



**AGENDA  
REGULAR MEETING  
CITY COUNCIL OF THE TOWN OF COLMA  
Wednesday, March 9, 2022  
7:00 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/81289976261>

**Passcode: 074407**

**Meeting ID: 812 8997 6261**

**Passcode: 074407**

**One tap mobile**

**+16699006833,,81289976261#,,,,,0#,,074407# US (San Jose)**

**+13462487799,,81289976261#,,,,,0#,,074407# US (Houston)**

**Dial by your location**

**+1 669 900 6833 US (San Jose)**

**+1 346 248 7799 US (Houston)**

**+1 253 215 8782 US (Tacoma)**

**+1 312 626 6799 US (Chicago)**

**+1 929 205 6099 US (New York)**

**+1 301 715 8592 US (Germantown)**

**Meeting ID: 812 8997 6261**

**Passcode: 074407**

**Find your local number:** <https://us02web.zoom.us/j/81289976261>

*Members of the public may provide written comments by email to the City Clerk at [ccorley@colma.ca.gov](mailto: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.*

## **PLEDGE OF ALLEGIANCE AND ROLL CALL**

## **ADOPTION OF AGENDA**

## **PRESENTATION**

- Introduction of New Police Officer Brian Nagata
- Introduction of New Assistant Planner Alvin Jen
- Proclamation in honor of Women's History Month

## **PUBLIC COMMENTS**

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

## **CONSENT CALENDAR**

1. Motion to Accept the Minutes from the February 23, 2022 Regular Meeting.
2. Motion to Approve Report of Checks Paid for February 2021.
3. Motion to Reconfirm Findings and Determinations Under Resolution No. 2021-33 and Assembly Bill 361 for the Continuation of Virtual Meetings.
4. Motion to Adopt a Resolution Approving and Authorizing the City Manager to Execute a Legal Services Agreement with Sher Edling LLP to Explore Litigation Options on a Contingency Fee Basis for Representation in PCB Litigation.
5. Motion to Adopt a Resolution of the Town of Colma Approving Application(s) for Per Capita Grant Funds.

## **STUDY SESSION**

### **6. SANITARY SEWER ENTERPRISE FUND**

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

## **REPORTS**

Mayor/City Council

City Manager

## **ADJOURNMENT**

The City Council Meeting Agenda Packet and supporting documents are available for review on the Town's website [www.colma.ca.gov](http://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](mailto:ccorley@colma.ca.gov).

### Reasonable Accommodation

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

**MINUTES  
REGULAR MEETING**

City Council of the Town of Colma  
Meeting Held Remotely via Zoom.us  
**Wednesday, February 23, 2022**  
**7:00 PM**

**PLEDGE OF ALLEGIANCE AND ROLL CALL**

Mayor Helen Fiscaro called the meeting to order at 7:02 p.m.

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

Staff Present – City Manager Brian Dossey, City Attorney Christopher Diaz, Administrative Services Director Pak Lin, Chief of Police John Munsey, Director of Public Works Brad Donohue, City Planner Farhad Mortazavi, Associate Planner Laurel Mathews, and City Clerk Caitlin Corley were in attendance.

The Mayor announced, “Welcome to another of our completely remote Council Meeting. As always, we are accepting public comments through email or the zoom chat function—you can email our City Clerk at ccorley@colma.ca.gov or use the chat function to let her know which item you would like to speak on. Please keep your comments to 3 minutes or less. Thank you.”

**ADOPTION OF THE AGENDA**

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

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

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

**PRESENTATION**

- The Mayor presented a Proclamation in Honor of Black History Month highlighting the Domini Hoskins Black History Museum & Learning Center, a mobile museum hosted in Redwood City for the month of February.

**PUBLIC COMMENTS**

Mayor Fiscaro opened the public comment period at 7:07 p.m. and seeing no one come forward to speak, she closed the public comment period.

**CONSENT CALENDAR**

1. Motion to Accept the Minutes from the February 9, 2022 Special Meeting.
2. Motion to Adopt a Resolution Authorizing Closing Out Mission Road Bicycle & Pedestrian Improvement Project (CIP #903) and Adding Mission Road Landscaping Enhancements Project (CIP #908) and Mission Road Crosswalk Project (CIP #909) to the FY 2021-22 Capital Improvement Program.

**Action:** Council Member Colvin moved to approve the consent calendar items #1 and 2; the motion was seconded by Council Member del Rosario and carried by the following vote:

| Name                  | Voting |    | Present, Not Voting |                   | Absent |
|-----------------------|--------|----|---------------------|-------------------|--------|
|                       | Aye    | No | Abstain             | Not Participating |        |
| Helen Fiscaro, Mayor  | ✓      |    |                     |                   |        |
| Raquel Gonzalez       | ✓      |    |                     |                   |        |
| Joanne F. del Rosario | ✓      |    |                     |                   |        |
| John Irish Goodwin    | ✓      |    |                     | Item #2 only      |        |
| Diana Colvin          | ✓      |    |                     |                   |        |
|                       | 5      | 0  |                     |                   |        |

**NEW BUSINESS**

**3. FY 2020-21 AUDITED FINANCIAL STATEMENTS AND REPORTS**

Administrative Services Director Pak Lin and Auditor Michael O'Connor presented the staff report. Mayor Fiscaro opened the public comment period at 7:14 p.m. and seeing no one request to speak she closed the public comment period. Council discussion followed.

**Action:** Council Member Goodwin moved to Adopt a Resolution Accepting Auditor's Reports and Financial Statements for the Fiscal Year Ending June 30, 2021; the motion was seconded by Council Member del Rosario and carried by the following vote:

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

4. **FY 2021-22 MID-YEAR FINANCIAL UPDATE & BUDGET AMENDMENT**

Administrative Services Director Pak Lin presented the staff report. Mayor Fiscaro opened the public comment period at 7:27 p.m. and seeing no one come forward to speak, she closed the public comment period. Council discussion followed.

**Action:** Council Member del Rosario moved to Accept the Fiscal Year 2021-22 Mid-Year Financial Report Through December 31, 2021 and Authorizing a Copy to be Posted on the Town’s Website; the motion was seconded by Vice Mayor Gonzalez and carried by the following vote:

| Name                  | Voting |    | Present, Not Voting |                   | Absent |
|-----------------------|--------|----|---------------------|-------------------|--------|
|                       | Aye    | No | Abstain             | Not Participating |        |
| Helen Fiscaro, Mayor  | ✓      |    |                     |                   |        |
| Raquel Gonzalez       | ✓      |    |                     |                   |        |
| Joanne F. del Rosario | ✓      |    |                     |                   |        |
| John Irish Goodwin    | ✓      |    |                     |                   |        |
| Diana Colvin          | ✓      |    |                     |                   |        |
|                       | 3      | 0  |                     |                   |        |

**STUDY SESSION**

5. **PUBLIC ART IN COLMA**

Associate Planner Laurel Mathews presented the staff report. Mayor Fiscaro opened the public comment period at 7:45 p.m. and seeing no one come forward to speak, she closed the public comment period. Council discussion followed.

This item was for discussion only; no action was taken at this meeting.

6. **NEW LAWS IN 2022**

City Attorney Christopher Diaz presented the staff report. Mayor Fiscaro opened the public comment period at 8:33 p.m. and seeing no one come forward to speak, she closed the public comment period. Council discussion followed.

This item was for discussion only; no action was taken at this meeting.

**COUNCIL CALENDARING**

The next City Council Meeting will be on Wednesday, March 9, 2022 at 7:00 p.m.

**REPORTS**

City Manager Brian Dossey gave an update on the following topics:

- There will be AB 1234 Conflict of Interest training on April 21, 2022 from 3:00 p.m. to 5:00 p.m.
- The Mayor Chamber Walk will take place on Thursday, March 3; the Mayor and staff, along with representatives from the Chamber of Commerce, will visit businesses along Mission Road.

- The new Business Directory is live on the Town's website and a new issue of the business newsletter Colma Works has been published.

## **ADJOURNMENT**

Before closing the meeting, Mayor Fiscaro expressed concern and empathy for the people of Ukraine and the hope of a quick and peaceful resolution to the current conflict. Mayor Fiscaro adjourned the meeting at 8:39 p.m. in memory of Aubrey Phillips, Dublin Police Deputy who suffered a medical emergency while on patrol; Nicholas Vella, Huntington Beach Police Officer who died in a helicopter crash while responding to a call for service; and Dolores Foppiano, cousin of Former Mayor Dennis Fiscaro, member of the Holy Angels Golden Years Club and great supporter of the Colma Historical Museum.

