



CITY OF COLTON

City Hall

650 N. La Cadena Drive
Colton, CA 92324

Website: www.ci.colton.ca.us

Mayor Richard A. DeLaRosa

Council Members:

David J. Toro – District 1

Summer Zamora Jorin – District 2

Frank J. Navarro – District 3

Dr. Luis S. González – District 4

Deirdre H. Bennett – District 5

Isaac T. Suchil – District 6

City Treasurer Aurelio De La Torre

City Manager William R. Smith

City Attorney Carlos Campos

City Clerk Carolina R. Padilla

AGENDA

CITY COUNCIL/SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY FOR THE CITY OF COLTON/COLTON UTILITY AUTHORITY/COLTON PUBLIC FINANCING AUTHORITY/COLTON HOUSING AUTHORITY REGULAR MEETING

TUESDAY, FEBRUARY 02, 2016 - 5:00 P.M.

COUNCIL CHAMBERS

CLOSED SESSION – 5:00 P.M.

CLOSED SESSION CALLED TO ORDER

ROLL CALL

PUBLIC COMMENT

Limit 5 Minutes

This is the portion of the meeting specifically set aside to invite your comments regarding Closed Session items; however, any matter that requires action will be referred to staff for investigation and report at a subsequent Council meeting. The Council is prohibited by law from discussing or taking immediate action on items during this public comment period.

Persons desiring to submit paperwork to the City Council Members shall provide copy of any paperwork to the City Clerk for the Official Record.

Speakers will be limited to 5 minutes; provided, however, that the presiding officer shall have certain discretion to extend or limit time as provided for in the City Council Manual of Procedure.

A. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8

Property APN: 0161-221-21

Negotiating Parties: Bill Smith, City Manager; Mark Tomich, Development Services Director; Arthur Morgan, Economic Development Manager; Carlos Campos, City Attorney

Under Negotiation: Price and Terms of Purchase

- B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Pursuant to Government Code section 54957(b)
Title: City Manager

CITY ATTORNEY ORAL REPORT ON CLOSED SESSION ACTIONS

RULES OF DECORUM

To help conduct the business of the City Council in an orderly fashion, the City Council has adopted rules pertaining to decorum and order, as provided for in the City Council Manual of Procedure. The City Council will strictly enforce these rules in order to allow full expression of ideas and opinions by councilmembers, staff and the public. Generally, the City's rules of decorum prohibit comments or actions which willfully disrupt the meeting. All remarks and questions shall be addressed to the Council as a whole and not to any particular member. No individual Councilmember or member of the City staff shall be questioned without first obtaining permission from the Presiding Officer. The City Council asks that all persons - including councilmembers, staff and the public - act and speak respectfully.

OPEN SESSION

6:00 P.M.

OPEN SESSION CALLED TO ORDER

INVOCATION Pastor Don Duenez, Echoes of Love Ministry

FLAG SALUTE

ROLL CALL

CEREMONIAL MATTERS *Presentations, Awards, Proclamations*

- Presentation - Business Focus - Dell's Restaurant
- Recognition - Newly Graduated Fire Explorers
- Recognition - Recognition of Reverend Robert Johnson for years of service to the City of Colton

MAYOR AND COUNCIL ITEMS

GIFT DISCLOSURES

Prior to rendering a decision in any proceeding involving a license, permit, contract or other entitlement pending before the city council, any council member who has received been promised a gift or gifts aggregating \$50.00 or more in value within the preceding twelve months from a party or participant in the proceeding shall disclose that fact either orally or in writing during open session. This disclosure shall be made part of the official public record of the proceeding, either as part of the minutes of the meeting or as a separate writing filed with the city. (CMC Section 2.04.030)

AB 1234 ORAL REPORTS

Members of the city council shall provide brief reports on meetings attended at the expense of the city. (GC Section 53232.3(d))

MAYOR AND COUNCIL INFORMATIONAL ITEMS

- Discussion Item to relocate Satellite Office Hours for U.S. Congressman Pete Aguilar's Field Representative from Colton City Hall to the Colton Area Museum. [CM Gonzalez]

CITY TREASURER'S REPORTS

- Receive and File City Treasurer's Report for November 2015.

PUBLIC COMMENT

Limit 5 Minutes

This is the portion of the meeting specifically set aside to invite your comments regarding Consent Calendar items and any matters within the jurisdiction of the City Council; however, any matter that requires action will be referred to staff for investigation and report at a subsequent Council meeting. The Council is prohibited by law from discussing or taking immediate action on items during this public comment period.

Persons desiring to submit paperwork to the City Council Members shall provide copy of any paperwork to the City Clerk for the Official Record.

Speakers will be limited to 5 minutes; provided, however, that the presiding officer shall have certain discretion to extend or limit time as provided for in the City Council Manual of Procedure.

CONSENT CALENDAR

All matters listed under the Consent Calendar are considered by the City Council to be routine and will all be enacted by one motion. There will be no separate discussion of these items prior to the time the City Council votes on the motion, unless councilmembers, staff or the public request that specific items be discussed and/or removed for separate discussions or action.

- (1) Minutes – Approval of Minutes for the City Council Regular Meeting Held January 19, 2016 on File in the Office of the City Clerk. [City Clerk Padilla]
- (2) Warrants – Approve voucher numbers 153591 to 153648 dated 01/06/2016 and totaling \$337,082.73; voucher numbers 153649 to 153783 dated 01/14/2016 and totaling \$1,175,189.77; vouchers 153784 to 153892 dated 01/21/2016 and totaling \$1,553,044.94; and a payroll disbursement listing for the period 01/02/2016 to 01/15/2016 and totaling \$726,576.16, on file in the Finance Department. [Staff Person: A. Agramonte]
- (3) Second Reading of Ordinance No. O-03-16 - Waive full reading and pass second reading of Ordinance No. O-03-16, an Ordinance of the City Council of the City of Colton adding Chapter 5.14 regarding Mobile Food Vehicles, adding Chapter 5.15 regarding House Numbers on Curbs, amending Chapter 5.16 regarding Peddlers, Solicitors and Canvassers, and amending Chapter 5.24 regarding Massage Parlors and Massage Technicians, all to Title 5 of the Colton Municipal Code, **ORDINANCE NO. O-03-16**. [Staff Person: M. Tomich]
- (4) Military Banner Program - Approve and Adopt Resolution No. R-07-16 to formally approve and adopt the Hometown Military Banner Program Policy and Guidelines, as recommended by the Military Banner Committee, **RESOLUTION NO. R-07-16**. [Staff Person: S. Sanchez]
- (5) Contract Amendment – Department of Education Pre-School – Approve and Adopt Resolution No. R -08-16 approving amendment 01 of the California Department of Education Contract CSPP-5385 for the provision of Pre-School education services in the Community Services Department, **RESOLUTION NO. R-08-16**. [Staff Person: D. Farrar]
- (6) Contract Amendment – Department of Education School Age – Approve and Adopt Resolution No. R -09-16 approving amendment 01 of the California Department of Education Contract CSPP-5196 for the provision of Pre-School education services in the Community Services Department, **RESOLUTION NO. R-09-16**. [Staff Person: D. Farrar]

- (7) Purchase of 69 KV Circuit Breakers for Hub Substation – Waive the formal bidding process and authorize the Electric Department to piggyback on the City of Riverside’s bid award for the purchase of five (5) 69KV circuit breakers for the Hub Station from Alstom Grid, Inc., c/o McAvoy & Markham Engineering and Sales Co., Inc., in the total amount of \$213,813, in accordance with the Colton Municipal Code Section 3.08.140(c). [Staff Person: D. Kolk]
- (8) Award of Contract for FY 2015-16 Sewer Lining Project – Authorize the Award of Construction Contract for the FY 2015-16 Sewer Lining Project to Insituform Technologies, LLC as the lowest responsive and responsible bidder in the amount of \$148,450; Authorize the City Manager or his designee to approve Change Orders not to exceed 10% of the awarded contract. [Staff Person: D. Kolk]
- (9) Memorial Grove – Approve and Adopt Resolution No. R-10-16 authorizing the Incredible Edible Community Garden to donate goods and services for a memorial grove in honor of the victims of the San Bernardino County shooting which occurred on December 2, 2015, **RESOLUTION NO. R-10-16**. [Staff Person: D. Kolk]

PUBLIC HEARING

To speak on public hearing items, it is requested that you obtain a card from the City Clerk and complete it by noting the agenda item number, as well as whether you are in favor, opposition or neither, and give it to the City Clerk. The applicant will be allowed 5 minutes to address the Council and all other persons will be allowed 3 minutes; provided, however, that the presiding officer shall have certain discretion to extend or limit time as provided for in the City Council Manual of Procedure.

- (10) Amending and Restating Chapter 18.49 - Adult Business Regulations: File Index No. DAP-001-248 [Staff Person: M. Tomich]

TIME AND PLACE FIXED TO CONSIDER A CONTINUED PUBLIC HEARING FROM JANUARY 5, 2016, TO WAIVE FULL READING, READ BY TITLE ONLY AND INTRODUCE ORDINANCE NO. O-02-16, AMENDING AND RESTATING CHAPTER 18.49 OF THE COLTON MUNICIPAL CODE RELATING TO ADULT BUSINESS REGULATIONS: FILE INDEX NO. DAP-001-248.

