89	1,375.00	525.00	257.50 2,157.50	,426.00 1,426.00	325.00 325.00	9,800.00	92.88 92.88	281.25 281.25	Y CITY: 46,825.59
Amount Paid	Ш		AC P	EVEN	JNK 1	SE P,	0,	URC .	./60/	<b>3ANK OF DA</b> I
Inv Date Description	.E07G0034299321 7/20/2017 BOTTLED WATER SERVICE	1520 HILLSIDE HVAC PREVEN	1500 HILLSIDE BLVD. HVAC P	427 F STREET HVAC PREVEN		07/06/17 REPAIR 20 FENCE PA	07/17/17 EXTERIOR PAINTING	JULY 13, 2017 PW GAS PURC	PAYMENT REMAINING 09/09/	b total for FIRST NATIONAL BANK OF DALY CITY:
Inv Date	1 7/20/2017	7/15/2017	7/15/2017	7/15/2017	5/24/2017	7/6/2017	7/17/2017	7/15/2017	5/12/2017	bt
Invoice	READY REFRESH BY NESTLE07G0034299321	EMCOR SERVICES-MESA ENE001292493	001292495	001292494	PARTY JUMP/STARRY MOVIE 24797	LAM HAULING: INC. 04261	Š.	Σ	GLASS COAT PHOTO BOOTH,1263B	
Vendor	7 02886	7 02935		٠	7 02966	7 02997	7 03002	7 03061	7 03062	
Check # Date Vendor	46286 7/31/2017 02886	46287 7/31/2017 02935			46288 7/31/2017 02966	46289 7/31/2017	7/31/2017	46291 7/31/2017	46292 7/31/2017	
Check #	46286	46287		-	46288	46289	46290	46291	46292	

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46,825.59

Grand Total All Checks:

35 checks in this report.

Page: 3



# ORDINANCE NO. \_\_\_\_ OF THE CITY COUNCIL OF THE TOWN OF COLMA

# ORDINANCE ADDING COLMA MUNICIPAL CODE CHAPTER 6.06 REGARDING PROCEDURES FOR EXPEDITING PERMIT PROCESSING FOR ELECTRIC VEHICLE CHARGING STATIONS

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

#### ARTICLE 1. RECITALS.

- (a) On or before September 30, 2017, every city, county, or city and county with a population of less than 200,000 residents must adopt an ordinance that creates an expedited and streamlined permitting process for electric vehicle charging systems pursuant to Assembly Bill 1236 (2011).
- (b) The Town wishes to amend its Municipal Code to meet State law and to facilitate convenient charging of electric vehicles.
- (c) The Colma Fire District has been consulted regarding the adoption of this ordinance as required by Government Code section 65850.7(q).
- (d) Proper notice of this public hearing was given in all respects as required by law.

#### ARTICLE 2. INCORPORATION OF RECITALS.

The City Council hereby finds that all of the foregoing recitals and the staff report presented herewith are true and correct and are hereby incorporated and adopted as findings of the City Council as if fully set forth herein.

#### ARTICLE 3. CMC CHAPTER 6.06 ADDED.

Chapter 6.06 shall be and hereby is added to the Colma Municipal Code as follows:

#### "Chapter 6.06

#### ELECTRIC VEHICLE CHARGING STATIONS

#### Section:

<ul> <li>6.06.010 Town Building Permit Required</li> <li>6.06.020 Review of Applications</li> <li>6.06.030 Electric Vehicle Charging Station Installation Requirements</li> <li>6.06.040 Requirements Cumulative</li> </ul>
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#### 6.06.010 Town Building Permit Required.

- A. A Town building permit is required to install an electric vehicle charging station. "Electric vehicle charging station" or "charging station" means any level of electric vehicle supply equipment station that delivers electricity from a source outside an electric vehicle into a plug-in electric vehicle.
- B. An application for a Town building permit to install an electric vehicle charging station shall be processed in accordance with Government Code section 65850.7.

#### 6.06.020 Review of Applications.

The following expedited, permitting process applies to applications for a building permit to install an electric vehicle charging station:

- A. Application. The Town will make the following available on the Town's website: the Town's standard building permit application form; and the Town's standard electric vehicle charging station plan form and checklist, which will substantially conform to the plan form and checklist in the most current version of the "Plug-In Electric Vehicle Infrastructure Permitting Checklist" of the "Zero-Emission Vehicles in California: Community Readiness Guidebook" published by the Office of Planning and Research. The checklist will include all requirements that an electric vehicle charging station must meet to be eligible for review and approval under this section. An application to install an electric vehicle charging station may be submitted electronically.
- B. Application review. An application will be deemed complete if the building official determines that the application includes all of the information and documents required by the standard application form, the standard plan form, and the standard checklist, and is consistent with all applicable laws and health and safety standards. If an application is deemed incomplete, the building official will notify the applicant in writing of the additional information needed to complete the application. After an application is deemed complete, the building official will perform an expedited review of the application and all submittals.
- C. Permit issuance. A building permit will be issued following the building official's approval of an application for a electric vehicle charging station and after all required fees have been paid. If the application was submitted electronically, the permit may be issued electronically.
- D. Inspection and authorization to operate. As soon as practicable after the applicant notifies the building official that an electric vehicle charging station has been installed, the building official will inspect the system to verify compliance with the building permit. If the building official determines that a system was not installed in compliance with a building permit, the building official will notify the permittee of the actions needed to comply with the building permit and will conduct additional inspections as necessary. No electric vehicle charging station may be operated unless the building official verifies in writing that it complies with the building permit.