Respectfully submitted,

Caitlin Corley  
City Clerk

Final Check List  
Town of Colma

apChkLst  
02/01/2022 9:48:35AM

Bank : first TRI COUNTIES BANK

| Check # | Date     | Vendor | Invoice  | Inv Date   | Description                            | Amount Paid | Check Total |
|---------|----------|--------|--|------------|--|-------------|-------------|
| 54245   | 2/1/2022 | 00013  | December 2021                                    | 12/31/2021 | TIRE SERVICE                           | 1,500.00    | 1,500.00    |
| 54246   | 2/1/2022 | 00020  | ANDY'S WHEELS & TIRES<br>ASSOCIATED SERVICES INC | 122010030  | 1/1/2022 WATERLOGIC RENTAL             | 40.00       |             |
| 54247   | 2/1/2022 | 00051  | 122010029<br>CALIFORNIA WATER SERVICE            | 1/1/2022   | 1/1/2022 MTN H/C BWC                   | 9.00        | 49.00       |
| 54248   | 2/1/2022 | 00057  | 1727052702<br>CINTAS CORPORATION #2              | 1/19/2022  | 1/19/2022 CA WATER                     | 776.50      | 876.16      |
| 54249   | 2/1/2022 | 00093  | 4106095486<br>CITY OF SOUTH SAN FRANCISCO        | 12/29/2021 | 12/29/2021 MAT CLEANING & SUPPLIES     | 566.62      | 783.66      |
| 54250   | 2/1/2022 | 00222  | 4105427117<br>LEAGUE OF CA CITIES                | 12/22/2021 | 12/22/2021 TOWN HALL OUTSIDE & INSIDE  | 217.04      | 24,841.50   |
| 54251   | 2/1/2022 | 00254  | 641090<br>METRO MOBILE COMMUNICATIONS            | 1/18/2022  | 1/18/2022 DISPATCH SERVICES            | 24,841.50   | 1,183.00    |
| 54252   | 2/1/2022 | 00307  | 220213<br>PACIFIC GAS & ELECTRIC                 | 2/1/2022   | 2/1/2022 MAINTENANCE CONTRACT          | 602.00      | 602.00      |
| 54253   | 2/1/2022 | 01023  | 01/24/2022<br>PRIORITY 1                         | 1/24/2022  | 1/24/2022 PG&E                         | 2,177.13    | 2,268.51    |
| 54254   | 2/1/2022 | 01033  | 01/19/2022<br>CCJWSA                             | 1/19/2022  | 1/19/2022 PG&E                         | 91.38       | 300.00      |
| 54255   | 2/1/2022 | 01036  | 8600<br>MANAGED HEALTH NETWORK                   | 1/25/2022  | 1/25/2022 SUV #4 REMOVE FRONT FAC      | 300.00      | 75.00       |
| 54256   | 2/1/2022 | 01037  | 2022 Membershi<br>COMCAST CABLE                  | 1/27/2022  | 1/27/2022 2022 MEMBERSHIP CA CRIMI     | 75.00       | 99.20       |
| 54257   | 2/1/2022 | 01183  | 01/25-02/24 Inte<br>BEST BEST & KRIEGER LLP      | 1/17/2022  | 1/17/2022 EMPLOYEE ASSISTANCE PRG      | 99.20       | 241.72      |
| 54258   | 2/1/2022 | 01370  | 01/25-02/24 427<br>VERIZON WIRELESS SERVICE      | 1/20/2022  | 1/20/2022 8155 20 022 0097051 Internet | 241.72      | 538.96      |
| 54259   | 2/1/2022 | 01552  | 01/25-02/24 427<br>FORTE PRESS CORPORATION       | 1/20/2022  | 1/20/2022 8155 20 022 0097028 427 F ST | 44.58       | 21,706.02   |
| 54260   | 2/1/2022 | 01565  | 01/17-02/16/22<br>BAY CONTRACT MAINTENANCE       | 1/12/2022  | 1/12/2022 8155 20 022 0188769 HD TECI  | 10.94       | 342.09      |
| 54261   | 2/1/2022 | 01653  | 01/27-02/26 XFII<br>KAISER PERMANENTE MEDIC      | 1/17/2022  | 1/17/2022 8155 20 022 0002770 1520 HIL | 20,152.72   | 251.69      |
| 54262   | 2/1/2022 | 01666  | 925108<br>DACANAY, MAMIE                         | 1/20/2022  | 1/20/2022 CITY ATTORNEY SERVICES       | 1,077.80    | 4,213.80    |
| 54263   | 2/1/2022 | 01687  | 925110<br>UNITED SITE SERVICES OF                | 1/20/2022  | 1/20/2022 CITY ATTORNEY SPECIAL SE     | 475.50      | 40.00       |
| 54264   | 2/1/2022 | 01745  | 925110<br>WILLIAM D. WHITE CO., INC.             | 1/20/2022  | 1/20/2022 EMPLOYEE BENEFITS/TAX        | 342.09      | 200.00      |
| 54265   | 2/1/2022 | 01865  | 925110<br>THYSSENKRUPP ELEVATOR                  | 1/15/2022  | 1/15/2022 CELL PHONE SERVICE           | 342.09      | 154.53      |
| 54266   | 2/1/2022 | 02468  | 925110<br>ULINE, INC.                            | 1/19/2022  | 1/19/2022 OFC. ESCOBAR & PEREZ BU:     | 251.69      | 945.74      |
|         |          |        |  | 1/10/2022  | 1/10/2022 JANITORIAL SERVICES          | 4,213.80    | 824.00      |
|         |          |        |  | 1/9/2022   | 1/9/2022 HEALTH & SAFETY SERVICES      | 40.00       | 107.97      |
|         |          |        |  | 1/24/2022  | 1/24/2022 01.24.21 COVID RENTAL AND    | 200.00      |             |
|         |          |        |  | 1/21/2022  | 1/21/2022 STANDARD AND REGULAR S       | 154.53      |             |
|         |          |        |  | 1/24/2022  | 1/24/2022 PD GATE: INSTALL NEW AP-5    | 945.74      |             |
|         |          |        |  | 1/13/2022  | 1/13/2022 12/13/21 REPLACED HALL CA    | 824.00      |             |
|         |          |        |  | 1/13/2022  | 1/13/2022 9X14 1.5MIL DOORKNOB BAG     | 107.97      |             |

| Check #                                    | Date     | Vendor | Invoice  | Inv Date   | Description  | Amount Paid                         | Check Total |
|--|----------|--------|--|--|--|-------------------------------------|-------------|
| Bank : first TRI COUNTIES BANK (Continued) |          |        |  |  |  |                                     |             |
| 54267                                      | 2/1/2022 | 02499  | GE CAPITAL INFORMATION<br>105808567<br>105814160<br>105814159<br>105789206 | 1/20/2022<br>1/21/2022<br>1/21/2022<br>1/11/2022 | A11 TOWN HALL COPY MACH-<br>A9 PD COPY MACHINE RENT.<br>A10 CCC COPY MACHINE<br>A12 STERLING PARK COPY M | 513.17<br>287.32<br>274.76<br>76.15 | 1,151.40    |
| 54268                                      | 2/1/2022 | 02583  | CRIME SCENE CLEANERS, IN 83639   | 1/27/2022  | CLEAN & DISINFECT, REMOV   | 70.00                               | 70.00       |
| 54269                                      | 2/1/2022 | 02816  | SANCHEZ, TIFFANY SHARON 2002210.003  | 1/24/2022  | 01.24.21 COVID RENTAL AND  | 650.00                              | 650.00      |
| 54270                                      | 2/1/2022 | 02849  | U.S. BANK PARS ACCOUNT, 6 February 2022 C                                  | 2/1/2022   | OPEB CONTRIBUTION  | 126,504.00                          | 126,504.00  |
| 54271                                      | 2/1/2022 | 02969  | SAFE RESTRAINTS, INC. CH012621CPD  | 1/28/2022  | 1 WRAP RESTRAINT AND PR  | 1,622.59                            | 1,622.59    |
| 54272                                      | 2/1/2022 | 02970  | PRODUCTIVE PRINTING & GR35788  | 1/24/2022  | ABANDONED VEHICLE WARN   | 612.50                              | 612.50      |
| 54273                                      | 2/1/2022 | 03061  | NICK BARBIERI TRUCKING, LI2303756  | 1/15/2022  | PW GAS PURCHASES 1-15  | 549.91                              | 549.91      |
| 54274                                      | 2/1/2022 | 03267  | ACC BUSINESS 220108205   | 1/27/2022  | ETHERNET ACCESS  | 674.58                              | 674.58      |
| 54275                                      | 2/1/2022 | 03374  | FIVE POINTS TIRE IMPORTS, 299410   | 12/6/2021  | 2011 FORD CROWN VIC REPI   | 4,607.54                            | 4,607.54    |
| 54276                                      | 2/1/2022 | 03392  | ROMEO PACKING COMPANY 155254<br>155151                                     | 1/20/2022<br>1/18/2022                           | Ranger Pro 2.5 gal (3 Cases)<br>RANGER PRO 2.5 GAL (2 CAS  | 738.28<br>328.13                    | 1,066.41    |
| 54277                                      | 2/1/2022 | 03411  | CLEAN WORLD GREASE TRA 1136  | 1/20/2022  | GREASE DRUM EXCHANGE   | 100.00                              | 100.00      |
| 54278                                      | 2/1/2022 | 03431  | THE RETAIL COACH, LLC 3790   | 1/30/2022  | SECOND INSTALLMENT FOR   | 10,000.00                           | 10,000.00   |
| 54279                                      | 2/1/2022 | 03445  | CREATIVE SERVICES OF NEVD21-25838  | 12/22/2021                                       | 10,000 CUSTOM #S-7 SEVEN   | 643.95                              | 643.95      |
| 2012022                                    | 2/1/2022 | 00282  | CALIFORNIA PUBLIC EMPLOY1000000166817                                      | 1/14/2022  | MEDICAL INSURANCE  | 6,162.48                            | 6,162.48    |

Sub total for TRI COUNTIES BANK:

216,318.19



36 checks in this report.