Mayor announces the Public Hearing.

City Clerk submits the Notice of Continuance and reports on protests or objections thereto.

Staff Presentation.

Public Comment.

After hearing public comment, on motion by Councilmember _____, seconded by Councilmember _____, the Public Hearing is terminated.

Consider: Waive full reading, read by title only and introduce **ORDINANCE NO. O-02-16**.

MOTION _____ **SECOND** _____

BUSINESS ITEMS

MAYOR AND COUNCIL ORAL REPORTS AND COMMENTS

CITY MANAGER'S REPORTS

ADJOURNMENT

POSTING STATEMENT:

I, Sabdi Sanchez, Chief Deputy City Clerk or my designee, hereby certify that a true and correct, accurate copy of the foregoing agenda was posted Thursday, January 28, 2016, at least seventy-two (72) hours prior to the meeting per Government Code 54954.2, at the following locations:

City of Colton City Hall 650 N. La Cadena Drive
City of Colton Website, www.ci.colton.ca.us

PROCEDURES FOR ADDRESSING CITY COUNCIL

For the Official Record, it is requested that you obtain a card from the City Clerk and complete it by noting a specific item number on the Agenda, if applicable, or you can identify the subject that you wish to address under the Public Comment portion of the Agenda. The City Council encourages public input on all City issues within the Rules of Decorum. Speakers will be limited to the time periods provided on the Agenda; provided, however, that the presiding officer shall have certain discretion to extend or limit time as provided for in the City Council Manual of Procedure.

RULES OF DECORUM

To help conduct the business of the City Council in an orderly fashion, the City Council has adopted rules pertaining to decorum and order, as provided for in the City Council Manual of Procedure. The City Council will strictly enforce these rules in order to allow full expression of ideas and opinions by councilmembers, staff and the public. Generally, the City's rules of decorum prohibit comments or actions which willfully disrupt the meeting. All remarks and questions shall be addressed to the Council as a whole and not to any particular member. No individual Councilmember or member of the City staff shall be questioned without first obtaining permission from the Presiding Officer. The City Council asks that all persons - including councilmembers, staff and the public - act and speak respectfully.

NOTICE TO PUBLIC

Staff reports or other written documentation relating to each item referred to, on the Agenda, are available for public inspection at the following locations: Office of the City Clerk, 650 N. La Cadena Drive, Colton, CA; City of Colton Public Library, 656 9th St., Colton, CA; or the City of Colton Internet Website, www.ci.colton.ca.us. Any person having questions concerning any item on the Agenda may call the City Clerk at 370-5191 to make inquiry concerning the nature of the item described on the Agenda. The City Clerk shall direct inquiries to the appropriate office.

All matters listed under the Consent Calendar are considered by the City Council to be routine and will all be enacted by one motion. There will be no separate discussion of these items prior to the time the City Council votes on the motion, unless councilmembers, staff or the public request that specific items be discussed and/or removed for separate discussions or action.

In compliance with the American with Disabilities Act, if you need special assistance to participate in a City Meeting, please contact the City Clerk's Office at 909-370-5001. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

LEGAL CHALLENGES

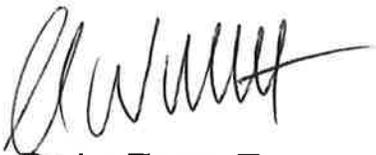
If you challenge in court any discussion or action taken concerning an item on this Agenda, you may be limited to raising only those issues you or someone else raised during the meeting or in written correspondence delivered to the City at or prior to the City's consideration of the item at the meeting.

MANUAL OF PROCEDURE

The City Council adopted its Manual of Procedure pursuant to Resolution No. R-150-07; Amended by Minute Action on December 2, 2014 and adopted by Resolution No. R-03-15 on January 20, 2015. Copies are available in the Office of the City Clerk.

CITY OF COLTON TREASURER'S REPORT
FOR NOVEMBER 2015

The Treasurer's report reflects all funds held by the City. The Investments reflected in this report are in compliance with the City's investment policy adopted in January 2016. The investment portfolio as well as budgeted income is expected to meet projected cash flow requirements for the next six months.

A handwritten signature in black ink, appearing to read 'Aurelio De La Torre', written in a cursive style.

Aurelio De La Torre, Treasurer
January 18, 2016

**CITY OF COLTON
WEIGHTED AVERAGE YIELD ON INVESTMENT PORTFOLIO**

MONTH	Yield
May-2014	0.23%
June-2014	0.23%
July-2014	0.24%
August-2014	0.26%
September-2014	0.25%
October-2014	0.26%
November-2014	0.26%
December-2014	0.27%
January-2015	0.26%
February-2015	0.27%
March-2015	0.28%
April-2015	0.28%
May-2015	0.29%
June-2015	0.30%
July-2015	0.32%
August-2015	0.33%
September-2015	0.34%
October-2015	0.36%
November-2015	0.37%

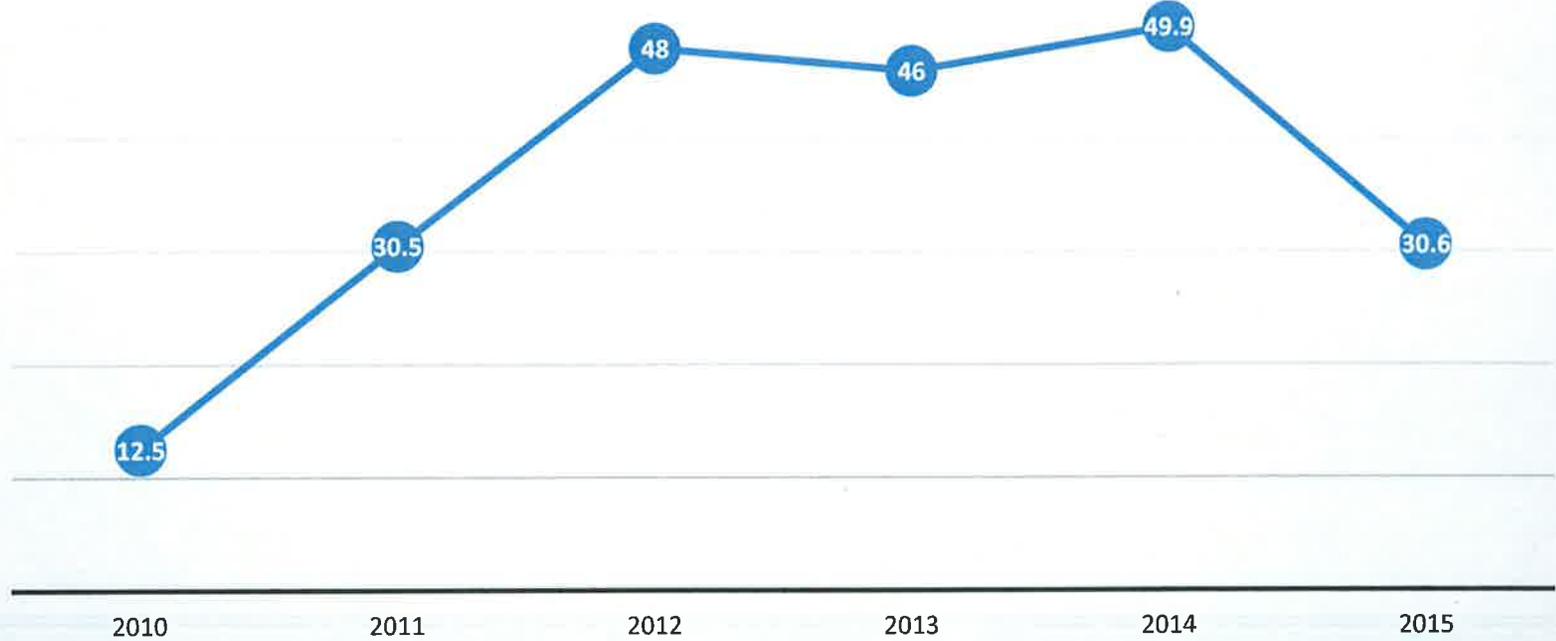
**City of Colton Treasurer's Report
November 2015**