#### 6.06.030 Electric Vehicle Charging Station Installation Requirements.

A. Electric vehicle charging station equipment shall meet the requirements of the California Electrical Code, the Society of Automotive Engineers, the National Electrical Manufacturers

Association, and accredited testing laboratories such as Underwriters Laboratories, and rules of the Public Utilities Commission regarding safety and reliability.

- B. Installation of electric vehicle charging stations and associated wiring, bonding, disconnecting means and overcurrent protective devices shall meet the requirements of Article 625 and all applicable provisions of the California Electrical Code.
- C. Installation of electric vehicle charging stations shall be incorporated into the load calculations of all new or existing electrical services and shall meet the requirements of the California Electrical Code. Electric vehicle charging equipment shall be considered a continuous load.
- D. Anchorage of either floor-mounted or wall-mounted electric vehicle charging stations shall meet the requirements of the California Building or Residential Code as applicable per occupancy, and the provisions of the manufacturer's installation instructions. Mounting of charging stations shall not adversely affect building elements.

#### 6.06.040 Requirements Cumulative.

The requirements of this chapter are in addition to any other applicable requirements of this Code, and any requirements of a utility provider, that must be satisfied before an electric vehicle charging station may be installed or operated."

#### ARTICLE 4. 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.

#### ARTICLE 5. NOT A CEQA PROJECT.

The City Council finds that this Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

#### ARTICLE 6. 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.

//

#### **Certificate of Adoption**

Name	Voting		Present, N	lot Voting	Absent
	Aye	No	Abstain	Not Participating	
Helen Fisicaro, Mayor					
Raquel "Rae" Gonzalez					
Joanne F. del Rosario					
John Irish Goodwin					
Diana Colvin					
Voting Tally		0			
		0			
		Hele	n Fisicaro, I	 Vlayor	



## STAFF REPORT

TO: Mayor and Members of the City Council

FROM: Lori Burns, Human Resources Manager

Christopher Diaz, City Attorney

VIA: William C. Norton, Interim City Manager

MEETING DATE: August 23, 2017

SUBJECT: Revise Personnel Policies, Standards of Conduct - Marijuana Usage

#### RECOMMENDATION

Staff recommends that the City Council adopt the following resolution:

RESOLUTION AMENDING SECTION 3.03.230 OF THE COLMA ADMINISTRATIVE CODE, RELATING TO PERSONNEL POLICIES, SUBSTANCE ABUSE – PROHIBITED USE OR POSSESSION

#### **EXECUTIVE SUMMARY**

To provide greater clarity in the Town's personal policies as a result of California's approval of recreational use of marijuana, it is best practice to specifically designate prohibitions related to marijuana in the Town's personnel policies. The proposed resolution includes language specific to marijuana.

#### FISCAL IMPACT

None.

#### **BACKGROUND**

The state of California voters passed Proposition 64 in November 2016 allowing recreational use of marijuana for adults over the age of 18 years under very specific circumstances. However, marijuana use remains prohibited under federal law. To clarify any ambiguity regarding marijuana use, possession and sale in the workplace, the proposed resolution includes language specific to federal prohibitions. It is the Town's position and the City Attorney's opinion, that the Town's existing policy still prohibits Town employees from using marijuana or being under the influence while at the workplace. This update in policy language, however, is recommended as it will provide greater clarity that marijuana use or possession is prohibited for all employees in the workplace.

#### **ANALYSIS**

The Town's current policy language indicates that a controlled substance is any drug not legally obtainable under current law. Although use of recreational marijuana may be legal under California law, it is not legally obtainable currently in the State of California without a medical

prescription. The State of California is anticipated to begin issuing licenses to retailers to sell marijuana for recreational purposes, but that will not occur until January 1, 2018. Thus, under the Town's existing policy, use of marijuana for recreational purposes remains a violation of the Town's personnel policies.

The new proposed policy would make it clear that a controlled substance is defined as any drug illegal under either state or federal law. Although recreational marijuana is legal under California law, use of marijuana remains illegal under federal law. Further, the proposed policy makes it explicitly clear that marijuana is defined as a controlled substance under the Town's existing policy and therefore any use of marijuana during work hours is a violation of the Town's personnel policies.

#### **Council Adopted Values**

Adoption of the attached resolution is the *fair and responsible* course of action because it provides greater clarity that any use of a drug illegal under state or federal law is a violation of the Town's personnel policies.

#### **Alternatives**

The Council could choose to not adopt the proposed resolution. However, doing so is not recommended, because it is important that we provide greater clarity regarding marijuana and the workplace.

#### CONCLUSION

Staff recommends adoption of the attached resolution.

#### **ATTACHMENTS**

A. Resolution

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

#### RESOLUTION AMENDING SECTION 3.03.230 OF THE COLMA ADMINISTRATIVE CODE, RELATING TO PERSONNEL POLICIES, SUBSTANCE ABUSE – PROHIBITED USE OR POSSESSION

The City Council of the Town of Colma hereby resolves:

#### ARTICLE 1. CAC SECTION 3.03.230 AMENDED.

Section 3.03.230, subsection (a), is hereby amended to state as follows, with subsections (b) and (c) remaining in their entirety:

3.03.230 Substance Abuse – Prohibited Use or Possession

(a) As used in this Subchapter, a "controlled substance" means any drug or narcotic not legally obtainable defined as illegal under either state or federal law. It also includes under current law or any prescription drug not legally obtained or not used for prescribed purposes. Because marijuana is illegal under federal law, marijuana is considered a "controlled substance" for purposes of this policy and the testing provisions set forth in section 3.03.240.