Grand Total All Checks:

216,318.19

Bank : first TRI COUNTIES BANK

| Check #                                 | Date     | Vendor | Invoice                      | Inv Date  | Description                 | Amount Paid | Check Total |
|---|----------|--------|------------------------------|-----------|-----------------------------|-------------|-------------|
| 54280                                   | 2/8/2022 | 00065  | COLMA HISTORICAL ASSOCIATION | 2/2/2022  | DONATION IN MEMORY OF P,    | 100.00      | 100.00      |
| 54281                                   | 2/8/2022 | 00181  | IEDA                         | 2/1/2022  | LABOR RELATIONS CONSUL      | 1,573.00    | 1,573.00    |
| 54282                                   | 2/8/2022 | 00280  | OFFICE DEPOT, INC.           | 1/25/2022 | OFFICE SUPPLIES             | 39.77       |             |
| 54283                                   | 2/8/2022 | 01037  | COMCAST CABLE                | 1/25/2022 | OFFICE SUPPLIES             | 31.59       | 71.36       |
| 54284                                   | 2/8/2022 | 01152  | RAMIREZ, MARIA               | 1/26/2022 | 8155 20 022 0094769 TOWN C  | 15,257.73   |             |
| 54285                                   | 2/8/2022 | 01340  | NAVIA BENEFIT SOLUTIONS      | 1/27/2022 | 8155 20 022 0097069 INTERNI | 246.72      | 15,504.45   |
| 54286                                   | 2/8/2022 | 01461  | DOSSEY, BRIAN                | 2/1/2022  | 02.01.22 COVID REVENUE & I  | 850.00      | 850.00      |
| 54287                                   | 2/8/2022 | 01629  | R. J. RICCIARDI INC., CPAS   | 1/31/2022 | SECTION 125 PARTICIPANT &   | 717.70      | 717.70      |
| 54288                                   | 2/8/2022 | 02468  | ULINE, INC.                  | 2/7/2022  | 02.03.22 CITY MANAGER'S CC  | 34.50       | 34.50       |
| 54289                                   | 2/8/2022 | 02999  | RECYCLE AWAY, LLC            | 1/31/2022 | AUDIT SERVICES              | 7,492.50    | 7,492.50    |
| 54290                                   | 2/8/2022 | 03002  | STELLA PAINTING INC.         | 1/2/2022  | TYVEX COVERALLS, BLANK F    | 678.60      | 678.60      |
| 54291                                   | 2/8/2022 | 03015  | U.S. BANK CORPORATE PMT      | 1/2/2022  | 2 MANCHESTER SIDELOAD C     | 5,341.07    | 5,341.07    |
|   |          |        |                              | 1/2/2022  | CCC EXTERIOR PREP, PRIME    | 9,500.00    | 9,500.00    |
|   |          |        |                              | 9/27/2021 | UNIT #1 INTERIOR PREP, PAIP | 5,800.00    | 5,800.00    |
|   |          |        |                              | 2/1/2022  | TRAIN DEPOT EXTERIOR PR     | 5,500.00    | 5,500.00    |
|   |          |        |                              | 1/24/2022 | CREDIT CARD PURCHASE        | 2,288.76    | 2,288.76    |
|   |          |        |                              | 1/24/2022 | CREDIT CARD PURCHASE        | 1,954.33    | 1,954.33    |
|   |          |        |                              | 1/24/2022 | CREDIT CARD PURCHASE        | 1,250.90    | 1,250.90    |
|   |          |        |                              | 1/24/2022 | CREDIT CARD PURCHASE        | 905.10      | 905.10      |
|   |          |        |                              | 1/24/2022 | CREDIT CARD PURCHASE        | 810.28      | 810.28      |
|   |          |        |                              | 1/24/2022 | CREDIT CARD PURCHASE        | 518.00      | 518.00      |
|   |          |        |                              | 1/24/2022 | CREDIT CARD PURCHASE        | 464.92      | 464.92      |
|   |          |        |                              | 1/24/2022 | CREDIT CARD PURCHASE        | 434.42      | 434.42      |
|   |          |        |                              | 1/24/2022 | CREDIT CARD PURCHASE        | 350.03      | 350.03      |
|   |          |        |                              | 1/24/2022 | CREDIT CARD PURCHASE        | 288.42      | 288.42      |
| 54292                                   | 2/8/2022 | 03034  | FLEX ADVANTAGE               | 1/31/2022 | CREDIT CARD PURCHASE        | 195.00      | 9,265.16    |
| 54293                                   | 2/8/2022 | 03113  | AIRGAS USA, LLC              | 1/26/2022 | FLEX PROCESSING FEES        | 130.81      | 195.00      |
| 54294                                   | 2/8/2022 | 03224  | DECORATIVE PLANT SERVICE     | 2/1/2022  | 2 SURVEYORS VEST LIME LC    | 157.45      | 130.81      |
|   |          |        |                              |           | MAINTENANCE GUARANTEEE      |             | 157.45      |
| <b>Sub total for TRI COUNTIES BANK:</b> |          |        |                              |           |                             |             | 62,911.60   |

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15 checks in this report.

Grand Total All Checks: 62,911.60

Bank : first TRI COUNTIES BANK

| Check # | Date      | Vendor | Invoice    | Inv Date  | Description               | Amount Paid | Check Total |
|---------|-----------|--------|------------|-----------|---------------------------|-------------|-------------|
| 54295   | 2/10/2022 | 01340  | 02102022 B | 2/10/2022 | NAVIA BENEFIT SOLUTIONS   | 1,626.91    |             |
|         |           |        | 02102022 B | 2/10/2022 | DEPENDENT CARE: PAYMEN    | 997.78      | 2,624.69    |
| 54296   | 2/10/2022 | 01375  | 02102022 B | 2/10/2022 | FLEX 125 PLAN: PAYMENT    | 4,773.40    |             |
|         |           |        | 02102022 M | 2/10/2022 | NATIONWIDE: PAYMENT       | 1,150.00    | 5,923.40    |
| 54297   | 2/10/2022 | 02377  | 02102022 B | 2/10/2022 | NATIONWIDE: PAYMENT       | 547.84      | 547.84      |
| 94554   | 2/10/2022 | 00521  | 02102022 M | 2/10/2022 | WAGE GARNISHMENT: PAYM    | 895.27      | 895.27      |
| 94555   | 2/10/2022 | 01360  | 02102022 M | 2/10/2022 | FEDERAL TAX: PAYMENT      | 464.42      | 464.42      |
| 94556   | 2/10/2022 | 00631  | 02102022 M | 2/10/2022 | ICMA CONTRIBUTION: PAYME  | 871.61      | 871.61      |
| 94557   | 2/10/2022 | 00282  | 02102022 M | 2/10/2022 | PERS MISC NON-TAX: PAYME  | 8,121.73    | 8,121.73    |
| 94558   | 2/10/2022 | 00130  | 02102022 B | 2/10/2022 | FEBRUARY 2022 ACTIVE PRE  | 15,358.16   | 15,358.16   |
| 94559   | 2/10/2022 | 00521  | 02102022 B | 2/10/2022 | CALIFORNIA STATE TAX: PAY | 67,454.63   | 67,454.63   |
| 94560   | 2/10/2022 | 00282  | 02102022 B | 2/10/2022 | FEDERAL TAX: PAYMENT      | 70,283.61   | 70,283.61   |
| 94561   | 2/10/2022 | 00631  | 02102022 B | 2/10/2022 | FEBRUARY 2022 ACTIVE PRE  | 46,225.50   | 46,225.50   |
| 94562   | 2/10/2022 | 01360  | 02102022 B | 2/10/2022 | PERS - BUYBACK: PAYMENT   | 5,942.47    | 5,942.47    |
| 94563   | 2/10/2022 | 00068  | 02102022 B | 2/10/2022 | ICMA CONTRIBUTION: PAYME  | 574.76      | 574.76      |
|         |           |        |            | 2/10/2022 | COLMA PEACE OFFICERS: P/  |             |             |

Sub total for TRI COUNTIES BANK:

225,288.09

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13 checks in this report.