The Treasurer

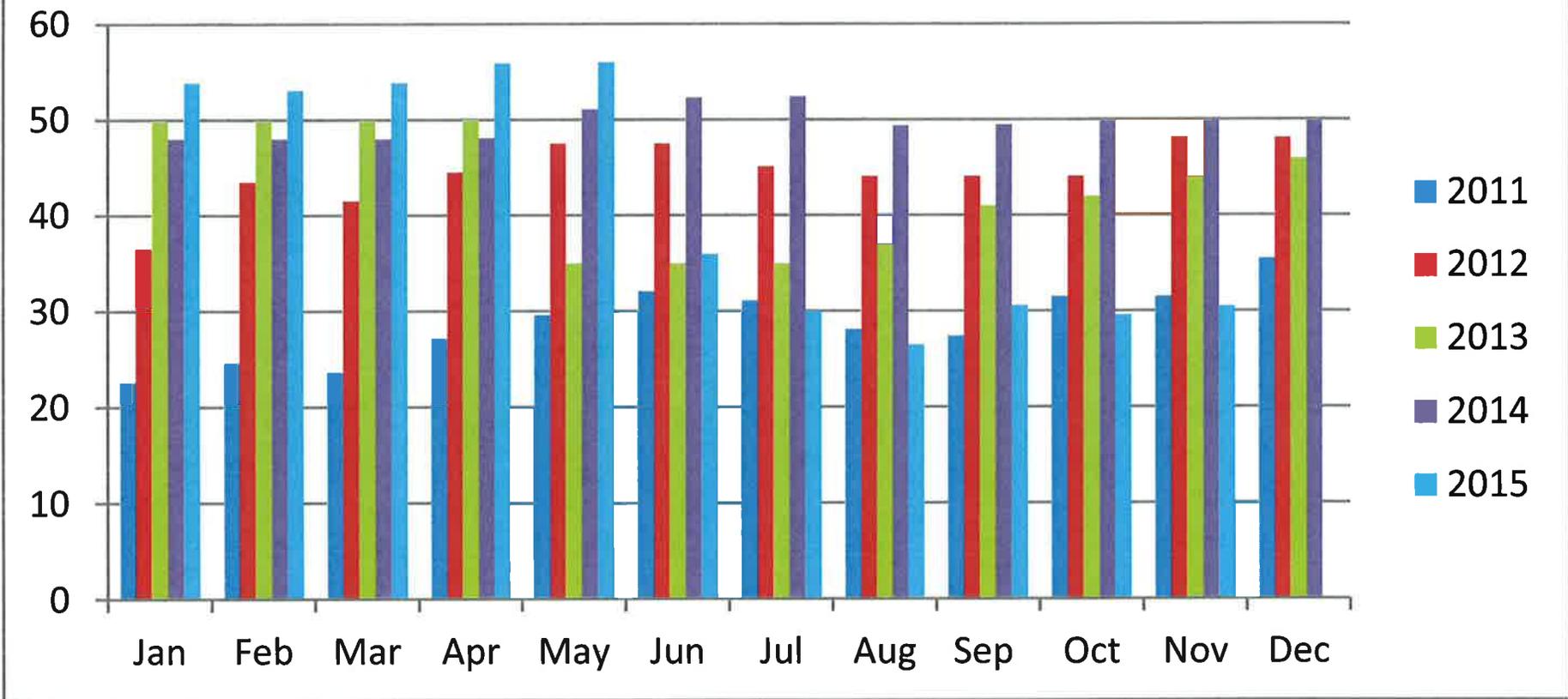
PAGE 1

INVESTMENT TYPE	ISSUER	DATE OF MATURITY	PAR AMOUNT	COST	FAIR MKT VALUE	YIELD
STATE POOL						
LAIF-General, other	State Pool	Daily	\$ 22,766,687	\$ 22,766,687	\$ 22,766,687	0.37%
UNION BANK						
General	Money Market	Daily	\$ 1,059,487	\$ 1,059,487	\$ 1,059,487	0.01%
General	FFCB	9/22/2017	\$ 509,000	\$ 501,255	\$ 501,255	1.12%
General	FDIC Insured CD's	6/13-19/2017	\$ 1,253,278	\$ 1,253,278	\$ 1,253,278	1.10%
General	FHLB	3/24/2017	\$ 2,022,000	\$ 2,002,340	\$ 2,002,340	1.10%
			\$ 4,843,765	4,816,360	4,816,360	
CITIZENS TRUST						
General	Money Market	Daily	110,377	110,377	110,377	0.10%
General	FHLB,FFCB,FNMA,FHLM	8/25-17/2020	2,900,000	2,897,934	2,896,089	0.83-1.32%
			3,010,377	3,008,311	3,006,466	
GENERAL TOTAL			<u>30,620,829</u>	<u>30,591,358</u>	<u>30,589,513</u>	
STATE POOL						
LAIF-Electric Reserve	State Pool	Daily	<u>34,818,667</u>	<u>34,818,667</u>	<u>34,818,667</u>	0.37%
TOTAL INVESTMENTS BY TREASURER			<u>\$ 65,439,496</u>	<u>\$ 65,410,025</u>	<u>\$ 65,408,180</u>	
NON INVESTMENT ACCOUNTS						
Bank of America	General acct	Daily	\$ 2,466,076	\$ 2,466,076	\$ 2,466,076	0.15%
Bank of America	Payroll acct	Daily	\$ 262,587	\$ 262,587	\$ 262,587	0.15%
Bank of America	Workers Comp	Daily	94,145	94,145	94,145	0.15%
Bank of America	Rancho Med	Daily	188,853	188,853	188,853	0.15%
Citibank	Hermosa Trust	Daily	469,583	469,583	469,583	0.05%
Citibank	Water-meter escrow	Daily	1,010,532	1,010,532	1,010,532	0.11%
			\$ 4,491,776	\$ 4,491,776	\$ 4,491,776	
PETTY CASH FUNDS			5,000	5,000	5,000	N/A
TOTAL NON INVESTMENT ACCOUNTS			<u>\$ 4,496,776</u>	<u>\$ 4,496,776</u>	<u>\$ 4,496,776</u>	

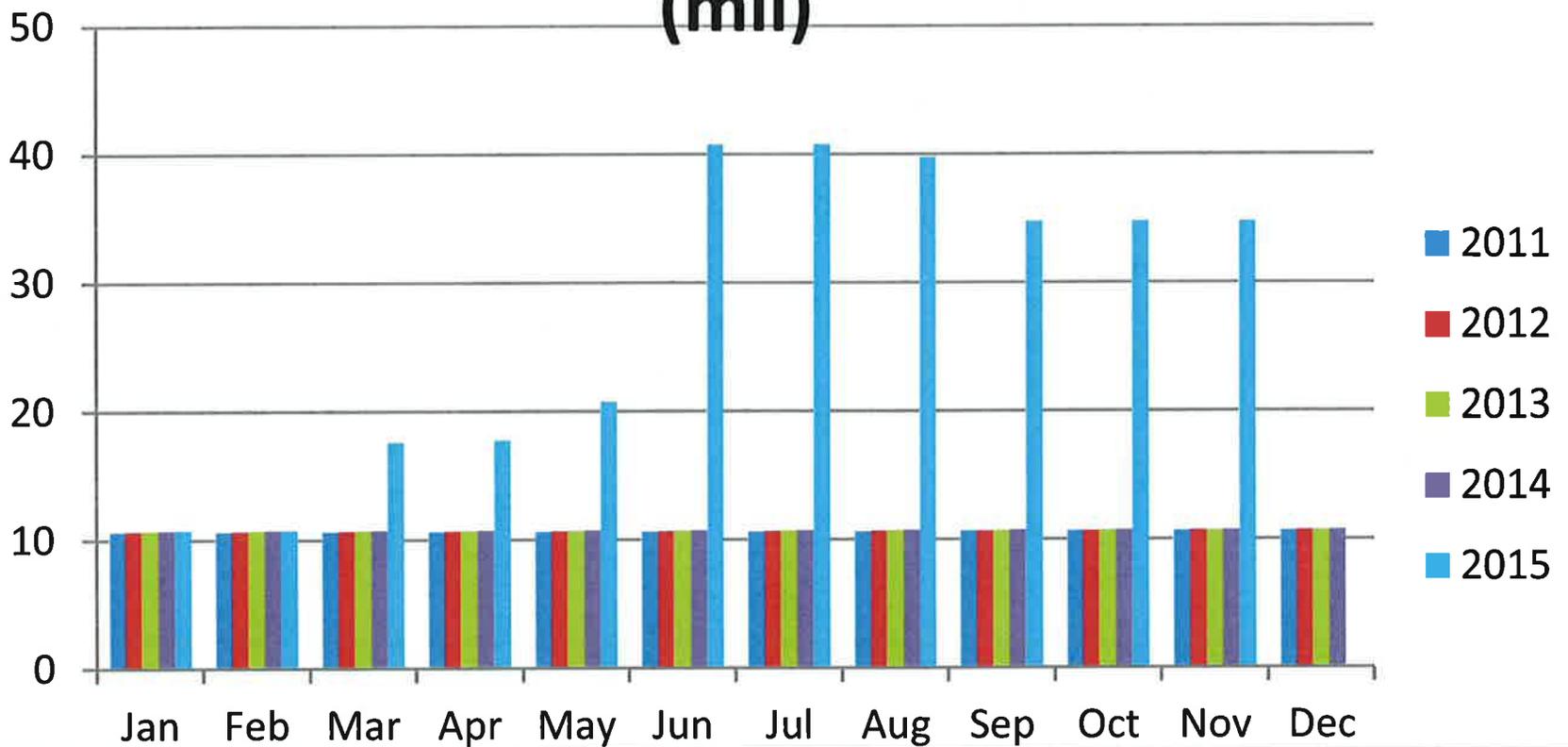
November Comparison of Available General Cash (mil)



