



**AGENDA
SPECIAL MEETING
CITY COUNCIL OF THE TOWN OF COLMA
Thursday, December 2, 2021
5:30 PM**

The City Council Meeting will be conducted virtually pursuant to the provisions of Assembly Bill 361 amending the Ralph M. Brown Act and Government Code Section 54953(e) (and without compliance with section 54953(b)(3)) related to conducting public meetings during the COVID-19 pandemic based on the current State of Emergency and the existing State recommendations on social distancing. The Council Chambers will not be open to the public for this City Council meeting.

Members of the public may view the meeting by attending, via telephone or computer, the Zoom Meeting listed below:

**Join Zoom Meeting: <https://us02web.zoom.us/j/86714116091>
Meeting ID: 867 1411 6091
Passcode: 905049**

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**Meeting ID: 867 1411 6091
Passcode: 905049**

Find your local number: <https://us02web.zoom.us/u/kzRHop1TB>

Members of the public may provide written comments by email to the City Clerk at ccorley@colma.ca.gov before or during the meeting. Emailed comments should include the specific agenda item on which you are commenting or note that your comment concerns an item that is not on the agenda. The length of the emailed comment should be commensurate with the three minutes customarily allowed for verbal comments, which is approximately 250-300 words. Verbal comments will also be accepted during the meeting.

NOTICE IS HEREBY GIVEN that the City Council of the Town of Colma will hold a Special Meeting at the above time and place for the purpose of transacting the following business:

1. PLEDGE OF \$5,000 TO CRIME STOPPERS

Consider: Motion to Adopt a Resolution Pledging \$5,000 to Crime Stoppers for Information Leading to the Capture and Conviction of the Person/s Responsible for the Crimes Against Retired Colma Police Sergeant Kevin Nishita and Making Public Purpose Findings.



Caitlin Corley, City Clerk

Posted: December 1, 2021

The City Council Meeting Agenda Packet and supporting documents are available for review on the Town's website www.colma.ca.gov or at Colma Town Hall, 1198 El Camino Real, Colma, CA. Persons interested in obtaining an agenda via e-mail should call Caitlin Corley, City Clerk at 650-997-8300 or email a request to ccorley@colma.ca.gov.

Reasonable Accommodation

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



STAFF REPORT

TO: Mayor and Members of the City Council
 FROM: Brian Dossey, City Manager
 MEETING DATE: December 2, 2021
 SUBJECT: Pledge of \$5,000 to Crime Stoppers

RECOMMENDATION

Staff recommends that the City Council adopt the following resolution:

RESOLUTION PLEDGING \$5,000 TO CRIME STOPPERS FOR INFORMATION LEADING TO THE CAPTURE AND CONVICTION OF THE PERSON/S RESPONSIBLE FOR THE CRIMES AGAINST RETIRED COLMA POLICE SERGEANT KEVIN NISHITA AND MAKING PUBLIC PURPOSE FINDINGS

EXECUTIVE SUMMARY

While protecting a local news team working for a private security company in Oakland on Wednesday, November 24th, retired Colma Police Sergeant Kevin Nishita received a gunshot wound from a firearm when person/s robbed the news team of their camera and equipment. Kevin Nishita was rushed to the hospital where he underwent surgery for his injuries and sadly passed away on Saturday, November 27th.

A Crime stoppers fund of \$32,500 has been started for the capture and conviction of the person/s responsible for the crimes against retired Colma Police Sergeant Kevin Nishita.

Staff recommends the City Council adopt a resolution pledging \$5,000 to the crime stoppers fund.

FISCAL IMPACT

The fiscal year 2021-22 budget can absorb this one-time expense.

BACKGROUND

Kevin came to the Colma Police Department in February 2012, after working with both the San Jose and Hayward Police Departments. He served in Colma until his retirement in 2018. During his six years with the Colma Police department, Kevin served as a Detective, Field Training Officer, Officer in Charge, and was promoted to Sergeant in 2015. In addition to his police service, Kevin was a very active member of the Colma community, both on and off duty.

Kevin was the recipient of numerous awards and commendations, including the 2018 Chief's Award, which is given annually to an employee who "embodies a high moral character and demonstrates exemplary performance in all areas of police work, sworn and non-sworn alike, and more importantly, demonstrates our core values and strives to help the community in which he or she serves.

Crime Stoppers is a program coordinated and managed by the Oakland Police Department. The Crime Stoppers program receives funds as a way for the Police Department to reward people for reporting information regarding crimes. People who report information regarding crimes that lead to arrests and convictions are rewarded whatever money has been raised by Crime Stoppers to solve the crime. At the time of writing the staff report, the Crime Stoppers fund for leading to an arrest and conviction on crimes against Kevin Nishita is \$32,500.