Grand Total All Checks: 225,288.09

## Bank : first TRI COUNTIES BANK

| Check # | Date      | Vendor | Invoice                      | Inv Date         | Description                     | Amount Paid | Check Total |
|---------|-----------|--------|------------------------------|------------------|---------------------------------|-------------|-------------|
| 54298   | 2/15/2022 | 00013  | ANDY'S WHEELS & TIRES        | 1/31/2022        | TIRE SERVICE                    | 1,010.01    | 1,010.01    |
| 54299   | 2/15/2022 | 00051  | CALIFORNIA WATER SERVICE     | 1/28/2022        | WATER BILLS                     | 5,042.19    | 5,042.19    |
| 54300   | 2/15/2022 | 00071  | CSG CONSULTANTS, INC.        | Nov 27 - Dec 31, | CSG                             | 115,984.50  | 115,984.50  |
| 54301   | 2/15/2022 | 00093  | CITY OF SOUTH SAN FRANCISCO  | 1/31/2022        | TRAFFIC SIGNAL MAINTENANCE      | 2,445.00    | 2,445.00    |
| 54302   | 2/15/2022 | 00110  | DEPARTMENT OF TRANSPORTATION | 1/21/2022        | SIGNALS & LIGHTING              | 432.85      | 432.85      |
| 54303   | 2/15/2022 | 00112  | DEPARTMENT OF JUSTICE        | 1/6/2022         | PD ACCOUNT #140503              | 32.00       | 32.00       |
| 54304   | 2/15/2022 | 00174  | HOME DEPOT CREDIT SERVICES   | 1/30/2022        | PW SUPPLY PURCHASES             | 224.80      | 224.80      |
| 54305   | 2/15/2022 | 00307  | PACIFIC GAS & ELECTRIC       | 1/28/2022        | PG&E                            | 218.06      | 218.06      |
| 54306   | 2/15/2022 | 00349  | SEGALE & CERINI INC.         | 1/31/2022        | F STREET VALLEY GUTTER CLEAN    | 3,955.00    | 3,955.00    |
| 54307   | 2/15/2022 | 00364  | SMC FORENSIC LAB             | 1/31/2022        | CLARK STREET PLANTER REPAIR     | 2,000.00    | 2,000.00    |
| 54308   | 2/15/2022 | 00365  | SMCLETMA C/O BURLINGAME      | 1/31/2022        | LAB FEES                        | 5,100.00    | 5,100.00    |
| 54309   | 2/15/2022 | 00388  | SONITROL                     | 1/24/2022        | 2022 SMCLETA MEMBERSHIP         | 125.00      | 125.00      |
| 54310   | 2/15/2022 | 00411  | TURBO DATA SYSTEMS           | 2/1/2022         | MONTHLY MONITORING              | 1,109.81    | 1,109.81    |
| 54311   | 2/15/2022 | 00414  | TERMINEX INTERNATIONAL       | 1/31/2022        | CITATION PROCESSING             | 504.46      | 504.46      |
| 54312   | 2/15/2022 | 01023  | PRIORITY 1                   | 2/10/2022        | PEST CONTROL                    | 258.00      | 258.00      |
| 54313   | 2/15/2022 | 01030  | STEPFORD, INC.               | 2/10/2022        | 601 F St.                       | 83.00       | 83.00       |
| 54314   | 2/15/2022 | 01414  | VERANO OWNERS ASSOCIATION    | 1/20/2022        | 305 2" BLANK PLATE, REMOVAL     | 459.89      | 459.89      |
| 54315   | 2/15/2022 | 01565  | BAY CONTRACT MAINTENANCE     | 7/9/2021         | FORD EXPLORER FIX HEADLIGHT     | 100.00      | 100.00      |
| 54316   | 2/15/2022 | 02082  | VINCE'S OFFICE SUPPLY, INC.  | 1/20/2022        | MONTHLY CONTRACT SERVICE        | 7,246.00    | 7,246.00    |
| 54317   | 2/15/2022 | 02216  | RAMOS OIL CO. INC.           | 3/1/2022         | VERANO OWNERS ASSOCIATION       | 350.00      | 350.00      |
| 54318   | 2/15/2022 | 02499  | GE CAPITAL INFORMATION       | 1/26/2022        | COVID-19 BASE LINE DISINFECTANT | 1,100.00    | 1,100.00    |
| 54319   | 2/15/2022 | 02787  | AECO SYSTEMS, INC.           | 2/2/2022         | OFFICE SUPPLIES                 | 81.32       | 81.32       |
| 54320   | 2/15/2022 | 02793  | DITO'S MOTORS                | 1/20/2022        | PD GASOLINE PURCHASES 1         | 2,054.85    | 2,054.85    |
| 54321   | 2/15/2022 | 02827  | CORODATA SHREDDING, INC.     | 1/31/2022        | PD GASOLINE PURCHASES 2         | 2,003.60    | 2,003.60    |
| 54322   | 2/15/2022 | 02827  | CORODATA SHREDDING, INC.     | 1/10/2022        | PD GASOLINE PURCHASES 1         | 1,759.11    | 1,759.11    |
| 54323   | 2/15/2022 | 02848  | UNITED COACH TOURS           | 2/1/2022         | PD COPY FEES                    | 398.87      | 398.87      |
|         |           |        |                              | 2/1/2022         | CCC COPY FEES                   | 375.02      | 773.89      |
|         |           |        |                              | 2/1/2022         | TOWN HALL FIRE ALARM MONITORING | 960.00      | 1,270.00    |
|         |           |        |                              | 1/31/2022        | TESTED TAMPER SWITCHES          | 310.00      | 1,270.00    |
|         |           |        |                              | 1/27/2022        | SERVICE                         | 274.91      | 524.18      |
|         |           |        |                              | 1/27/2022        | SERVICE                         | 249.27      | 524.18      |
|         |           |        |                              | 1/31/2022        | SHREDDING SERVICE               | 111.74      | 111.74      |
|         |           |        |                              | 1/31/2022        | STORAGE, PICKUP/DELIVER         | 87.94       | 87.94       |
|         |           |        |                              | 12/10/2021       | 12.22.21 BUS FROM 1520 HILL     | 638.00      | 638.00      |

Bank : first TRI COUNTIES BANK (Continued)

| Check #                                 | Date      | Vendor | Invoice                           | Inv Date         | Description                 | Amount Paid       | Check Total |
|---|-----------|--------|-----------------------------------|------------------|-----------------------------|-------------------|-------------|
| 54324                                   | 2/15/2022 | 02960  | THOR AUDIO SOLUTIONS              | 7/26/2021        | SUMMER CONCERTS 2021 B/     | 5,520.00          | 5,520.00    |
| 54325                                   | 2/15/2022 | 03034  | FLEX ADVANTAGE                    | 2/15/2022        | HRA RETIREES                | 56,135.05         | 56,135.05   |
| 54326                                   | 2/15/2022 | 03061  | NICK BARBIERI TRUCKING, LI2308341 | 1/31/2022        | PW GAS PURCHASES            | 458.96            | 458.96      |
| 54327                                   | 2/15/2022 | 03174  | MALDONADO, VICTOR                 | 2/3/2022         | 02.03.22 COVID RENTAL REFI  | 575.00            | 575.00      |
| 54328                                   | 2/15/2022 | 03330  | PANG, DARRYL                      | 1/31/2022        | JANUARY 12, 2022 POLYGRAI   | 325.00            | 325.00      |
| 54329                                   | 2/15/2022 | 03446  | LAW ENFORCEMENT PSYCH(1874        | 12/31/2021       | 11.30.21 POST-CONDITIONAL   | 400.00            | 400.00      |
| 54330                                   | 2/15/2022 | 03447  | AZZOPARDI, NIKOLE                 | Jan 31-Feb 3, 20 | JAN 31-FEB 3, 2022 TRAINING | 102.98            | 102.98      |
| 54331                                   | 2/15/2022 | 03449  | DOMETITA, ABIGAIL                 | Mileage Reimbui  | 02/10/22 MILEAGE REIMBURS   | 1.05              | 1.05        |
| 54332                                   | 2/15/2022 | 03450  | FLOCK SAFETY                      | CINV-005022      | 10/08/21-10/07/23 AUTOMATE  | 11,000.00         | 11,000.00   |
| <b>Sub total for TRI COUNTIES BANK:</b> |           |        |                                   |                  |                             | <b>231,603.24</b> |             |

35 checks in this report.