City of Colton General Pooled Cash(mil)



City of Colton Electric Cash & Reserve- (mil)



**City of Colton Treasurer's Report
November 2015**

Investments under Bond Indentures

PAGE 2

TRUSTEE Bond Issue	ISSUER	DATE OF MATURITY	PAR AMOUNT	COST	FAIR MKT. VALUE	YIELD
Union Bank						
1998 Water Bonds-R	Morgan Grnty Trust	3/1/2030	\$ 702,500	\$ 702,500	\$ 702,500	5.30%
1998 Water Bonds-R	Blackrock Prov.	Daily	\$ 1	\$ 1	\$ 1	0.00%
1998 Water Bonds-C	Blackrock Prov.	Daily	23,146	23,146	23,146	0.02%
2000 Wastewater B-R	GE GIC	3/1/2025	412,658	412,658	412,658	6.15%
2012 Electric Bonds-PP	Blackrock Prov.	Daily	1,255,021	1,255,021	1,255,021	0.02%
2012 Electric Bonds-R	FFCB	11/27/2017	2,770,001	2,770,001	2,770,249	0.87%
2012 Electric Bonds-R	Blackrock Prov.	Daily	16,457	16,457	16,457	0.02%
2007A Bonds-PP	Blackrock Prov.	Daily	792,802	792,802	792,802	0.02%
CFD 89-2	LAIF	Daily	275,174	275,174	275,174	0.37%
			<u>\$ 6,247,760</u>	<u>\$ 6,247,760</u>	<u>\$ 6,248,008</u>	

**City of Colton Treasurer's Report
November 2015**

Investments under Bond Indentures

PAGE 3

INVESTMENT TYPE	ISSUER	DATE OF MATURITY	PAR AMOUNT	COST	FAIR MKT VALUE	YIELD
US Bank						
PFB 2007-R	1st American TOF	Daily	2,735,097	2,735,097	2,735,097	0.01%
PFB 2007-R	1st American TOF	Daily	2,905	2,905	2,905	0.01%
PFA 2007 Ser B-R	1st American TOF	Daily	923,963	923,963	923,963	0.01%
CFD 87-1 96 Spec Tax	1st American TOF	Daily	28,907	28,907	28,907	0.01%
CFD 87-1/88-1/89-1	Municipal Bonds	9/1/2018	9,126	9,126	9,126	6.32%
CFD 90-1	1st American TOF	Daily	269,894	269,894	269,894	0.01%
PFA 1996-R	1st American TOF	Daily	11,366	11,366	11,366	0.01%
PFA 1996-R	GE GIC	9/1/2019	247,807	247,807	247,807	6.04%
			\$ 4,229,065	\$ 4,229,065	\$ 4,229,065	

Total Held by Trustees \$ 10,476,825 \$ 10,476,825 \$ 10,477,073

TOTAL CITY CASH AND INVESTMENTS **\$ 80,383,626**

**Cash and Investments Report
City of Colton
Through November 2015**

	Fund Total
100 GENERAL FUND	1,462,986.59
150 TREASURERS ACCOUNT GROUP	5,557.25
206 COMMUNITY CHILD CARE	136,008.21
210 SPECIAL GAS TAX	738,806.98
211 LIBRARY GRANT FUND	16,989.89
212 STATE TRAFFIC RELIEF FUND	49.45
214 POLLUTION REDUCTION FUND	401,677.55
215 COMMUNITY DEV ACT FUND	7,619.51
217 DRUG/GANG INTERVENTION	14,713.06
218 MEASURE I FUND	2,472,947.01
220 ViTep	55,972.09
225 MISC GRANTS	(285,108.51)
240 HOST CITY FEES - CIP	232,316.63
248 PARK DEVELOPMENT FUND	434,973.51
249 TRAFFIC IMPACT FUND	2,023,842.75
250 NEW FACILITIES DEVELOPMENT FEE	159,097.88
251 CIVIC CENTER DEVELOPMENT FEE	19,760.51
252 FIRE FACILITY DEVELOPMENT FEE	41,616.51
253 POLICE FACILITY DEVELOPMENT FEE	22,474.81
261 ASSET FORFEITURE	182,487.67
350 PFA Debt Fund	2,640,533.74
357 POB-Non Enterprise	128,257.05
358 PENSION OBLIGATION DEBT SERVICE	(96,597.98)
364 WATER IMPRVMT DIST A	5,410.00
450 Capital Improvement Projects	(9,598.56)
451 Colton Crossing Fund	2,556,888.87
520 ELECTRIC UTILITY	41,897,734.92
521 WATER UTILITY	7,774,272.18
522 WASTEWATER UTILITY	11,827,655.06
523 SOLID WASTE	358,811.40
526 PUBLIC BENEFIT FUND	2,412,868.84
560 CEMETARY ENDOWMENT CARE	1,150,704.10
605 Facility & Equipment Maintenance Fund	(259,620.05)
606 INFORMATION SERVICES FUND	750,543.05
607 INSURANCE FUND	855,690.04
608 AUTOMOTIVE SHOP	(65,416.15)
701 LLMD #2	(29,155.32)
702 LLMD #1	(90,340.31)
703 CFD 87-1 DEBT SERVICE	266,858.35
707 CFD 88-1 DEBT SERVICE	290,872.89
722 STORM WATER	64,195.54
734 CFD 89-2 CONSTRUCTION	0.98
744 CFD 89-1 DEBT SERVICE	514,026.14
745 CFD 89-2 DEBT SERVICE	507,932.71
762 TRUST AND AGENCY	993,757.21
781 CFD 90-1 DEBT SERVICE	319,806.01
850 Redevelopment Obligation Retirement Fund	4,074,523.14
851 Successor Agency Administration	(75,734.15)
855 Housing Auth - RM PARK DEVELOPMENT	(4,242,277.17)
856 Housing Auth - RANCHO MED BOND PROCEEDS	(6,150,293.36)

**Cash and Investments Report
City of Colton
Through November 2015**

		Fund Total
864	Housing Auth - LOW/MOD BOND PROCEEDS	4,907,640.41
865	Housing Auth - RANCHO MED CHFA	4.24
870	Housing Auth - RM PARK OPERATIONS	5,416,493.43
874	Housing Auth - LOW/MOD DEBT SERVICE	(1,050,944.10)
890	Successor Agcy-RDA - LONG TERM DEBT GRP	1,878,768.78
898	Housing Auth - LOW/MOD CAPITAL PROJECTS	(9,849.79)
	Grand Total:	<u><u>87,659,211.49</u></u>

Reconciling Items:

Outstanding checks and adjustments	943,710.85
TABS - bond refinanced on August 1-pending journal entry	(5,706,774.86)
Deposits intransit	(417,476.90)
City Investment in CFD -adjustments to be posted	(1,915,874.00)
Petty cash not reflected in this report	5,000.00
Timing Difference (including rounding difference of \$2.63)	<u>(184,170.58)</u>

Per Treasurer's Report

80,383,626.00

CITY OF COLTON
CITY COUNCIL/SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY
FOR THE CITY OF COLTON/COLTON UTILITY AUTHORITY/
COLTON PUBLIC FINANCING AUTHORITY AND
COLTON HOUSING AUTHORITY
CLOSED SESSION MINUTES

January 19, 2016

Closed Session Meeting was held on the above given date at 5:00 p.m., in the Council Chambers of City Hall, with Mayor Pro Tem Navarro presiding.

CITY COUNCIL ROLL CALL

Councilmembers present were, Toro (*appeared at 5:08 p.m.*), Jorrin, González, Bennett, Suchil, MPT Navarro, and Mayor DeLaRosa (*appeared at 5:05 p.m.*).

STAFF PRESENT

City Clerk Padilla. Absent from the Council Chambers: City Manager Smith and City Attorney Campos.

PUBLIC COMMENT

None.

MPT Navarro announced that the City Council would meet in Closed Session to Discuss Items A through E.

CLOSED SESSION

- A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)
City of Colton v. San Bernardino Associated Governments, et al.
San Bernardino Superior Court, Case No. CIVDS 1417765
- B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Pursuant to Government Code Section 54956.8
Property APN: 0161-221-21
Negotiating Parties: Bill Smith, City Manager; Mark Tomich, Development Services Director; Arthur Morgan, Economic Development Manager; Carlos Campos, City Attorney
Under Negotiation: Price and Terms of Purchase
- C. CONFERENCE WITH LABOR NEGOTIATORS
Pursuant to Government Code Section 54957.6
Agency Designated Representatives: City Manager / Human Resources Manager
Employee Groups: General Unit, Mid-Manager Unit, IBEW Electric and Water/Wastewater, Colton Police Officers Association, Colton Police Dispatchers Association, Colton Fire Association, Confidential Group, Executive Group
- D. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant Exposure to Litigation, Pursuant to Government Code Section 54956.9(d)(2)
One (1) potential case, Charles McCann, Claim No. 14552757

E. CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code Section 54957.6

Agency designated representatives: City Manager / Human Resources Manager

Employee Group: Colton Fire Association

Mayor Pro Tem Navarro adjourned the meeting to Closed Session at 5:02 p.m. and at 6:07 p.m., the meeting reconvened, with all members present as heretofore; Mayor DeLaRosa presiding.