#### ARTICLE 2. SEVERABILITY.

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

#### ARTICLE 3. NOT A CEOA PROJECT.

The City Council finds that adoption of this resolution is not a "project," as defined in the California Environmental Quality Act pursuant to CEQA Guideline 15061(b)(3) 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.

#### ARTICLE 4. EFFECTIVE DATE.

This resolution shall take effect immediately upon adoption.

#### **Certification of Adoption**

I certify that the foregoing Resolution No. 2017-\_\_ was duly adopted at a regular meeting of said City Council held on August 23, 2017 by the following vote:

lame Counted toward Quorum Not Counted tow		Not Counted towa	rd Quorum		
	Aye No Abstain Pr		Present, Recused	Absent	
Helen Fisicaro, Mayor					
Raquel Gonzalez					
Joanne del Rosario					
Diana Colvin					
John Irish Goodwin					
Voting Tally					

Dated	
	Helen Fisicaro, Mayor
	Attest:
	Caitlin Corley, City Clerk



## STAFF REPORT

TO: Mayor and Members of the City Council FROM: Michael P. Laughlin, AICP, City Planner VIA: William C. Norton, Interim City Manager

MEETING DATE: August 23, 2017

SUBJECT: Urban County Cooperation Agreement with Department of Housing

#### RECOMMENDATION

RESOLUTION APPROVING A RENEWAL OF THE EXISTING COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) COOPERATION AGREEMENT WITH THE COUNTY OF SAN MATEO COUNTY FOR FEDERAL FISCAL YEARS 2018, 2019 AND 2020

#### **EXECUTIVE SUMMARY**

The proposed resolution authorizes the extension, approval and execution of a Urban County Cooperation Agreement for use of Community Development Block Grant (CDBG) funds between the County of San Mateo Department of Housing and cities in the County with a population of less than 50,000 people. The proposed agreement allows the Town to utilize CDBG funds administered by the San Mateo County Department of Housing and to benefit from the programs they provide.

#### FISCAL IMPACT

Entering into the agreement will not impact the Town's operating budget. Any CDBG funds used in the Town will benefit residents.

#### **BACKGROUND**

The Town of Colma last entered into a cooperative agreement with the County in 2003 (see attached). This agreement was automatically renewed in three year intervals. In May 2017, the Department of Housing sent the Town a letter regarding the automatic renewal of the Cooperation Agreement between San Mateo County and Colma. However, the Town was recently informed that the U.S. Department of Housing and Urban Development (HUD) has made some changes to their requirements regarding what must be included in the Cooperation Agreement in order to participate in the San Mateo County Urban County Program for non-entitlement jurisdictions to access Community Development Block Grant (CDBG) funding.

HUD is requiring the County and participating cities in the Urban County to execute a new Cooperation Agreement and for each jurisdiction to adopt a resolution to authorize the

execution of the new Agreement. HUD has informed the County that a new Cooperation Agreement and all authorizing resolutions, adopted by each participating city must be submitted by September 15, 2017.

#### **ANALYSIS**

The attached agreement allows for the Town's participation in the following funding programs:

- CDBG (Community Development Block Grant);
- HOME (HOME Investment Partnerships Program); and
- ESG (Emergency Solutions Grant).

These programs allow the following types of activities:

- Bay Area Legal Aid
- Community Legal Services
- HIP Housing Home Sharing Program
- Legal Aid Society of San Mateo County
- Peninsula Volunteers
- The 7 Core Services Providers, which for Colma is Samaritan House
- Life Moves Emergency Family Shelters

Colma residents can participate in appropriate programs provided that they meet the income eligibility requirements (typically 50% of the average median income for San Mateo County). Because the Town currently participates with the County, Mercy Housing was able to use HOME Funds for their project.

#### **Council Adopted Values**

Entering into a Cooperation Agreement is <u>responsible</u> since it allows the Town to have access to CBDG funds and County programs to benefit Town residents.

#### **Alternatives**

The City Council could opt out and not participate with the County through a Cooperation Agreement. This is not advisable due to fact that there are no other viable alternatives for the Town to utilize CBDG funds.

#### CONCLUSION

Staff recommends that City Council adopt a resolution approving the execution of the Cooperation Agreement.

#### **ATTACHMENTS**

- A. Resolution
- B. Cooperation Agreement
- C. Existing 2003 Agreement

# RESOLUTION 2017-## OF THE CITY COUNCIL OF THE TOWN OF COLMA

# A RESOLUTION APPROVING A RENEWAL OF THE EXISTING COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) COOPERATION AGREEMENT WITH THE COUNTY OF SAN MATEO FOR FEDERAL FISCAL YEARS 2018, 2019 AND 2020

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

#### 1. Background and Findings.

- (a) The Town of Colma has participated in the San Mateo County Urban County Program in order to access Community Development Block Grant (CDBG) funding since 2003.
- (b) The Town has benefited from the County's CDBG program, receiving funding for local projects and participation in County programs.
- (c) Public entities that do not otherwise come within the definition of an eligible public agency may cooperate and participate with an eligible public entity such as an urban county.
- (d) The County of San Mateo is qualified as an urban county under the Act and solicits the cooperation and co-participation of public entities such as the Town of Colma in its application for federal assistance under the Act for the Federal Fiscal Years 2018, 2019 and 2020 and subsequent three-year periods thereafter.
- (e) A Cooperation Agreement by and between City and County establishes the formal relationship to cooperate and co-participate and is specifically authorized under the provisions of Government Code Section 6502 and 26227; and
- (f) The Town has previously, by an official act of pronouncement expressed its intent and desire to cooperate and participate with County in its plan application and to engage in housing and community development activities within its incorporated limits.
- (g) The Town understands that in becoming part of the Urban County, the Town automatically participates in the HOME and ESG Programs, which provide eligible local jurisdictions with federal funds for affordable housing activities.
- (e) The County of San Mateo Cooperation Agreement has been presented to this Council and considered.