Grand Total All Checks: 231,603.24



Bank : first TRI COUNTIES BANK

| Check # | Date      | Vendor | Invoice                                   | Inv Date  | Description                   | Amount Paid | Check Total |
|---------|-----------|--------|---|-----------|-------------------------------|-------------|-------------|
| 54333   | 2/22/2022 | 00004  | AT&T                                      | 2/13/2022 | C3-A/B-12-10-TS-01            | 1,501.27    | 1,501.27    |
| 54334   | 2/22/2022 | 00020  | ASSOCIATED SERVICES INC                   | 2/1/2022  | WATERLOGIC RENTAL             | 40.00       |             |
|         |           |        |   | 2/1/2022  | MTN H/C BWC                   | 9.00        | 49.00       |
| 54335   | 2/22/2022 | 00112  | DEPARTMENT OF JUSTICE                     | 2/6/2022  | PD ACCOUNT #140503            | 96.00       | 96.00       |
| 54336   | 2/22/2022 | 00307  | PACIFIC GAS & ELECTRIC                    | 2/7/2022  | PG&E                          | 4,159.57    |             |
|         |           |        |   | 1/24/2022 | PG&E                          | 314.22      | 4,473.79    |
| 54337   | 2/22/2022 | 00349  | SEGALE & CERINI INC.                      | 1/31/2022 | LANDSCAPE SERVICES            | 18,966.50   |             |
|         |           |        |   | 1/31/2022 | IRRIGATION REPAIRS            | 488.75      | 19,455.25   |
| 54338   | 2/22/2022 | 00412  | TELECOMMUNICATIONS ENG47500               | 2/10/2022 | Facilities Mgmt & Maintenance | 1,515.00    | 1,515.00    |
| 54339   | 2/22/2022 | 00414  | TERMINEX INTERNATIONAL L06/01/22 - 06/30, | 2/15/2022 | TERMITE BAITING SERVICE F     | 415.00      | 415.00      |
| 54340   | 2/22/2022 | 00534  | SMC INFORMATION SERVICE:1YCL12201         | 1/31/2022 | MICROWAVE MUX DSO             | 82.25       | 82.25       |
| 54341   | 2/22/2022 | 00830  | STAPLES BUSINESS CREDIT 1640062753        | 1/25/2022 | OFFICE SUPPLIES               | 619.73      | 619.73      |
| 54342   | 2/22/2022 | 00831  | SANTA ROSA JUNIOR COLLEGE:AR22-00874      | 2/9/2022  | FEB 1-3, 2022 NAZZOPARDI ,    | 30.75       | 30.75       |
| 54343   | 2/22/2022 | 01023  | PRIORITY 1                                | 2/16/2022 | SUV#5 REMOVE REAR RADIC       | 100.00      |             |
|         |           |        |   | 2/16/2022 | SUV#3 FIX POWER ISSUE W/      | 100.00      | 200.00      |
| 54344   | 2/22/2022 | 01037  | COMCAST CABLE                             | 2/7/2022  | 8155 20 022 0096715 601 F ST  | 113.72      | 113.72      |
| 54345   | 2/22/2022 | 01183  | BEST BEST & KRIEGER LLP                   | 2/15/2022 | CITY ATTORNEY SERVICES        | 19,859.00   |             |
|         |           |        |   | 2/15/2022 | CITY ATTORNEY SPECIAL SE      | 542.20      | 20,401.20   |
| 54346   | 2/22/2022 | 01399  | WESTLAKE ECO SOFT TOUCH:January 2022      | 2/1/2022  | PD CAR WASH                   | 11.95       | 11.95       |
| 54347   | 2/22/2022 | 01565  | BAY CONTRACT MAINTENAN(February 2022      | 2/10/2022 | JANITORIAL SERVICES           | 10,442.63   |             |
|         |           |        |   | 2/10/2022 | COVID-19 BASE LINE DECON      | 6,285.64    | 16,728.27   |
|         |           |        |   | 2/15/2022 | COVID-19 BASE LINE DECON      | 1,100.00    | 17,828.27   |
|         |           |        |   | 2/15/2022 | COVID-19 BASE LINE DECON      | 1,100.00    | 18,928.27   |
| 54348   | 2/22/2022 | 02128  | CA LAW ENFORCEMENT ASS(2022 Membershi     | 2/17/2022 | 2022 MEMBERSHIP RENEWA        | 50.00       | 50.00       |
| 54349   | 2/22/2022 | 02291  | SOUTHWOOD PLUMBING & H60262               | 1/20/2022 | LABOR TO CLEAN & REPAIR I     | 175.00      | 175.00      |
| 54350   | 2/22/2022 | 02337  | AXON ENTERPRISES, INC. INUS048378         | 1/19/2022 | MAGNET MOUNT, FLEXIBLE I      | 33.20       | 33.20       |
| 54351   | 2/22/2022 | 02398  | ADVANCED BUSINESS FORM:40088              | 2/9/2022  | 2,000 3-PT. PARKING CITATIO   | 1,629.97    | 1,629.97    |
| 54352   | 2/22/2022 | 02499  | GE CAPITAL INFORMATION 105876226          | 2/8/2022  | A12 STERLING PARK COPY IV     | 76.15       | 76.15       |
| 54353   | 2/22/2022 | 02773  | GRAPHICS ON THE EDGE 4561                 | 1/27/2022 | 3 ALUMINUM PARKING SIGNS      | 404.69      | 404.69      |

Bank : first TRI COUNTIES BANK (Continued)

| Check #                                 | Date      | Vendor | Invoice                                | Inv Date   | Description                               | Amount Paid      | Check Total |
|---|-----------|--------|--|------------|---|------------------|-------------|
| 54354                                   | 2/22/2022 | 02793  | 25361                                  | 2/14/2022  | OIL & FILTER CHANGE, REPL SERVICE         | 1,055.22         |             |
|   |           |        | 25342                                  | 2/10/2022  | SERVICE                                   | 551.25           |             |
|   |           |        | 24995                                  | 12/1/2021  | OIL & FILTER CHANGE, HEAT SERVICE         | 249.96           |             |
|   |           |        | 25327                                  | 2/9/2022   | SERVICE                                   | 223.57           |             |
|   |           |        | 25233                                  | 2/14/2022  | SERVICE                                   | 100.00           |             |
|   |           |        | 25149                                  | 1/7/2022   | OIL & FILTER CHANGE                       | 55.00            |             |
|   |           |        | 25143                                  | 1/6/2022   | OIL & FILTER CHANGE                       | 54.50            |             |
|   |           |        | 24931                                  | 11/16/2021 | OIL & FILTER CHANGE                       | 43.75            |             |
|   |           |        | 24981                                  | 11/24/2021 | SERVICE                                   | 33.90            |             |
|   |           |        | 25042                                  | 12/8/2021  | SERVICE                                   | 33.90            | 2,401.05    |
| 54355                                   | 2/22/2022 | 02799  | 103745301-0005                         | 2/1/2022   | RIMS INTERNET W/SSF                       | 400.00           | 400.00      |
| 54356                                   | 2/22/2022 | 02860  | 2002218.003                            | 2/15/2022  | 02.15.22 DEPOSIT REFUND                   | 225.00           |             |
|   |           |        | 2002217.003                            | 2/15/2022  | 02.15.22 COVID RENTAL REFI BUSINESS CARDS | 200.00           | 425.00      |
| 54357                                   | 2/22/2022 | 02970  | 35811                                  | 2/7/2022   | 250 CORRECTION NOTICES ;                  | 190.47           |             |
|   |           |        | 11633                                  | 2/7/2022   | APRIL 2021 SERVICES                       | 157.66           | 348.13      |
| 54358                                   | 2/22/2022 | 03043  | 35811                                  | 5/21/2021  | WIRELESS                                  | 4,545.00         | 4,545.00    |
| 54359                                   | 2/22/2022 | 03334  | AT&T MOBILITY NATIONAL AC287296200335X | 2/2/2022   | WIRELESS                                  | 1,628.62         | 1,628.62    |
| 54360                                   | 2/22/2022 | 03448  | 57585                                  | 1/22/2022  | SNAKE & HYFROFLUSH MAIN                   | 650.00           | 650.00      |
| 54361                                   | 2/22/2022 | 03451  | 0023664                                | 2/2/2022   | 12' STOP STICK KIT W/HOLS                 | 1,522.38         | 1,522.38    |
| 54362                                   | 2/22/2022 | 03452  | 3247PL Refund I                        | 2/2/2022   | 3247PL REFUND DEPOSIT BA                  | 1,788.40         | 1,788.40    |
| <b>Sub total for TRI COUNTIES BANK:</b> |           |        |  |            |   | <b>83,970.77</b> |             |

30 checks in this report.