City Attorney Campos announced that the City Council met in Closed Session and discussed Items B and C. with direction given to staff and no reportable action; Discussion on Item D and E will continue at the end of the Regular Council Meeting. There is Reportable Action on Item A: Special Counsel Attorney Mark C. Allen III of Skapik Law Group announced the City Council on advice of Counsel directed Counsel and the City Manager to enter into a Settlement Agreement in Case Number CIVDS 1417765 City of Colton v. San Bernardino Associated Governments, et al. and the details of that settlement will be available in the City Records.

CITY COUNCIL/SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY FOR THE CITY OF
COLTON/COLTON UTILITY AUTHORITY/
COLTON PUBLIC FINANCING AUTHORITY AND
COLTON HOUSING AUTHORITY
REGULAR MEETING MINUTES

January 19, 2016

Regular Meeting held on the above-given date at 6:08 p.m. in the Council Chambers of City Hall, with Mayor DeLaRosa presiding.

INVOCATION/FLAG SALUTE

Pastor Jonathon Florez, First Assembly of God

CITY COUNCIL ROLL CALL

Council Members Present

Richard A. DeLaRosa, Mayor

David J. Toro

Summer Jorin

Frank J. Navarro, Mayor Pro Tem

Dr. Luis S. González

Deirdre H. Bennett

Isaac T. Suchil

Staff Present

William R. Smith, City Manager

Carlos Campos, City Attorney

Carolina R. Padilla, City Clerk

Council Members Absent

None.

MAYOR AND COUNCIL ITEMS

POSSIBLE CONFLICT OF INTEREST DISCLOSURES FOR THE COUNCIL MEETING OF JANUARY 19, 2016.

GIFT DISCLOSURES

Mayor DeLaRosa asked the members present if there were any agenda items that were a conflict of interest pursuant to CMC Section 2.04.030. None disclosed.

AB 1234 ORAL REPORTS

Mayor DeLaRosa asked the members present if there were any brief reports on meetings attended at the expense of the City. (*GC Section 53232.3(d)*). None disclosed.

MAYOR AND COUNCIL INFORMATIONAL ITEMS

- Discussion and possible direction to initiate appointing youth commissioners to all city boards and commissions, in accordance with CMC 2.30.020: Composition of Commissions and Committees.

Councilmember González presented this item for Council consideration the idea of reinstating the youth leadership program. The proposal outlined a 3-year plan with the goal of developing a comprehensive youth leadership program and at the same time coordinate with the current programs for effective collaboration. With the use of a PowerPoint presentation CM González included/outlined the following: What we currently have in place; What Programs we can learn from; and the specifics of the proposal that would occur during the 3-year plan implementation.

Discussion and discernment between Councilmembers present and CM González with an end result to continue the discussion with assistance of City Manager Smith as to the facility cost and staff time which would include review of the guidelines outlined for the Colton Youth Board which were previously adopted by Council; and return with a report to Council.

APPOINTMENTS

- Appointment of Mayor Pro Tempore for 2016.

Mayor introduced the item to open nominations from the dais for appointment of Mayor Pro Tempore for 2016. CM Toro nominated CM Bennett who declined; Motion and Second by CM Toro/CM Bennett to nominate CM Suchil.

MPT Navarro nominated CM Toro who would accept if CM Suchil is not ratified.

Roll Call Vote: YES – CM Toro/CM Jorrin/CM Bennett/CM Suchil and Mayor DeLaRosa; NO – CM González MPT Navarro. Motion Carried CM Suchil is MPT for 2016.

PUBLIC COMMENT

General

The following community members addressed the Council: Representative Ashley Jones (*Assemblyperson Cheryl Brown/San Bernardino District Office*); Christine Irish-Ré; and Salvador Nieves.

CONSENT CALENDAR

Mayor DeLaRosa presented the Consent Calendar Items 1 through 8

Motion and Second by CM Bennett/MPT Suchil to approve the Consent Calendar Items 1 through 8.

Vote: All answered 'Aye'. Unanimous vote.

- (1) Minutes – Approval of Minutes for the City Council Regular Meeting Held January 05, 2015 on File in the Office of the City Clerk.
- (2) Warrants – Approve U.S. Bank vouchers dated 12/30/15 and totaling \$25,459.97; voucher numbers 153345 to 153507 dated 12/23/2015 and totaling \$863,727.21; voucher numbers 153508 to 153590 dated 12/30/2015 and totaling \$1,814,817.58, less voided checks totaling \$3,058.16; a payroll disbursement listing for the period 11/21/2015 to 12/04/2015 and totaling \$775,729.75; a payroll disbursement listing for the period 12/05/2015 to 12/18/2015 and totaling \$729,370.37; and a payroll disbursement listing for the period 12/19/2015 to 01/01/2016 and totaling \$863,875.75., on file in the Finance Department.
- (3) Second Reading of Ordinance No. O-01-16 – Waive Full Reading and Pass Second Reading of Ordinance No. O-01-16, amending portions of Chapter 18.48.130 of the Colton Municipal Code to prohibit marijuana cultivation within the City of Colton, ORDINANCE NO. O-01-16.
- (4) International Swap and Derivative Agreement (ISDA) – Approve and adopt Resolution No. R-03-16, authorizing Utility Director to execute the International Swap and Derivative Agreement (ISDA) between the City of Colton and Shell Energy Trading and Risk Management, LLC (STRM), RESOLUTION NO. R-03-16.
- (5) Rialto Unified School District Participation in City of Colton Rebate Program – Authorize the payment of \$21,624 in rebate funds to the Rialto Unified School District for their participation in City rebate programs.
- (6) Third Amendment to Professional Services Agreement with Krieger and Stewart – Authorize the City Manager to execute the third amendment to the Professional Services Agreement with Krieger and Stewart Engineering Consultants for additional work for the design of the Pressure Relief Valve Project in the amount of \$39,900.
- (7) Investment Policy – Approve and adopt Resolution No. R-05-16 delegating to the City Treasurer the authority to invest and reinvest funds for the City and to sell and exchange securities; and approve the Investment Policy for the City of Colton, RESOLUTION NO. R-05-16.
- (8) Temporary Hiring Freeze – Approve and Adopt Resolution No. R-06-16, implementing a temporary hiring freeze for all regular, full-time City positions, RESOLUTION NO. R-06-16.

PUBLIC HEARING

- (9) Proposed Rate Increases to Water Service Fees

TIME AND PLACE FIXED TO CONSIDER A PUBLIC HEARING REGARDING PROPOSED RATE INCREASES TO WATER SERVICE FEES.

City Clerk Padilla announced the Public Hearing for the above stated item will not be heard; will be re-noticed for a later date.

- (10) Water Efficient Landscape Ordinance

TIME AND PLACE FIXED TO CONSIDER A PUBLIC HEARING TO WAIVE FULL READING AND PASS SECOND READING OF ORDINANCE NO. O-12-15, WHICH REVISES CITY OF

COLTON MUNICIPAL CODE CHAPTER 13.30 TO REFLECT UPDATES MADE TO THE STATE'S MODEL FOR THE WATER EFFICIENT LANDSCAPE ORDINANCE. TO Read as Follow: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OLTON TO ADOPT THE STATE OF CALIFORNIA'S UPDATED MODEL WATER EFFICIENT LANDSCAPE ORDINANCE AS REQUIRED OF ALL CITIES AND COUNTIES TO EITHER ADOPT THE STATE'S UPDATE MODEL WATER EFFICIENT LANDSCAPE ORDINANCE BY DECEMBER 1, 2015, OR ADOPT THEIR OWN WATER EFFICIENT LANDSCAPE ORDINANCE THAT IS AS EFFECTIVE IN CONSERVING WATER AS THE MODEL ORDINANCE.

Mayor DeLaRosa declared the Public Hearing Open.

City Clerk Padilla submitted the Affidavit of Publication calling the Public Hearing (*on file in the City Clerk's Office*) and there were no reports of protests or objections thereto.

PUBLIC COMMENT

None.

Motion and Second by MPT Suchil/CM Bennett to Close the Public Hearing.

Vote: All answered 'Aye'. Unanimous vote.

Motion and Second by CM Jorin/CM González to waive full reading and pass second reading of Ordinance No. O-12-15.

Vote: All answered 'Aye'. Unanimous vote.