#### 2. Order.

(a) The City Council hereby authorizes execution of a Cooperative agreement with San Mateo County to secure and award federal funds through the process of Community Development Block Grants (CDBG), and Emergency Solutions Grant (ESG) to eligible public entities.

(b) The Interim City Manager Cooperation Agreement, with any Attorney and Interim City Manager	minor n	_		3			
* * * * *							
	Certifica	tion (	of Adoption	ı			
I certify that the foregoing Resolution Said City Council held on August					ar meeting of		
Name	Counted	d towa	rd Quorum	Not Counted towar	rd Quorum		
	Aye	No	Abstain	Present, Recused	Absent		
Helen Fisicaro, Mayor							
Raquel Gonzalez							
Joanne del Rosario							
Diana Colvin							
John Irish Goodwin							
Voting Tally							
Dated		Heler Attes		ayor orley, City Clerk			

### **COOPERATION AGREEMENT**

This AGREEME	ENT, entered into this	day of	, 2017, between the COUNTY OF
SAN MATEO, a	political subdivision of th	e State of Cal	ifornia ("COUNTY"), and the Town of
Colma a duly in	corporated City within the	County of Sa	n Mateo ("CITY"),

#### WITNESSETH

WHEREAS, the Housing and Community Development Act of 1974, as amended ("Act"), provides for the distribution of federal funds through the process of Community Development Block Grants to eligible public entities; and

WHEREAS, those public entities which are eligible to receive said funds are cities with a population in excess of 50,000, "hold harmless" public entities, and urban counties; and

WHEREAS, public entities that do not otherwise come within the definition of an eligible public agency may cooperate and participate with an eligible public entity such as an urban county; and

WHEREAS, the County of San Mateo has heretofore qualified as an urban county under the Act, the County again solicits the cooperation and co-participation of public entities such as City in its application for federal assistance under the Act for the Federal Fiscal Years 2018, 2019 and 2020 and subsequent three-year periods thereafter; and

WHEREAS, City, having a population of less than 50,000, desires to cooperate and co-participate with County in this venture; and

WHEREAS, a Cooperation Agreement by and between City and County establishes the formal relationship to cooperate and co-participate and is specifically authorized under the provisions of Government Code Sections 6502 and 26227; and

WHEREAS, County is in receipt of a communication from the United States Department of Housing and Urban Development, ("HUD"), with regard to requisites which must be included in said Cooperation Agreement and which further stated that the same must be completed and submitted by September 15, 2017; and

WHEREAS, City has previously, by an official act of pronouncement expressed its intent and desire to cooperate and participate with County in its plan application and to engage in housing and community development activities within its incorporated limits thereunder; and

WHEREAS, City understands that in becoming part of the Urban County, City automatically participates in the HOME and ESG Programs, which provide eligible local jurisdictions with federal funds for affordable housing activities; and

WHEREAS, City now desires to enter into this Cooperation Agreement ("Agreement") with the County of San Mateo so that it may qualify, under applicable provisions of the Act and HUD regulations, as co-participant with County in order to be eligible for participation in various programs and receipt of funding provided under the Act:

NOW, THEREFORE, IN CONSIDERATION OF THE FOREGOING, the parties hereto agree as follows:

#### 1. Purpose:

County and City agree to cooperate to undertake, or assist in undertaking, community renewal and lower income housing assistance activities, specifically urban renewal and publicly assisted housing; economic development, neighborhood facilities, housing rehabilitation, and other appropriate housing assistance to primarily benefit lower and moderate income people. This Agreement includes participation in the Community Development Block Grant ("CDBG"), the HOME Investment Partnerships Program and the Emergency Solutions Grant ("ESG") Program.

#### 2. <u>Term:</u>

The term of this Agreement shall be for Federal Fiscal Year 2018, 2019 and 2020 after which the term shall be automatically renewed unless action is taken by the City to terminate this Agreement. As provided by HUD rules and regulations, this Agreement shall automatically be renewed for participation in successive three-year qualification periods, unless County or City provides written notice it elects not to participate in a new qualification period, provided however, that this Agreement shall remain in effect until CDBG, HOME and ESG funds and income received with respect to the three-year qualification period are expended and the funded activities completed. County and City cannot terminate or withdraw from this Agreement while the Agreement remains in effect. The County and City may not withdraw from this Agreement prior to expiration of Federal Fiscal Year 2020.

By the date specified in HUD's Urban County Qualification Notice for a subsequent qualification period, County will notify City in writing of its right not to participate. Should there be changes necessary to meet the requirements for cooperation agreements set forth in the Urban County Qualification Notice applicable for a subsequent three-year urban county qualification period, amendment(s) to this Agreement shall be executed between County and City. Such amendment(s) shall be submitted to HUD; failure to do so will void the automatic renewal of such qualification period.