Grand Total All Checks: 83,970.77

Bank : first TRI COUNTIES BANK

| Check #                                 | Date      | Vendor | Invoice    | Inv Date  | Description               | Amount Paid       | Check Total |
|---|-----------|--------|------------|-----------|---------------------------|-------------------|-------------|
| 54363                                   | 2/25/2022 | 00047  | 02252022 B | 2/25/2022 | CLEA: PAYMENT             | 196.00            | 196.00      |
| 54364                                   | 2/25/2022 | 01340  | 02252022 B | 2/25/2022 | DEPENDENT CARE: PAYMENT   | 1,626.91          |             |
|   |           |        | 02252022 B | 2/25/2022 | FLEX 125 PLAN: PAYMENT    | 997.78            | 2,624.69    |
| 54365                                   | 2/25/2022 | 01375  | 02252022 B | 2/25/2022 | NATIONWIDE: PAYMENT       | 4,773.40          | 4,773.40    |
| 54366                                   | 2/25/2022 | 02224  | 02252022 B | 2/25/2022 | LIFE INSURANCE: PAYMENT   | 437.00            | 437.00      |
| 54367                                   | 2/25/2022 | 02377  | 02252022 B | 2/25/2022 | WAGE GARNISHMENT: PAYM    | 547.84            | 547.84      |
| 94566                                   | 2/25/2022 | 00130  | 02252022 B | 2/25/2022 | CALIFORNIA STATE TAX: PAY | 14,484.84         | 14,484.84   |
| 94567                                   | 2/25/2022 | 00521  | 02252022 B | 2/25/2022 | FEDERAL TAX: PAYMENT      | 64,249.26         | 64,249.26   |
| 94568                                   | 2/25/2022 | 00631  | 02252022 B | 2/25/2022 | PERS - BUYBACK: PAYMENT   | 46,251.70         | 46,251.70   |
| 94569                                   | 2/25/2022 | 01360  | 02252022 B | 2/25/2022 | ICMA CONTRIBUTION: PAYME  | 5,944.50          | 5,944.50    |
| 94570                                   | 2/25/2022 | 00068  | 02252022 B | 2/25/2022 | COLMA PEACE OFFICERS: P/  | 574.76            | 574.76      |
| <b>Sub total for TRI COUNTIES BANK:</b> |           |        |            |           |                           | <b>140,083.99</b> |             |

10 checks in this report.

Grand Total All Checks: 140,083.99





# STAFF REPORT

TO: Mayor and Members of the City Council

FROM: Christopher J. Diaz, City Attorney

VIA: Brian Dossey, City Manager

MEETING DATE: March 9, 2022

SUBJECT: Motion to Reconfirm Findings and Determinations Under Resolution No. 2021-33 and Assembly Bill 361 for the Continuation of Virtual Meetings

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## RECOMMENDATION

Staff recommends that the City Council make the following motion:

MOTION TO RECONFIRM FINDINGS AND DETERMINATIONS UNDER RESOLUTION NO.  
2021-33 AND ASSEMBLY BILL 361 FOR THE CONTINUATION OF VIRTUAL MEETINGS

## EXECUTIVE SUMMARY

On March 17, 2020, in the face of the COVID-19 pandemic, Governor Gavin Newsom issued Executive Order N-29-20 suspending certain provisions of the Ralph M. Brown Act in order to allow for local legislative bodies to conduct their meetings completely telephonically or by other electronic means.

The provisions in the Brown Act that were suspended by the Governor's Executive Order are contained at Government Code Section 54953(b)(3) and require that when teleconferencing is used, outside of a statewide emergency, that the following occur:

- An agenda is required to be posted at all locations, including any teleconference locations
- Each teleconference location must be identified on the actual agenda
- Each teleconference location shall be accessible to the public
- A quorum of the legislative body must be in the jurisdiction

With the Governor's Executive Order, the four above requirements were suspended allowing councilmembers to not have to post an agenda at their teleconference location, not have to identify their location on the meeting agenda, not have to ensure public accessibility at the teleconference location, and the legislative body did not need a quorum in the jurisdiction. As the

City Council is well aware, this allowed City Council meetings to be conducted by Zoom with councilmembers, staff, and the public, all joining from remote virtual locations.

The suspension of certain provisions of the Brown Act was further extended by the Governor on June 11, 2021 by the issuance of Executive Order N-08-21 which continued to allow for complete virtual meetings until September 30, 2021.

With the expiration of the Governor's Executive Order along with the uncertainty that surrounded the Governor's potential recall, the State Legislature also took the remote meeting issue into its own hands through the adoption of Assembly Bill 361, which is explained more in depth in the Analysis section below.

On October 13, 2021 the City Council adopted Resolution No.2021-33 making findings under AB 361 that state or local officials continue to recommend social distancing measures to prevent the spread of COVID-19 and including reference in particular to Cal-OSHA regulation 3205, which recommends physical distancing in the workplace. By motion and majority vote, the City Council may renew the findings of Resolution No. 2021-33 to continue to hold virtual meetings pursuant to AB 361.

## **ANALYSIS**

On September 16, 2021, the Governor signed AB 361, which allows legislative bodies to meet virtually provided there is a state of emergency declared by the Governor, and either:

- (1) state or local officials have imposed or recommended measures to promote social distancing; or
- (2) the legislative body determines by majority vote that meeting in person would present imminent risks to the health and safety of attendees.

The Governor by executive order signed on September 20, 2021, suspended the effective date of AB 361 to October 1, 2021. As a result, if the City desires to have virtual meetings on or after October 1, 2021, it must do so consistent with the requirements of AB 361.

AB 361 preserves many of the provisions of the earlier executive orders, including the suspension of the four teleconferencing requirements noted above, while also adding new requirements to the management of remote and teleconference public meetings in order to better achieve the levels of transparency that the Brown Act demands. Specifically, AB 361 imposes two new rules on remote public meetings:

1. Local governments and agencies hosting teleconference meetings in lieu of traditional in-person public meetings must permit direct public comment during the teleconference, and must leave open the opportunity for public comment until the comment period for a given item is closed during the ordinary course of the meeting. The opportunity to make public comment must be of a sufficient duration so as to allow actual public participation.
2. Any action by the governing body during a public teleconference meeting must occur while the agency is actively and successfully broadcasting to members of the public through a call-in option or an internet-based service option. If a technical disruption within the



agency's control prevents members of the public from either viewing the meeting of the public agency, or prevents members of the public from offering public comment, the agency must cease all action on the meeting agenda until the disruption ends and the broadcast is restored. Action taken during an agency-caused disruption may be challenged as a violation of the Brown Act.

In order to continue to qualify for AB 361's waiver of in-person meeting requirements, the City Council must, within thirty (30) days of its first meeting under AB 361, and every thirty (30) days thereafter, make findings that (a) state or local officials continue to recommend measures to promote social distancing, or that (b) an in-person meeting would constitute an imminent risk to the safety of attendees.

The above conditions continue to exist at this time, and staff recommends the City Council by motion reconfirm the findings and determinations made in Resolution No. 2021-33 so that the City Council may continue to meet virtually under AB 361.

Lastly, it is important to note that AB 361 is optional. If the City Council wishes, it may meet in person. In addition, hybrid meetings are permissible where Council attends in person and the public attends remotely via Zoom.

#### **FISCAL IMPACT**

The City Council's motion to continue with virtual meetings will maintain the status quo and no financial impact is anticipated.

#### **ENVIRONMENTAL ISSUES**

The City Council's approval of a motion to reconfirm findings does not constitute a project under the California Environmental Quality Act (CEQA) Guideline 15378(b)(5) as it constitutes an organizational or administrative activity of the government that will not result in direct or indirect physical changes in the environment. Further, virtual meetings are likely to reduce certain impacts associated with vehicular travel related to in-person public meetings.

#### **ATTACHMENTS:**

None

#### **RECOMMENDATION**

Move to reconfirm the findings and determinations made in Resolution No. 2021-33 and under Assembly Bill 361 for the continuation of virtual meetings.





# STAFF REPORT

TO: Mayor and Members of the City Council  
 FROM: Christopher J. Diaz, City Attorney  
 VIA: Brian Dossey, City Manager  
 MEETING DATE: March 9, 2022  
 SUBJECT: Approval of Legal Services Agreement For Potential Representation in PCB Litigation

## RECOMMENDATION

Staff recommends that the City Council adopt the following:

RESOLUTION APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE A LEGAL SERVICES AGREEMENT WITH SHER EDLING LLP TO EXPLORE LITIGATION OPTIONS ON A CONTINGENCY FEE BASIS FOR REPRESENTATION IN PCB LITIGATION

## ANALYSIS

Under the Clean Water Act and related regulations, municipalities in San Mateo County are required to remove PCBs from storm water discharged into the San Francisco Bay. PCB removal is costly. Based on the 2019-2020 annual report submitted by the City/County Association of Governments (C/CAG), the total cost for PCB compliance over the next 60 years is approximately \$2,111,625,935. The county and all cities and towns share that cost, with the exception of Pacifica and Half Moon Bay, which do not drain to the Bay.

There is currently a class settlement pending which would provide \$100,008 to the Town in exchange for a waiver of all PCB-related storm water claims. At this time, we are asking the City Council to approve and authorize a legal services agreement with Sher Edling LLP on a contingency fee basis to explore litigation options related to the pending class settlement.