ANALYSIS

Staff recommends the City Council adopt a resolution pledging \$5,000 to the crime stoppers fund for the capture and conviction of the person/s responsible for the crimes against retired Colma Police Sergeant Kevin Nishita for the following reasons:

- Crime affects everyone who resides in the Bay Area and efforts to solve those crimes regionally can benefit all communities, including the Town of Colma and its residents and businesses.
- Efforts to arrest and convict dangerous criminals from neighboring communities will make the Bay Area a safer place to live and work, including the Town of Colma and its residents and businesses.
- Efforts to get firearms off the street and away from dangerous criminals from neighboring communities will make the Bay Area a safer place to live and work, including the Town of Colma.
- Efforts to retrieve stolen property and return the property to the proper owners, will increase economic benefits for community at large.

Based on the above findings, staff recommends the City Council adopt a resolution pledging \$5,000 to Crime Stoppers fund.

As noted above, this donation will serve a public purpose by helping to solve an existing crime in the Bay Area which will assist in reducing future crime by apprehending criminal suspects who have the ability to travel easily around the Bay Area and could in the future impact the Town of Colma. As the Town of Colma saw in the recent past, it has had large scale commercial businesses impacted by recent crime and the effort to reduce crime in the Bay Area will have a direct and substantial benefit to the public including the Town of Colma community.

In addition, the reward fund will provide a service to solve a crime that is not currently offered by the Town. Although the Town could commit public safety resources to solving this and other

crimes in the Bay Area, it is choosing not to do so. By donating funding, it is likely less of an expense on the Town than if it chose to commit public safety resources to this effort on its own.

Council Adopted Values

This recommendation is consistent with the *Vision* category from the Council's adopted values from the Values-Based Code of Conduct. By assisting to solve crimes regionally is visionary and has public benefits for everyone throughout the Bay Area.

Alternative

The City Council could elect to increase/decrease the recommended amount to be pledged or not adopt the proposed resolution. However, that is not the recommended action.

CONCLUSION

Staff recommends that the City Council adopt the resolution.

ATTACHMENTS

- A. Resolution



RESOLUTION NO. 2021-__
OF THE CITY COUNCIL OF THE TOWN OF COLMA

**RESOLUTION PLEDGING \$5,000 TO CRIME STOPPERS FOR INFORMATION LEADING
TO THE CAPTURE AND CONVICTION OF THE PERSON/S RESPONSIBLE FOR THE
CRIMES AGAINST RETIRED COLMA POLICE SERGEANT KEVIN NISHITA AND
MAKING PUBLIC PURPOSE FINDINGS**

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

1. Background

- (a) While protecting a local news team working for a private security company in Oakland on Wednesday, November 24th, retired Colma Police Sergeant Kevin Nishita received a gunshot wound from a firearm when person/s robbed the news team of their camera and equipment.
- (b) Kevin Nishita was rushed to the hospital where he underwent surgery for his injuries and sadly passed away on Saturday, November 27th.
- (c) A Crime stoppers fund of \$32,500 has been started for the capture and conviction of the person/s responsible for the crimes against retired Colma Police Sergeant Kevin Nishita.
- (d) Staff recommends the City Council adopt a resolution pledging \$5,000 to the crime stoppers fund.

2. Public Purpose Findings

The City Council has reviewed the request and finds as follows:

- (a) Crime affects everyone who resides in the Bay Area and efforts to solve those crimes regionally can benefit all communities, including the Town of Colma and its residents and businesses.
- (b) Efforts to arrest and convict dangerous criminals from neighboring communities will make the Bay Area a safer place to live and work, including the Town of Colma.
- (c) Efforts to get firearms off the street and away from dangerous criminals will make the Bay Area a safer place to live and work, and this includes within the Town of Colma.
- (d) Efforts to retrieve stolen property and return the property to the proper owners, will increase economic benefits for community at large.
- (e) Overall, this donation will serve a public purpose by helping to solve an existing crime in the Bay Area which will assist in reducing future crime by apprehending criminal suspects who have the ability to travel easily around the Bay Area and could in the future impact the Town of Colma. As the Town of Colma saw in the recent past, it has had large scale commercial

businesses impacted by recent crime and the effort to reduce crime in the Bay Area will have a direct and substantial benefit to the public including the Town of Colma community.

(f) In addition, the reward fund will provide a service to solve a crime that is not currently offered by the Town. Although the Town could commit public safety resources to solving this and other crimes in the Bay Area, it is choosing not to do so. By pledging funding, it is likely less of an expense on the Town than if it chose to commit public safety resources to this effort on its own.

3. Order

(a) The City Council hereby pledges \$5,000 to Crime Stoppers for information leading to the capture and conviction of the person/s responsible for the crimes against retired Colma Police Sergeant Kevin Nishita based on the public purpose findings made herein.

(b) The City Manager is hereby authorized to take any and all actions necessary to pledge funding for this purpose.

(c) In the event there is no capture and conviction of the person or persons responsible for the crimes against retired Colma Police Sergeant Kevin Nishita, this pledge shall no longer have any legal effect.

* * * * *

Certification of Adoption

I certify that the foregoing Resolution No. 2021-__ was duly adopted at a special meeting of said City Council held on December 2, 2021 by the following vote:

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

Dated _____

Diana Colvin, Mayor

Attest: _____
Caitlin Corley, City Clerk