#### 3. Applicant Responsibility

a. County, as applicant, has ultimate responsibility for execution of the community development program, for following its Consolidated Plan, which provides for an

analysis of housing and non-housing community development needs of the geographic area, and for meeting the requirements of other applicable laws, including but not limited to the National Environmental Policy Act, Uniform Relocation Act, Fair Housing Act, Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Section 109 of the Housing and Community Development Act of 1974, and the Americans with Disabilities Act of 1990.

County is the lead agent for carrying out the Urban County CDBG Program and for the ESG Program. The Urban County, as a CDBG entitlement jurisdiction, qualifies to receive its own allocation of federal HOME funds. However, to increase HOME funding access to the County overall, County has formed the San Mateo County HOME Consortium, of which the Urban County is a member.

County is also the lead agent for the HOME Consortium. The HOME Consortium is technically responsible for preparing and submitting to HUD the Consolidated Plan which covers the geographic area of the Consortium. The Urban County is responsible for submitting its own non-housing community development plan, an Action Plan, and required certifications as part of the Consortium's Consolidated Plan. As lead agent for the Urban County and the HOME Consortium, County is responsible for coordinating Consolidated Planning activities, including providing assurances or certifications to HUD.

Therefore, County requires City, and City agrees to cooperate to undertake, or assist in undertaking community renewal and lower-income housing assistance activities and to strict adherence to the Consolidated Plan as approved, and to all assurances and certifications provided, including agreeing to take all actions necessary to assure compliance with the Urban County's certifications under Sections 104(b) of Title I of the Housing and Community Development Act of 1974, as amended, including Title VI of the Civil Rights Act of 1964, the Fair Housing Act, and affirmatively furthering fair housing. See 24 CFR 92.221(a) and to comply with section 109 of Title I of the Housing and Community Development Act of 1974, which incorporates Section 504 of the Rehabilitation Act of 1973 and the Age Discrimination Act of 1975. The County requires the City and the City agrees to comply with all other applicable laws.

This Agreement shall also prohibit the Urban County from funding activities in or in support of, any cooperating unit of general local government that does not affirmatively further fair housing within its own jurisdiction or that impedes the County's actions to comply with their own fair housing certification. This provision is required because noncompliance by a unit of general local government included in an urban county may constitute noncompliance by the grantee (i.e., the Urban County) that can, in turn, provide cause for funding sanctions or other remedial actions by the Department.

County shall not provide CDBG, HOME or ESG funds for activities in, or in support of, any cooperating city that does not affirmatively further fair housing within its own jurisdiction or for activities that impede the County's actions to comply with its fair housing certification. In addition, County and City are responsible for taking all required actions to comply with the provisions of the National Environmental Policy Act of 1969.

- b. Further, pursuant to 24 CFR 570.501(b), County, as applicant, has the responsibility for ensuring that CDBG, HOME and ESG funds are used in accordance with all program requirements, for determining the adequacy of performance under agreements and procurement contracts, and for taking appropriate action when performance problems arise. Therefore, before disbursing any CDBG, HOME or ESG funds to City or projects in the City, County will require City, and City agrees to enter into a written agreement for each individual project.
- c. The City may not sell, trade, or otherwise transfer all or any portion of such funds to another such metropolitan city, urban county, unit of general local government, or Indian tribe, or insular area that directly or indirectly receives CDBG funds on exchange for any other funds, credits or non-Federal considerations, but, must use such funds for activities eligible under title I of the Act. This new requirement is contained in the Transportation, Housing and Urban Development, and Related Agencies Appropriation Act, 2014, pub. L113-76.

#### 4. City Subject to Same Requirements as Subrecipients:

Pursuant to 24 CFR 570.501(b), the City is subject to the same requirements applicable to subrecipients, including the requirements of a written agreement set forth in 24 CFR 570.503. County as applicant, has the responsibility for ensuring that CDBG, HOME and ESG funds are used in accordance with all program requirements, for determining the adequacy of performance under agreements and procurement contracts, and for taking appropriate action when performance problems arise. Therefore, before disbursing any CDBG, HOME or ESG funds to City or projects in the City, County will require City, and City agrees to enter into a written agreement for each individual project.

#### 5. The City has adopted and is enforcing:

- a. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations;
- b. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within jurisdictions.

#### 6. By executing this Agreement, the City understands that it:

- May not apply for grants from appropriations under the Small Cities or State CDBG
   Programs for fiscal years during the period in which it participates in the Urban County's
   CDBG program;
- b. May participate in a HOME Program only through the Urban County. Thus, even if the Urban County does not receive a HOME formula allocation, City cannot form a HOME consortium with other local governments.
- c. May receive a formula allocation under the ESG Program only through the urban county, although this does not preclude the urban county or a unit of government participating with the urban county from applying to the Sate for ESG funds, if the state allows.

#### 7. Affirmative Action.

Under County's ultimate supervision and responsibility, City covenants and agrees that it will abide by and enforce all applicable affirmative action requirements including, but not limited to Executive Order 11246, the Equal Employment Opportunities Act, the San Mateo County Affirmative Action Plan and local affirmative action plans.

#### 8. County's Responsibility to City.

In addition to the foregoing obligations, County agrees:

- a. County shall, in preparing future plans under the Act, solicit to the extent allowed by the Act and all lawful HUD regulations, City's participation in the development of such future plans which refer to City's activities under the Act.
- b. In accordance with instructions from HUD, County agrees to permit City to carry out the essential community development and housing assistance activities provided for in the application and in future plans.
- c. County agrees to distribute funding it receives from its current plan application, and in future plan applications, , in accordance with the terms and provisions therein contained, or in accordance with such terms and conditions as required by the Act of HUD.