## FISCAL IMPACT

The City Council's approval and authorization for the City Manager to enter into a legal services agreement is not anticipated to cause any financial impact on the Town as the arrangement will be on a contingency fee basis. Thus, if the City Council files any litigation and monetarily recovers, the law firm of Sher Edling LLP will be paid on that basis. Otherwise, no Town funds will be expended other than staff time in working with Sher Edling LLP.

## ENVIRONMENTAL

The City Council's action to adopt a resolution to approve and authorize the City Manager to enter into a legal services agreement is not a project subject to the California Environmental

Quality Act as it can be seen with certainty that the action will not have a significant effect on the environment pursuant to CEQA Guideline 15061(b)(3).

### **Council Adopted Values**

The City Council's adoption of the resolution is visionary as it is looking to the future in terms of anticipated PCB clean-up costs and it will allow for the Town to explore legal options in meeting those future costs.

### **Sustainability Impact**

The City Council's action in adopting the resolution may have a net positive environmental impact as it will ensure the Town can meet future PCB clean-up costs regarding the San Francisco Bay.

### **Alternatives**

The City Council could choose to not adopt the resolution approving and authorizing the City Manager to execute the legal services agreement. Doing so is not recommended, however, as the agreement will allow the law firm of Sher Edling to work with the Town to explore options with regard to the class settlement which could have financial advantages for the Town in relation to the amount to be paid in the pending class settlement.

### **CONCLUSION**

Staff recommends that the City Council adopt the resolution to approve and authorize the City Manager to execute a legal services agreement with Sher Edling LLP.

### **ATTACHMENTS**

- A. Resolution

**RESOLUTION NO. 2022-\_\_**  
**OF THE CITY COUNCIL OF THE TOWN OF COLMA**

**RESOLUTION APPROVING AND AUTHORIZING THE CITY MANAGER TO  
EXECUTE A LEGAL SERVICES AGREEMENT WITH SHER EDLING LLP TO  
EXPLORE LITIGATION OPTIONS ON A CONTINGENCY FEE BASIS FOR  
REPRESENTATION IN PCB LITIGATION**

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

**1. Background.**

(a) Under the Clean Water Act and related regulations, municipalities in San Mateo County are required to remove PCBs from storm water discharged into the San Francisco Bay.

(b) PCB removal is costly. Based on the 2019-2020 annual report submitted by the City/County Association of Governments (C/CAG), the total cost for PCB compliance over the next 60 years is approximately \$2,111,625,935.

(c) There is currently a class settlement pending which would provide \$100,008 to the Town in exchange for a waiver of all PCB-related storm water claims.

(d) At this time, staff is recommending that the City Council approve and authorize the City Manager to execute a legal services agreement with Sher Edling LLP on a contingency fee basis to explore litigation options related to the pending class settlement.

**2. Findings.** The City Council finds that approval of this legal services agreement:

(a) Constitutes professional services for which competitive bidding is not required pursuant to Colma Municipal Code Section 1.06.200; and/or

(b) Is deemed to be in the best interest of the Town pursuant to Colma Municipal Code Section 1.06.180(o) based on the fact that Sher Edling LLP is working with the County of San Mateo and others in the County to explore litigation options and it is to the Town's advantage to work cooperatively with all other entities in the County.

**3. Order.**

(a) The legal services agreement between the Town of Colma and Sher Edling LLP is approved by the City Council of the Town of Colma to be in a form approved by the City Attorney.

(b) The City Manager is authorized to execute said agreement on behalf of the Town of Colma, with such technical amendments as may be deemed appropriate by the City Attorney.

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### Certification of Adoption

I certify that the foregoing Resolution No. 2022-\_\_ was duly adopted at a regular meeting of said City Council held on March 9, 2022 by the following vote:

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

Dated \_\_\_\_\_

\_\_\_\_\_  
Helen Fiscaro, Mayor

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



# STAFF REPORT

TO: Mayor and Members of the City Council  
 FROM: Brad Donohue, Director of Public Works  
 VIA: Brian Dossey, City Manager  
 MEETING DATE: March 9, 2022  
 SUBJECT: Proposition 68 Per Capita Grant Program

## RECOMMENDATION

Staff recommends that the City Council adopt the following:

RESOLUTION OF THE TOWN OF COLMA APPROVING APPLICATION(S) FOR PER CAPITA  
 GRANT FUNDS

## EXECUTIVE SUMMARY

Proposition 68 was approved by California voters on June 5, 2018. The proposition included funding for local park rehabilitation, creation, and improvement grants for local governments, including California cities and counties, on a per capita basis. The program is administered by the State Department of Parks and Recreation's Office of Grants and Local Services (OGALS), and \$185,000,000 in per capita funding is available. The Town of Colma is eligible for \$177,952.00 in General Per Capita allocation and \$922.00 in Urban County Per Capita funds for a total Prop 68 allocation of \$178,874.00

Staff recommends that City Council adopt a resolution authorizing staff to file an application for the Town's Per Capita Grant Funds from the State Department of Parks and Recreation and authorize the City Manager as the Town's designated representative.

## FISCAL IMPACT

The Town's Proposition 68 grant allocation amount is \$178,874.00. Upon receipt of grant award approval, the funds received from the State will be allocated to the Town's Capital Improvement Plan (CIP) Fund. As part of the program's criteria the Town's commitment is a required 20% funding match.

## BACKGROUND

The California Department of Parks and Recreation's Per Capita Program originates from Proposition 68, the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor

Access for All Act of 2018, placed on the ballot and approved by voters on June 5, 2018. The Per Capita Program provides funds from two programs: the General Per Capita Program and the Urban County Per Capita Program. The Town is eligible to receive funds under both Per Capita Programs.

The current round, labelled the General Per Capita Program, makes \$185 million in funding available to local municipalities for local park rehabilitation, improvement, and creation. Also, the Town qualifies for additional funds through the Urban County Per Capita fund which is also part of the Proposition Parks and Water Bond of 2018. The Town's per capita allocation is based on population size, which is an allocation of \$178,874.00. These funds will be made available for the Town's various recreation improvement or enhancement projects.

## **ANALYSIS**

As part of the grant application, the Town is required to submit a Resolution from the City Council (Attachment "A"). In accordance with the Per Capita Program Procedural Guide, the Resolution serves two purposes:

- It is the means by which the City Council agrees to the terms of the contract, including confirmation that the Town has the funding to complete, operate, and maintain projects associated with the contract; and
- It designates a position title, (City Manager) to represent the City Council on all matters regarding projects associated with the contract.

The Town of Colma's grant application to the California Department of Parks and Recreation will request that the Town's funding allocation of \$178,874.00 is applied toward recreation and park improvements and enhancements. Since the Town is not located in a severely disadvantaged community a 20% funding match will be required as part of the program's criteria.

## **Council Adopted Values**

The City Council's action in authorizing staff to file an application to the California Department of Parks and Recreation Office and Local Services for the Town's share of the Proposition 68 Per Capita Grant Funds is fiscally *responsible*. The use of these funds will provide needed enhancements to various park projects in Town and will provide relief to the Town's general fund for these expenditures.

## **CONCLUSION**

Staff recommends that City Council adopt a resolution approving an application for per capita grant funds from the State Department of Parks and Recreation; and designate authority to the City Manager, or designee to serve as the Town's authorized representative.

## **ATTACHMENTS**

- A. Resolution



**RESOLUTION 2022-\_\_\_\_**  
**OF THE CITY COUNCIL OF THE TOWN OF COLMA**

**RESOLUTION OF THE TOWN OF COLMA APPROVING APPLICATION(S)**  
**FOR PER CAPITA GRANT FUNDS**

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

**1. Background.**

(a) The State Department of Parks and Recreation has been delegated the responsibility by the Legislature of the State of California for the administration of the Per Capita Grant Program, setting up necessary procedures governing application(s); and

(b) Said procedures established by the State Department of Parks and Recreation require the grantee's Governing Body to certify by resolution the approval of project application(s) before submission of said applications to the State; and

(c) The grantee will enter into a contract(s) with the State of California to complete project(s);

**2. Findings and Order**

The City Council hereby approves the filing of project application(s) for Per Capita program grant project(s); and

(a) Certifies that said grantee has or will have available, prior to commencement of project work utilizing Per Capita funding, sufficient funds to complete the project(s); and

(b) Certifies that the grantee has or will have sufficient funds to operate and maintain the project(s), and

(c) Certifies that all projects proposed will be consistent with the Town of Colma General Plan (PRC §80063(a)), and

(d) Certifies that these funds will be used to supplement, not supplant, local revenues in existence as of June 5, 2018 (PRC §80062(d)), and

(e) Certifies that it will comply with the provisions of §1771.5 of the State Labor Code, and

(f) (PRC §80001(b)(8)(A-G)) To the extent practicable, as identified in the "Presidential Memorandum--Promoting Diversity and Inclusion in Our National Parks, National Forests, and Other Public Lands and Waters," dated January 12, 2017, the Town of Colma will consider a range of actions that include, but are not limited to, the following:

(1) Conducting active outreach to diverse populations, particularly minority, low-income, and disabled populations and tribal communities, to increase awareness within those communities and the public generally about specific programs and opportunities.