BUSINESS ITEMS

- (11) Amending Title 5 of the Colton Municipal Code (Business Licenses & Regulations) - Waive Further Reading, Read by Title Only and Introduce Ordinance No. O-03-16, an Ordinance of the City Council of the City of Colton adding Chapter 5.14 to Title 5 of the Colton Municipal Code regarding Mobile Food Vehicles, adding Chapter 5.15 to Title 5 regarding House Numbers on Curbs, amending Chapter 5.16 of Title 5 regarding Peddlers, Solicitors and Canvassers, and amending Chapter 5.24 of Title 5 regarding Massage Parlors and Massage Technicians, ORDINANCE NO. O-03-16. [*unfinished business: Item #7, 12/01/15 agenda*]

Staff Presentation

Mark Tomich, Development Services Director, presented for Council consideration and requested approval of staff's recommendation amending Title 5 of Colton Municipal Code (Business Licenses & Regulations).

Public Comment

None.

Motion and Second by CM Bennett/MPT Suchil to waive full reading, read by title only and introduce Ordinance No. O-03-16.

Vote: All answered 'Aye'. Unanimous vote.

CITY MANAGER'S REPORTS

Anita Agramonte, Finance Director, announced the City is required to report annually to the City Council to meet the FERC (*Federal Energy Regulatory Commission*) mandated risk management policy, and typically City Treasurer De La Torre (*absent for this evening's Council Meeting*) provides this report in January of each year. The Risk Management Committee for the Electric Utility is comprised of the City Treasurer, Finance Director, Electric Utility Director, and other staff as needed. The Committee has met quarterly over the past year to

discuss challenges or concerns as well as funding plans for the Electric Utility. There were no unauthorized transactions to report this past year

(11) Report on El Niño Preparation.

Informational item presented by Shannon Kendall, Joint Emergencies Services Coordinator, Colton Fire Department and Mike Cory, Water/Wastewater Superintendent, Water Utilities Division; PowerPoint presentation outlined the following elements: El Nino Working Group; Public Education; Identified Problem Areas; Created Maps; More Focused, Problem Area Maps Identifying; Created a Contact List; Updated Current Vendor List; and El Niño “Kit” (Binder) Created.

(12) Update on County “Point in Time” Homelessness Count.

Informational item presented by Deb Farrar, Acting Community Services Director, announced the 2016 Point-in-Time Homeless Count and Survey will be conducted on Thursday, January 28, 2016. This program is funded and coordinated through the County of San Bernardino to address chronic homelessness. This is a county-wide, one-day count and subpopulation survey of sheltered and unsheltered individuals to identify how many people in San Bernardino County are homeless. The biennial Point-in-Time Count, required by the United States Department of Housing and Urban Development (HUD), is conducted every two years in order to count the homeless population of San Bernardino County. Last year’s Point-in-Time count fulfilled the HUD requirement, however continuing funding and grants rely on annual information. This effort will help promote government and private grant funding and other resources for local communities to help people exit life on the streets and prevent homelessness. The actual count and survey are conducted by trained volunteers and City Staff who target areas where Homeless People Live/Spend Time/Receive Services.

ADJOURNMENT

At 7:52 p.m., Mayor DeLaRosa adjourned the Regular Council meeting in memoriam of Angelina Cordova, Evie Johnson, and Sandy (Chato) Ortiz.

Mayor DeLaRosa announced the business of the Regular Meeting of the City Council has been concluded and ask City Attorney Campos to take the Council into Closed Session.

City Attorney Campos read Closed Session Item D and E into the record.

CLOSED SESSION (*cont’d*)

- D. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant Exposure to Litigation, Pursuant to Government Code Section 54956.9(d)(2)
One (1) potential case, Charles McCann, Claim No. 14552757

- E. CONFERENCE WITH LABOR NEGOTIATORS
Pursuant to Government Code Section 54957.6
Agency designated representatives: City Manager / Human Resources Manager
Employee Group: Colton Fire Association

Mayor DeLaRosa adjourned the meeting to Closed Session at 7:53 p.m. and at 8:49 p.m., the meeting reconvened, with all members present as heretofore.

Attorney Campos read out of Closed Session that the City Council did meet in Closed Session and discussed Item D and E with direction to staff and no reportable action.

ADJOURNMENT *(cont'd)*

At 9:38 p.m., Mayor DeLaRosa adjourned the Regular Council meeting.

Carolina R. Padilla
City Clerk

THIS PAGE WAS INTENTIONALLY LEFT BLANK



STAFF REPORT

DATE: FEBRUARY 02, 2016
 TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS
 FROM: BILL SMITH, CITY MANAGER *BS*
 PREPARED BY: ANITA AGRAMONTE, FINANCE DIRECTOR *AA*
 SUBJECT: APPROVAL OF ACCOUNTS PAYABLE VOUCHERS AND PAYROLL DISBURSEMENTS

RECOMMENDED ACTION

It is recommended that the City Council approve voucher numbers 153591 to 153648 dated 01/06/2016 and totaling \$337,082.73; voucher numbers 153649 to 153783 dated 01/14/2016 and totaling \$1,175,189.77; vouchers 153784 to 153892 dated 01/21/2016 and totaling \$1,553,044.94; and a payroll disbursement listing for the period 01/02/2016 to 01/15/2016 and totaling \$726,576.16.

BACKGROUND

The California Government Code requires that the legislative body ratify all vouchers issued in the course of conducting City business.

ISSUES/ANALYSIS

All vouchers and related backup documentation have been reviewed by the City Treasurer.

FISCAL IMPACTS

None.

ALTERNATIVES

1. Provide alternative direction to staff.

ATTACHMENTS

1. Fund number & Title legend
2. Voucher lists & payroll disbursement register

City of Colton
Fund Number and Title Legend

Fund	Title
100	GENERAL FUND
150	TREASURERS ACCOUNT GROUP
206	COMMUNITY CHILD CARE
209	DSF FLY CONSERVATION
210	SPECIAL GAS TAX
211	LIBRARY GRANT FUND
212	STATE TRAFFIC RELIEF FUND
213	S.Y.E.T.P. GRANT
214	POLLUTION REDUCTION FUND
215	COMMUNITY DEV ACT FUND
216	CDBG HOUSING REHAB FUND
217	DRUG/GANG INTERVENTION
218	MEASURE I FUND
219	STATE AID - CAPITAL PROJECTS
220	ViTep
225	MISC GRANTS
240	HOST CITY FEES - CIP
247	Quimby In Lieu Fees
248	PARK DEVELOPMENT FUND
249	TRAFFIC IMPACT FUND
250	NEW FACILITIES DEVELOPMENT FEE
251	CIVIC CENTER DEVELOPMENT FEE
252	FIRE FACILITY DEVELOPMENT FEE
253	POLICE FACILITY DEVELOPMENT FEE
261	ASSET FORFEITURE
326	AD 94-1 DEBT SERVICE
332	1971 SEWER BONDS, A & C
350	PFA Debt Fund
357	POB-Non Enterprise
358	PENSION OBLIGATION DEBT SERVICE
359	CORP YARD DEBT SERVICE
363	1978-2 ASSESSMENT DIST.
364	WATER IMPRVMT DIST A
379	AD 1979-1 DEBT SERVICE
427	AD 94-1 CONSTRUCTION
450	Capital Improvement Projects
451	Colton Crossing Fund
453	STREET IMPROVEMENTS PRGM
457	CAPITAL IMPROVEMENT
469	EQUIPMENT REPLACEMENT
520	ELECTRIC UTILITY
521	WATER UTILITY
522	WASTEWATER UTILITY
523	SOLID WASTE
524	CEMETERY
525	RECYCLING
526	PUBLIC BENEFIT FUND
527	WASTEWATER UTILITY - GRAND TERRACE
551	WATER DEVELOPMENT
552	SEWER DEVELOPMENT
560	CEMETARY ENDOWMENT CARE
605	Facility & Equipment Maintenance Fund
606	INFORMATION SERVICES FUND
607	INSURANCE FUND
608	AUTOMOTIVE SHOP
610	AUTOMOTIVE SHOPS