#### 9. City's Responsibilities to County.

In addition to the foregoing obligations:

- a. City agrees to expend any funds received by virtue of any of Urban County's plans only in accordance with the terms and conditions stated therein, or amended by HUD.
- b. City agrees to cooperate with Urban County, as it has heretofore, with the development of future plan applications for funds under the Act, with regard to housing and community development activities to be continued or undertaken by City within its boundaries.

#### 10. Program Income.

- a. City must inform County of any income generated by the expenditure of CDBG, HOME or ESG funds received by City.
- b. Any such program income must be paid to the County or City may retain the program income subject to requirements set forth in this Agreement.
- c. Any program income City is authorized to retain may only be used for eligible activities in accordance with all CDBG, HOME or ESG requirements as may then apply.
- d. County has the responsibility for monitoring and reporting to HUD on the use of any such program income and County shall require appropriate recordkeeping and reporting by City as may be needed for this purpose and
- e. In the event of close-out or change in status of City, any program income that is on hand or received subsequent to the close-out or change in status shall be paid to County.

# 11. <u>Acquisition, Change in Use, and Disposition of Real Property Acquired or Improved</u> with CDBG Funds.

- a. City shall notify County of any change in use including disposition of real property, within the control of City, which was acquired or improved in whole or in part with CDBG funds, from that approved at the time CDBG funds were authorized for acquisition or improvement.
- b. City shall reimburse County in an amount equal to the current fair market value (less any portion thereof attributable to expenditures of non-CDBG funds) of property acquired or improved with CDBG funds that is sold or transferred for a use which does not qualify under the CDBG regulations at any time prior to or subsequent to the close-out, change of status or termination of this Agreement between the County and City.

#### 12. Headings.

The headings in this document are merely for the convenience of the parties, and do not form a material part of this document. Headings shall not be considered in the construction of this document.

#### 13. Minor Amendments to the Agreement.

Notwithstanding, Section 2 above, should it become necessary to change the language of this Agreement to meet HUD approval, without making major changes and without altering the intent of the Agreement, such changes may be made administratively by the City Manager of City.

All remaining provisions of said Agreement shall reprovided herein.	emain in full force and effect for the term
IN WITNESS WHEREOF, the parties hereto have a first above written.	executed this Agreement on the day and year
	COUNTY OF SAN MATEO
	By President, Board of Supervisors
ATTEST:	
Clerk of Said Board	
	TOWN OF COLMA
	By William C. Norton, Interim City Manager
ATTEST:	
City Clerk	Contificate of Delivery
	Certificate of Delivery (Government Code Section 25103) filed in the Office of the Clerk of the Board of been delivered to the President of the Board of Supervisors.
<u>-</u>	By Clerk of the Board of Supervisors



# AGREEMENT BETWEEN COUNTY OF SAN MATEO (HUMAN SERVICES AGENCY OFFICE OF HOUSING) AND

#### TOWN OF COLMA

#### FOR REHABILITATION LOAN PROGRAM SERVICES



**HSA Contact Person:** 

HCD Specialists

Norman Pascoe: (650) 802-5008 LDJohnson: (650) 802-5002

# AGREEMENT BETWEEN COUNTY OF SAN MATEO, AND TOWN OF COLMA, FOR REHABILITATION LOAN PROGRAM SERVICES

#### WITNESSETH

WITNESSETH, the Housing and Community Development Act of 1974, Public Law 93-383, enacted August 22, 1974, and the Housing and Community Development Act of 1977, Public Law 95-128, enacted October 12, 1977, both provide for the distribution of federal funds through the process of community development block grants to eligible public entities; and

WHEREAS, a Cooperation Agreement by and between Town and County establishing the formal relationship to cooperative and co-participants in the Urban County Community Development Block Grant Program, was entered into by County and Town on July 13, 1993 and was automatically renewed on July 1, 2002 for federal fiscal years 2002-03, 2003-04 and 2004-05; and

WHEREAS, pursuant to the provisions of Section 51300 et seq of the Government Code, the Board of Supervisors of the County may contract with the Town, and the Town Council of the Town may contract with the County for the performance of the Town functions by the appropriate officers and employees of the County; and

WHEREAS, the Town desires the County to perform the Housing Rehabilitation Loan Program services hereinafter set forth for and on behalf of the Town within the territorial limits of said Town and the County is willing to perform such services; and

NOW, THEREFORE IT IS HEREBY AGREED BY THE PARTIES HERETO AS FOLLOWS:

#### A. PURPOSE OF AGREEMENT

The purpose of this Agreement is to set forth the respective duties and responsibilities of the County and the Town with respect to the Town's rehabilitation loan program.