(2) Mentoring new environmental, outdoor recreation, and conservation leaders to increase diverse representation across these areas.

(3) Creating new partnerships with state, local, tribal, private, and nonprofit organizations to expand access for diverse populations.

(4) Identifying and implementing improvements to existing programs to increase visitation and access by diverse populations, particularly minority, low-income, and disabled populations and tribal communities.

(5) Expanding the use of multilingual and culturally appropriate materials in public communications and educational strategies, including through social media strategies, as appropriate, that target diverse populations.

(6) Developing or expanding coordinated efforts to promote youth engagement and empowerment, including fostering new partnerships with diversity-serving and youth-serving organizations, urban areas, and programs.

(7) Identifying possible staff liaisons to diverse populations.

(g) Agrees that to the extent practicable, the project(s) will provide workforce education and training, contractor and job opportunities for disadvantaged communities (PRC §80001(b)(5)).

(h) Certifies that the grantee shall not reduce the amount of funding otherwise available to be spent on parks or other projects eligible for funds under this division in its jurisdiction. A one-time allocation of other funding that has been expended for parks or other projects, but which is not available on an ongoing basis, shall not be considered when calculating a recipient's annual expenditures. (PRC §80062(d)).

(i) Certifies that the grantee has reviewed, understands, and agrees to the General Provisions contained in the contract shown in the Procedural Guide; and

(j) Delegates the authority to the City Manager, or designee, to conduct all negotiations, sign and submit all documents, including, but not limited to applications, agreements, amendments, and payment requests, which may be necessary for the completion of the grant scope(s); and

(k) Agrees to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines.

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### Certification of Adoption

I certify that the foregoing Resolution No. 2022-\_\_\_ was duly adopted at a regular meeting of the City Council of the Town of Colma held on March 9, 2022, by the following vote:

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

Dated \_\_\_\_\_

\_\_\_\_\_  
Helen Fisicaro, Mayor

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





# STAFF REPORT

TO: Mayor and Members of the City Council  
 FROM: Brad Donohue, Director of Public Works  
 Cyrus Kianpour, City Engineer  
 VIA: Brian Dossey, City Manager  
 MEETING DATE: March 9, 2022  
 SUBJECT: Sanitary Sewer Enterprise Fund Rate Study Session #02

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## RECOMMENDATION

The main purpose of the Study Session is to provide preliminary analysis data and rate scenarios for City Council consideration with regards to shifting the true cost of the maintenance, operation, and capital improvement needs of the Town's annual sewer system currently funded from the general fund to the rate payers. No City Council action will take place at this meeting; however, Bartle Wells (Consultant) will be presenting regarding questions, comments and concerns that came from the City Council on the Town's first sanitary sewer rate study. Staff and Consultant will be seeking comments, questions, and feedback from the City Council during the study session for further refinement of the sewer rate scenarios.

## EXECUTIVE SUMMARY

Staff presented at the January 12<sup>th</sup> study session with City Council first steps in establishing viable sewer rates for the Town of Colma's Sewer Enterprise fund. Sewer rate options along with revenue strategies were reviewed and commented on, City Council did request that Staff and Consultant come back at a future meeting to review, viable sewer rate options that reflected what those costs may mean to both residential and commercial communities.

The second study session's focus will be to capsulize what was gone over in the previous study session, it's outcomes and City Council's request to have staff and consultant come back with detailed information as it relates to costs on the various sewer rate options.

## FISCAL IMPACT

None

## BACKGROUND

The City Council held its first Sanitary Sewer Enterprise Fund rate study on January 12, 2022. The study session gave a brief orientation of the two sewer agencies, South San Francisco,

(SSF) and North San Mateo Sanitation District, (Daly City) that the Town is in contract with to treat the Town's sewer outflow. The past study session assessed current situations with the agencies, rates and services provided. The bulk of the presentation dissected what was involved with establishing a sewer rate, such as sewer treatment and conveyance costs (typically these are called treatment costs), operation and maintenance (O & M) costs and capital outlay costs, (typically these costs are called Collection costs or charges).

Because this was a first step in establishing what would be a viable sewer rate structure for the Town, staff was only able to give broad interpretation of what those rates would look like. City Council wanted more information, specifically for staff to bring back recommendations for one or more rate structure options to bring to an open public meeting for discussion. Specifically, City Council wanted to see:

- Rate structure options with proposed costs
- A phased in approach for collection costs and how would that work

City Council also stated it would be preferable if the charges for sewer treatment for the residential and commercial properties that reside in either the Daly City District or those that reside in the SSF District do not change. In other words, whatever the current charge for treatment is, it would continue to be a pass through of costs to the property owner who is being served by one of two sewer districts. City Council did request that staff and consultant come back to City Council with true costs regarding collection charge for:

- Fixed rate- fixed monthly charges based on each customer's water meter size with higher charges for larger meters based on meter capacity
- Volumetric rate- rates typically vary based on customer type & wastewater strength

## **ANALYSIS**

Tonight's study session will address:

- Fixed and volumetric collection rate charges and how they relate to both residential and commercial properties.
- Show examples of what the new sewer charges would look like for residential property owner's annual charges (Attachment A)
- Review various phased in approaches – offsetting the costs to the property owners. (Attachment B)

At the conclusion of the study session staff will ask for direction in regard to the public outreach meeting where staff and consultant will hold a public meeting for both residents and commercial property owners to comment on the proposed sewer rate options. At the conclusion of the public meeting, staff will gather those comments along with a staff recommendation and come back to City Council for an approved sewer rate so that we can engage in the Proposition 218 process to approve the Town's new sanitary sewer rates.

## **COUNCIL VALUES**

Based on the Town of Colma Code of Conduct, the City Council is conducting the establishing sanitary sewer rate process with *honesty and integrity*. Though it is difficult to increase rates, the City Council has shown integrity allowing the Town of Colma community an opportunity to participate in how the new sewer rates will be established.

## **CONCLUSION**

Staff is seeking questions, comments, and suggestions regarding the Sewer Rate Study #02 so that staff and consultant can present to the public in an open meeting the various sewer rate options. Because this is a study session, no formal action is needed at this time.

City Council did have a preference that was to have residential properties on a fix collection charge and commercial properties on a collection volumetric rate charge.

## **ATTACHMENTS**

- A. Town of Colma Residential Charges Utilizing a Flat Rate for Collection
- B. Phase in Options for Collection System Rates





TOWN OF COLMA RESIDENTIAL CHARGES UTILIZING A FLAT RATE FOR COLLECTION

|                  | (A)<br>Water USE<br>Annual HCF | (B)<br>Current<br>Monthly Charge | (C)<br>Current<br>Annual Charge | (D)<br>Proposed<br>Monthly Charge | (E)<br>Current<br>Annual Charge |
|------------------|--------------------------------|----------------------------------|---------------------------------|-----------------------------------|---------------------------------|
| NSMCSD-Daly City |                                |                                  |                                 |                                   |                                 |
| lowest use*      | 1                              | \$ 4.14                          | \$ 91.80                        | \$ 19.97                          | \$ 205.74                       |
| 25th Percentile  | 36                             | \$ 24.81                         | \$ 297.72                       | \$ 36.92                          | \$ 443.04                       |
| Median           | 60                             | \$ 41.35                         | \$ 496.20                       | \$ 50.48                          | \$ 605.76                       |
| Average          | 70                             | \$ 48.24                         | \$ 578.90                       | \$ 56.13                          | \$ 673.56                       |
| 75th Percentile  | 93                             | \$ 64.09                         | \$ 769.11                       | \$ 69.13                          | \$ 829.50                       |
| Max. user        | 522                            | \$ 359.75                        | \$ 4,316.94                     | \$ 311.51                         | \$ 3,738.12                     |
|                  |                                |                                  |                                 |                                   |                                 |
| SSF Residents    | Flat Rate                      | \$ 61.58                         | \$ 738.96                       | \$ 78.16                          | \$ 937.92                       |

\* NSMCSD has a minimum annual charge of \$91.80

Note: 1 HCF is equal to 748 gallons



# Phase in Options for Collection System Rates

| Phase-In Period         | Estimated Cost<br>Single-Family Home      |
|-------------------------|---|
| No Phase In<br>Approach | \$16.58* - \$19.38**<br>per month         |
| 2 Year Plan             | \$8.29* - \$9.69** per<br>month each year |
| 3 Year Plan             | \$5.53* - \$6.46** per<br>month each year |
| 4 Year Plan             | \$4.15* - \$4.85** per<br>month each year |
| 5 Year Plan             | \$3.32* - \$3.88** per<br>month each year |

\* Flat rate charges

\*\* Volumetric charges