Fund	Title
701	LLMD #2
702	LLMD #1
703	CFD 87-1 DEBT SERVICE
704	CFD 87-1 CONSTRUCTION
707	CFD 88-1 DEBT SERVICE
708	CFD 88-1 CONSTRUCTION
709	DSF FLY CONSERVATION
722	STORM WATER
733	CFD 89-1 CONSTRUCTION
734	CFD 89-2 CONSTRUCTION
744	CFD 89-1 DEBT SERVICE
745	CFD 89-2 DEBT SERVICE
750	AQUA MANSA CFD
754	SB COUNTY HOSPITAL
762	TRUST AND AGENCY
766	DEFERRED COMPENSATION
781	CFD 90-1 DEBT SERVICE
782	CFD 90-1 CONSTRUCTION
850	Redevelopment Obligation Retirement Fund
851	Successor Agency Administration
855	Housing Auth - RM PARK DEVELOPMENT
856	Housing Auth - RANCHO MED BOND PROCEEDS
857	LMI Asset Fund
864	Housing Auth - LOW/MOD BOND PROCEEDS
865	Housing Auth - RANCHO MED CHFA
866	ECONOMIC DEVELOPMENT
867	Consolidation Proj_08-09
870	Housing Auth - RM PARK OPERATIONS
871	Successor Agcy-RANCHO/MILL PROJECT AREA
872	Successor Agcy-RANCHO/MILL DEBT SERVICE
873	Successor Agcy-RDA II PROJECT FUND
874	Housing Auth - LOW/MOD DEBT SERVICE
875	Housing Auth - LOW/MOD BOND PROCEEDS
876	Successor Agcy-SANTA ANA RIV BND PROCEED
877	Successor Agcy-SANTA ANA RIVER CIP
878	RDA FIXED ASSETS GROUP
879	Successor Agcy-WEST VALLEY CIP
881	Successor Agcy-MT VERNON BOND PROCEEDS
882	Successor Agcy-MT VERNON CIP
885	Successor Agcy-MT VERNON DEBT SERVICE
886	RDA ADMINISTRATION
887	COOLEY RANCH - now 894
888	MT VERNON - now 882
889	WEST VALLEY - now 879
890	Successor Agcy-RDA - LONG TERM DEBT GRP
891	Successor Agcy-RDA I DEBT SERVICE FUND
892	Successor Agcy-RDA I - CAPITAL PROJECTS
893	Successor Agcy-RDA II DEBT SERVICE FUND
894	Successor Agcy-COOLEY RANCH PROJECT
895	Successor Agcy-COOLEY RANCH DEBT SERV
896	SANTA ANA RIVER - now 877
897	Successor Agcy-SANTA ANA RIVER DEBT SVC
898	Housing Auth - LOW/MOD CAPITAL PROJECTS
899	Successor Agcy-WEST VALLEY PRJ - DBT SV
941	GENERAL LONG-TERM DEBT
958	GENERAL FIXED ASSETS
990	GASB 34

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153591	1/6/2016	058517 AETNA	31070392		HR- RETIREE HEALTH PREMIUMS 100-6030-6030-1150-0000-000	1,140.00 Total : 1,140.00
153592	1/6/2016	059314 AETNA	31069655		HR- RETIREE HEALTH PREMIUMS 100-6030-6030-1150-0000-000	1,446.24 Total : 1,446.24
153593	1/6/2016	046028 AT & T	5141746-1215	054153	C. CARE- TELEPHONE SERVICES 206-7200-7202-2310-0000-000	35.84
			7832679-1215	054153	C. CARE- TELEPHONE SERVICES 206-7200-7202-2310-0000-000	18.51
			8243506-1215	054153	C. CARE- TELEPHONE SERVICES 206-7200-7202-2310-0000-000	121.92
					Total :	176.27
153594	1/6/2016	060113 AT&T	4330627-12/15		C. CARE- PHONE SERVICE 206-7200-7202-2310-0000-000	76.25 Total : 76.25
153595	1/6/2016	093447 AVAYA INC.	2733596031	015603	I.S.- PHONE SYSTEM MAINT. 606-6040-6044-2310-0000-000	2,275.90 Total : 2,275.90
153596	1/6/2016	093756 BRAUGHTON CONSTRUCTION INC.	2704	016044	PD- EMERGENCY BOARD UPS 100-6070-6071-2240-0000-000	1,115.00 Total : 1,115.00
153597	1/6/2016	093834 CADD OFFLOAD	0105	015933	CDGB- ENG. SUPPORT & PROJECT MK 215-1501-6920-3890-0000-000	1,800.00 Total : 1,800.00
153598	1/6/2016	003165 CANON FINANCIAL SERVICES	15594053		COPIER LEASE (VARIOUS DEPT'S) 100-6200-6250-2420-0000-000	14.37
				015447	100-6040-6043-2420-0000-000	157.22
				015447	100-6150-6151-2420-0000-000	104.14

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153598	1/6/2016	003165 CANON FINANCIAL SERVICES	(Continued)			
				015447	521-8300-8300-2420-0000-000	104.14
				015447	100-6200-6250-2420-0000-000	147.80
				015447	520-8000-8001-2420-0931-000	157.22
				015447	100-6040-6043-2420-0000-000	35.67
				015447	520-8000-8009-2225-0548-000	89.48
				015447	100-6150-6151-2420-0000-000	74.00
				015447	521-8300-8300-2420-0000-000	74.00
				015447	100-6070-6071-2420-0000-000	204.36
				015447	100-6200-6200-2420-0000-000	157.23
				015447	520-8000-8003-2420-0931-000	138.58
				015447	522-8200-8200-2420-0000-000	148.00
				015447	100-6070-6071-2420-0000-000	35.67
				015447	206-7200-7202-2420-0000-000	40.79
				015447	100-6200-6250-2420-0000-000	31.82
				015447	100-6300-6301-2420-0000-000	157.22
				015447	100-6070-6071-2420-0000-000	138.58
				015447	100-6030-6030-2420-0000-000	148.00
				015447	100-6070-6071-2420-0000-000	142.12
				015447	100-6040-6041-2420-0000-000	117.15
				015447	100-6090-6091-2420-0000-000	217.71
				015447	100-6070-6071-2420-0000-000	222.19
				015447	100-6020-6020-2420-0000-000	174.59
				015447	100-6000-6000-2420-0000-000	191.55
					100-6040-6043-2420-0000-000	15.43
					100-6150-6151-2420-0000-000	14.25
					521-8300-8300-2420-0000-000	14.25
					520-8000-8001-2420-0931-000	12.58
					520-8000-8009-2225-0548-000	7.16
					100-6070-6071-2420-0000-000	59.43
					100-6200-6200-2420-0000-000	12.58
					520-8000-8003-2420-0931-000	11.09
					522-8200-8200-2420-0000-000	11.84
					206-7200-7202-2420-0000-000	3.26
					100-6300-6301-2420-0000-000	12.58
					100-6030-6030-2420-0000-000	11.84
					100-6040-6041-2420-0000-000	9.37

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153598	1/6/2016	003165 CANON FINANCIAL SERVICES	(Continued)		100-6090-6091-2420-0000-000	17.42
					100-6020-6020-2420-0000-000	13.97
					100-6000-6000-2420-0000-000	15.32
					Total :	3,465.97
153599	1/6/2016	060175 CARTER, ELIZABETH	REFUND DOG LICENSES		PD- REFUND 3 DOG LICENSES	
					520-2450-232	123.00
					Total :	123.00
153600	1/6/2016	092018 CB TYRES RECYCLING RESOURCES	18043		ST- TIRE DISPOSAL SERVICE	
			18088	015797	210-6150-6160-2350-0000-000	7.50
			18092	015797	ST- TIRE DISPOSAL SERVICE	
			18094	015797	210-6150-6160-2350-0000-000	9.00
			18095	015797	ST- TIRE DISPOSAL SERVICE	
			18096	015797	210-6150-6160-2350-0000-000	8.25
				015797	ST- TIRE DISPOSAL SERVICE	
				015797	210-6150-6160-2350-0000-000	9.75
				015797	ST- TIRE DISPOSAL SERVICE	
				015797	210-6150-6160-2350-0000-000	10.50
				015797	ST- TIRE DISPOSAL SERVICE	
				015797	210-6150-6160-2350-0000-000	34.50
					Total :	79.50
153601	1/6/2016	003817 CENTERPOINTE CAR WASH	NOV 15		CAR WASHES (VARIOUS DEPT'S)	
				054159	100-6200-6200-2210-0000-000	105.00
				054159	100-6090-6091-2210-0000-000	46.00
				054159	520-8000-8005-2210-0933-000	9.50
				054159	520-8000-8002-2210-0933-000	11.00
				054159	100-6070-6071-2210-0000-000	356.00
			NOV 15- FUEL		PD- FUEL	
				054159	100-6070-6071-2210-0000-000	18.36
			OCT 15		CAR WASHES (VARIOUS DEPT'S)	
				054159	100-6200-6200-2210-0000-000	68.00
				054159	608-6150-8700-2210-8700-000	12.00
				054159	100-6150-6151-2210-0000-000	11.00
				054159	520-8000-8005-2210-0933-000	9.50