#### B. SERVICES BY THE COUNTY

- 1. The County agrees, through its Director of the Office of Housing, to perform the housing rehabilitation functions of the Town as specified in subsections 2 and 3 of Section B.
- 2. Financial Services: The County agrees to provide housing rehabilitation financing services under the following categories:
  - a. (1) Housing rehabilitation loans originated and packaged by San Mateo County for very low and low income homeowners:
    - fully amortized loans; or
    - hardship deferred loans

- (2) Housing rehabilitation loans originated and packaged by the County for the investor/owners where very low and low income tenants reside.
- b. The County shall be responsible, either through its offices or an appropriate lender, for the loan documentation including, but not limited to:
  - (1) Installment Note
  - (2) Deed of Trust
  - (3) Compliance with Regulation "B" of the Federal Equal Credit Opportunity Act and Regulations "Z" of the Federal Truth-in-Lending Act
  - (4) State of California Fair Lending Notice
- c. The County shall meet with property owner for the purpose of gathering data and/or signature on the loan documents.
- d. The County shall arrange for the bank services, including collection of loan accounts, loan delinquency counseling and/or foreclosure procedures.
- 3. Technical Services: The County agrees to provide Housing Rehabilitation Technical Services as follows:
  - a. Request services of a licensed structural pest control service on case by case basis to be paid by owner.
  - b. Provide owner with work specifications to correct the items identified in the pest control or any health or safety hazards identified by the County.
  - c. Verify State licensing status of contractor selected by the owner.
  - d. Organize and conduct preconstruction conference.
  - e. Provide lending assistance pursuant to the duly adopted County rehabilitation loan program.
  - f. Audit compliance with work specifications.
  - g. Maintain construction escrow account for all sums specified for payment in escrow instructions.
  - h. Financing and technical services shall be performed during normal working hours. Said services shall be of such nature and character as would be normally required for housing rehabilitation under generally established and prevailing practices.

- i. The County shall report to the Town on an annual basis by July 31<sup>st</sup> of each year, the number of applications, and the amount of funds committed for housing rehabilitation services within the Town.
- j. The County shall not replace the legal responsibilities and/or duties of the Town Chief Building Official, in carrying out tasks under the Housing Rehabilitation Program, as described below.
- k. The County, in administering the rehabilitation project, shall comply with all applicable regulations and processing requirements of Town Department of Planning and Development Services.

#### C. SUPPORT BY TOWN

The Town shall furnish the necessary support for the outreach effort including, if needed, the following:

- 1. Provide space to disseminate rehabilitation program information.
- 2. Provide County with meeting and working space in order to facilitate coordination between property owner, contractor, County, and related personnel.
- 3. Provide the use of a telephone for local calls.

#### D. ADMINISTRATIVE EXPENSES

The Town will make no claim for administrative expenses to operate the Rehabilitation Loan Program.

#### E. SOURCE OF FUNDS

The Town recognizes and agrees that the County's expenses for administering the rehabilitation loan program will be disbursed by the County from the Countywide fund for the rehabilitation loan program.

#### F. HOLD HARMLESS

It is agreed that the County shall defend, indemnify and save harmless the Town, its officers, agents, employees, and/or servants from all claims, suits, or actions of every name, kind and description, brought for, or on account of: injuries and/or damages to persons and/or property which arise out of the terms and conditions of this Agreement and which result from the negligent acts and/or omissions of said County, its officers, agents, employees, and/or servants.

It is further agreed that the Town shall defend, indemnify and save harmless the County, its officers, agents, employees, and/or servants from all claims, suits, or actions of every name, kind and description, brought for, or on account of: injuries and/or damages to persons and/or property which arise out of the terms and conditions of this Agreement and which result from the negligent acts and/or omissions of the Town, its officers, agents, employees, and/or servants.

In the event of concurrent negligence of the County, its officers, agents, employees, and/or servants and the Town, its officers, agents, employees, and/or servants, the liability for any and all claims for injuries or damages to persons and/or property which arise out of the terms and conditions of this Agreement shall be apportioned under the California theory of comparative negligence as presently established, or as may be hereafter modified.

#### G. ALTERATION OF AGREEMENT

This Agreement is entire and contains all the terms and conditions agreed upon by the parties. No alteration or variation shall be valid unless made in writing and signed by the parties hereto, and no oral understanding or agreement shall be binding on the parties hereto.

#### H. TERM OF THE AGREEMENT

The term of this Agreement shall be for federal fiscal years 2002-03, 2003-04 and 2004-05, after which the term shall be automatically renewed unless action is taken by the County or the Town to terminate this Agreement.

IN WITNESS WHEREOF, the parties hereto, by their duly authorized representatives, have affixed their hands.

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Rose Jacobs Gibson, President

**Board of Supervisors** 

**COUNTY OF SAN MATEO** 

Date: 3/11/03

Attest:

Clerk of Said Board

Date: 3/11/03

TOWN OF COLMA

By:



## STAFF REPORT

TO: Mayor and Members of the City Council

FROM: Brad Donohue, Public Works Director/ CSG Consultants

Mahan Bozorginia, Project Manager/CSG Consultants

VIA: William Norton, Interim City Manager

MEETING DATE: August 23, 2017

SUBJECT: Town Hall Infill & Sitework Bid Package Approval

#### RECOMMENDATION

Staff recommends that the City Council adopt the following resolution:

RESOLUTION APPROVING BID DOCUMENT PACKAGE FOR THE TOWN HALL INFILL AND SITEWORK CONSTRUCTION PROJECT (PHASE IV) AND AUTHORIZING STAFF TO ADVERTISE NOTICE INVITING BIDS FROM CONTRACTORS FOR THE TOWN HALL INFILL AND SITEWORK CONSTRUCTION PROJECT (PHASE IV).

#### **EXECUTIVE SUMMARY**

Staff and design team have worked together over the last 6 weeks in preparing the conformed/revised project plans and specifications and bid specifications for the Town Hall Infill and Sitework Project – Phase IV ("Project"). Prior to publishing and advertising the Project Bid Package, Staff requests City Council review and comment on the Project Bid Package and, if approved, authorize Staff to proceed with advertising the notice inviting bids from contractors for the Project.

#### FISCAL ANALYSIS

There are no budget ramifications resulting from the City Council approving the Project Bid Package and approving solicitation of the Project Bid Package. Once bids are received and calculated, Staff will present a fiscal analysis of the cost of construction and available budget to the City Council.

#### **BACKGROUND**

At the June 21st City Council Meeting, Staff presented options to Council regarding the front entry to the Town Hall facility. This meeting was critical in determining the preferred path of travel for the public to ingress and egress the facility. The City Council considered several options as presented by staff and concluded that the preferred path of travel for the public, (those with and without accessibility concerns) would be through the Lobby Entry adjacent to

the upper northern parking lot (parking lot where the current Town Hall Annex currently sits). With a preferred option being approved by City Council, Staff along with the Project architect was able to complete the updated plans and specification for the Project. The overall revision schedule is as follows:

- June 26 July 7: Project architect updated plan backgrounds and specifications then distributed to the architect's sub-consultants for design revisions and corrections.
- July 7 July 26: Sub-consultants provided design revisions and corrections to plans and specifications, then submitted back to Project architect.
- July 26 July 31: Project architect then compiled the changes and revisions from the sub-consultants, making sure that the changes were in conformance to the value engineering efforts that previously took place. Once reviewed and collated by the Project architect, the revised set of plans and specifications were sent to Town staff for review.
- July 31 August 7: Staff internally reviewed the revised plans and specifications and returned comments to the Project architect with comments.
- August 7 August 14: Project architect updated the plans and specifications per Staff comments.
- August 14: Final plans and specifications were provided to the consulting estimator on the Project.
- August 23: Staff will present the Project Bid Package, including plans and specifications, to the City Council for review, comment, approval and direction to move forward with public bidding.
- August 24: The Project Bid Package will be advertised.
- September 28: The bid closing deadline.
- October 11: City Council will be requested to approve contract award for the Project to the lowest responsible bidder submitting a responsive bid.

#### **ANALYSIS**

Final plans, specifications and other bid documents have been made available for the City Council, to review at the Town Hall Annex as of August 16<sup>th</sup>, 2017. The City Manager encourages the City Council and all other concerned members of staff and the public to review, comment and ask questions regarding the construction documents prior to the August 23<sup>rd</sup> City Council Meeting.

Upon review and feedback from the City Council, Staff will make all revisions directed by the City Council and proceed to advertising the Project Bid Package. Staff and the project management team will continue to update the City Council and the City Manager regarding the bidding process.

#### **ALTERNATIVES**

The City Council could choose not to adopt the resolution to approve Staff's request to advertise the Project Bid Package and instead request Staff and the Project design team to consider other changes or construction options and come back to City Council for a future approval. This is not advised unless there are substantial changes that are requested by the City Council.

#### **COUNCIL ADOPTED VALUES**

Adoption of the resolution is consistent with the City Council adopted value of Responsibility , where the City Council reviewed and analyzed the Project and through a studious process is allowing Staff to proceed with advertising the Project and to solicit bids from qualified construction firms.

#### CONCLUSION

Staff seeks Council's adoption of the resolution to approve the Project Bid Package and proceed with advertising the noticing inviting bids for the Project.

#### **EXHIBITS**

Items listed below will be made available for viewing in the Town Hall Annex Conference room

- Bid Package, which consists of:
  - Bid Plans
  - Bid Specifications
  - Bid Manual

#### **ATTACHMENTS**

- A. Resolution
- B. Floor, Site and Elevation Plans



# RESOLUTION NO. 2017-\_\_ OF THE CITY COUNCIL OF THE TOWN OF COLMA

RESOLUTION APPROVING BID DOCUMENT PACKAGE FOR THE TOWN HALL INFILL AND SITEWORK CONSTRUCTION PROJECT (PHASE IV) AND AUTHORIZING STAFF TO ADVERTISE NOTICE INVITING BIDS FROM CONTRACTORS FOR THE TOWN HALL INFILL AND SITEWORK CONSTRUCTION PROJECT (PHASE IV)

#### 1. Background.

- (a) The City Council of the Town of Colma has reviewed plans and specifications for the Town Hall Infill and Sitework Construction Project (Phase IV). These plans and specifications have been available to the City Council for viewing at Town Hall beginning on August 16, 2017. Further, the plans and specifications have also been made available to the public at the City Council meeting held on August 23, 2017; and
- (b) Staff has recommended approval of said plans and specifications; and
- (c) The proposed project is a public works project requiring competitive bidding.

#### 2. Findings.

- (a) The City Council finds that the design set forth in the plans and specifications is reasonable.
- (b) The project is within the Town budget and was previously authorized by the City Council at prior City Council meetings through various budget appropriations.

#### 3. Approval and Authorization.

- (a) The plans and specifications for the Town Hall Infill and Sitework Construction Project (Phase IV), a copy of which is on file at Town Hall, are hereby approved;
- (b) Staff shall be and hereby is authorized to advertise for bids to construct said Project.

#### **Certification of Adoption**

I certify that the foregoing Resolution No. ### was duly adopted at a regular meeting of the City Council of the Town of Colma held on August 23, 2017 by the following vote:

Name	Counted toward Quorum			Not Counted toward Quorum		
	Aye No Abstain F		Present, Recused	Absent		
Helen Fisicaro, Mayor						
Raquel Gonzalez						
Joanne del Rosario						

Diana Colvin				
John Irish Goodwin				
Voting Tally				
2-4-4				
Dated	Helen	Fisicaro, May	/or	
	Attest	;		
		Caitlin Cor	ley, City Clerk	