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153601	1/6/2016	003817 CENTERPOINTE CAR WASH	(Continued)			
			OCT 15- FUEL	054159	100-6070-6071-2210-0000-000	567.50
				054159	PD- FUEL	63.43
					100-6070-6071-2210-0000-000	63.43
					Total :	1,277.29
153602	1/6/2016	093913 CHAMPION ELECTRIC, INC.	140040-5		W- ELECTRICAL UPGRADE-WELL 15	
				016059	521-8100-8101-3890-0000-000	10,460.00
					521-2460-000	-523.00
			140040-6		W- ELECTRICAL UPGRADE-WELL 15	
				016059	521-8100-8101-3890-0000-000	1,250.00
					521-2460-000	-62.50
			140040-7- RETENTION		W- UPGRADE-WELL 15-RETENTION	
					521-2460-000	6,305.50
					Total :	17,430.00
153603	1/6/2016	093122 CINTAS CORP. LOC#150	150595338		ELEC- UNIFORM CLEANING SERVICE	
				054160	520-8000-8004-1170-0926-000	287.92
				054160	520-8000-8002-2301-0921-000	29.72
			150595339		ELEC- UNIFORM CLEANING SERVICE	
				054160	520-8000-8003-1170-0926-000	175.56
					Total :	493.20
153604	1/6/2016	057529 CLIFTON, JUSTIN	08/24-27 15		ELEC- PER DIEM (AVO TRAINING)	
					520-8000-8003-1160-0926-000	52.00
					Total :	52.00
153605	1/6/2016	038079 COLTON DISPOSAL	0678-000197642		W- PRINTING & MAILING PROP 218 NO	
					523-6150-6163-2340-0000-000	6,642.06
			0678-00197642		W- PRINTING & MAILING PROP 218 NO	
					521-8100-8101-2340-0000-000	5,395.81
					Total :	12,037.87
153606	1/6/2016	041987 CREST CHEVROLET	270869-CVF		AUTOMOTIVE REPAIRS	
				015885	608-6150-8700-2210-6071-000	65.95
					608-6150-8700-2210-6071-000	5.44
					Total :	71.39

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153607	1/6/2016	093981 DRIFTWOOD DAIRY INC.	4513455		COMM SVCS- MILK FOR SNACK PROG	
				015828	100-6200-6215-2301-0000-000	37.95
					Total :	37.95
153608	1/6/2016	003851 EQUIFAX	9468592		HR- BACKGROUND CHECKS	
					100-6030-6030-2342-0000-000	35.00
					Total :	35.00
153609	1/6/2016	017955 GALLS, LLC	BC0194928		PD- UNIFORM (V. QUALLS)	
				054173	100-6070-6071-1170-0000-000	130.65
			BC0212017		PD- UNIFORM (G. BERMUDEZ)	
				054173	100-6070-6071-1170-0000-000	256.11
			BC0224775		PD- UNIFORM (E. MORGA)	
				054173	100-6070-6071-1170-0000-000	130.65
					Total :	517.41
153610	1/6/2016	036200 GRANADO, JUANA	544846		COMM SVCS- REFUND TRIP FEE	
					100-6200-6206-2301-0000-000	25.00
					Total :	25.00
153611	1/6/2016	000160 GRAYBAR ELECTRIC CO	982485128		BM- ELECTRIC PARTS	
				054178	605-6150-6211-2250-6211-000	77.26
					Total :	77.26
153612	1/6/2016	092270 HAAKER EQUIPMENT COMPANY	C16941		AUTO- PARTS & REPAIR ON VACTOR	
				015697	608-6150-8700-2210-8200-000	771.12
					Total :	771.12
153613	1/6/2016	025906 HOME DEPOT	3016219		BM- HARDWARE SUPPLIES	
				054182	605-6150-6211-2250-8200-000	38.84
			8017521		BM- HARDWARE SUPPLIES	
				054182	605-6150-6211-2250-6211-000	68.13
			8020743		BM- HARDWARE SUPPLIES	
				054182	605-6150-6211-2250-6211-000	82.54
					Total :	189.51
153614	1/6/2016	046663 INFOSEND INC.	100102		C/S- UTILITY BILLING AND MAIL SVC	
				015448	100-6040-6042-2350-0000-000	6,988.58

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153614	1/6/2016	046663 046663 INFOSEND INC.	(Continued)			Total : 6,988.58
153615	1/6/2016	092166 K H METALS AND SUPPLY	0327860-IN	054193	WW- HARDWARE SUPPLIES 522-8200-8200-2255-0000-000	218.45 Total : 218.45
153616	1/6/2016	060173 KAZZI, FADI	REBATE- TURF		WATER CONSERVATION REBATE 521-8100-8110-2041-0000-000	800.00 Total : 800.00
153617	1/6/2016	093456 KROGER	224645	015419	C. CARE- SUPPLIES FOR SCHOOL PRC 206-7200-7202-2305-0000-000	91.40 Total : 91.40
153618	1/6/2016	093056 LAWSON PRODUCTS	9303526350	015577	AUTO- GREASE FOR SHOP 608-6150-8700-2301-0000-000	144.89 Total : 144.89
153619	1/6/2016	059873 MARISCAL, LILIANA	REBATE- TOILET		WATER CONSERVATION REBATE 521-8100-8110-2041-0000-000	200.00 Total : 200.00
153620	1/6/2016	058693 MILLER, DAWN	TUIT 15/16		CM- TUITION REIMBURSEMENT 100-6020-6020-1160-0000-000	224.37 Total : 224.37
153621	1/6/2016	041081 MISSION LINEN SUPPLY & UNIFORM	500060927	054197	BM- MAT RENTAL SERVICES 605-6150-6211-2250-6211-000	26.07
			500419399	054197	BM- MAT RENTAL SERVICES 605-6150-6211-2250-6211-000	26.07
			500998426	054197	BM- MAT RENTAL SERVICES 605-6150-6211-2250-6211-000	26.07
			501407393	054197	PD- TOWEL RENTAL SERVICE 100-6070-6071-2350-0000-000	124.63
			501407394	054197	BM- MAT RENTAL SERVICES 605-6150-6211-2250-6211-000	26.07
			501451576	054197	PD- TOWEL RENTAL SERVICE 100-6070-6071-2350-0000-000	124.63

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153621	1/6/2016	041081 MISSION LINEN SUPPLY & UNIFORM	(Continued) 501587397	054197	PD- TOWEL RENTAL SERVICE 100-6070-6071-2350-0000-000	144.24
Total :						497.78
153622	1/6/2016	060176 MUNGUIA, HUGO	REBATE- PV SYSTEM		ELEC- RESIDENTIAL INCENTIVE REBA 520-8000-8006-2330-0555-540	5,130.00
Total :						5,130.00
153623	1/6/2016	045033 OFFICE DEPOT	764023206001	054199	DEV SVCS- OFFICE SUPPLIES 100-6300-9050-2301-0000-000	147.95
			798454622001	054199	PD- OFFICE SUPPLIES 100-6070-6071-2300-0000-000	52.20
			798940640001	054199	PD- OFFICE SUPPLIES 100-6070-6071-2300-0000-000	4.18
			798941172001	054199	PD- OFFICE SUPPLIES 100-6070-6071-2300-0000-000	4.22
			816064627001	054199	CM- OFFICE SUPPLIES 100-6020-6020-2301-0000-000	81.24
				054199	100-6020-6020-2301-0000-000	5.59
Total :						401.23
153624	1/6/2016	059838 OPTIMUM, INC.	REFUND DEPOSIT		ST- REFUND STREET CUT PERMITS 762-2360-000	1,000.00
Total :						1,000.00
153625	1/6/2016	093839 P & P UNIFORMS	402527/4	054200	PD- UNIFORM (E. PEREZ) 100-6070-6071-1170-0000-000	61.82
			402617/4	054200	PD- UNIFORM (J. NASSAR) 100-6070-6071-1170-0000-000	257.56
Total :						319.38
153626	1/6/2016	015285 PATRIOT TOWING	7100	015865	AUTO- TOWING SERVICES 608-6150-8700-2210-6200-000	75.00

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153626	1/6/2016	015285 PATRIOT TOWING	(Continued) 7135		AUTO- TOWING SERVICES 608-6150-8700-2210-6200-000	75.00
			7278	015865	AUTO- TOWING SERVICES 608-6150-8700-2210-6200-000	75.00
					Total :	225.00
153627	1/6/2016	044879 PEPE'S TOWING	66453		PD- TOWING SERVICE 100-6070-6071-2210-0000-000	200.00
					Total :	200.00
153628	1/6/2016	093060 PROTECTION ONE ALARM MONITORIN	60390036- 01/16		BM- MAINT. AGREEMENT-CITY HALL 605-6150-6211-2250-6211-000	306.02
				015449	605-6150-6211-2250-6211-000	24.11
					Total :	330.13
153629	1/6/2016	034968 PUMP CHECK	6203		W- PUMP CHECK TESTS 521-8100-8101-2350-0000-000	695.00
				015905		Total : 695.00
153630	1/6/2016	016168 RAINBOW BOLT & SUPPLY	N272123-IN		ELEC- HARDWARE SUPPLIES 522-8200-8200-2255-0000-000	122.22
				015708		Total : 122.22
153631	1/6/2016	027892 RDO EQUIPMENT COMPANY	R11624		WW- EQUIPMENT RENTAL 522-8200-8200-2420-0000-000	4,233.27
				015823		Total : 4,233.27
153632	1/6/2016	027892 RDO EQUIPMENT COMPANY	P14812		AUTOMOTIVE PARTS 608-6150-8700-2210-6205-000	16.29
			W31386	054203	AUTOMOTIVE PARTS 608-6150-8700-2210-8200-000	137.90
				054203		Total : 154.19
153633	1/6/2016	057746 RHODES, BRIAN	REBATE- TOILET		WATER CONSERVATION REBATE 521-8100-8110-2041-0000-000	100.00
					Total :	100.00

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153634	1/6/2016	016258 ROYAL WHOLESALE ELECTRIC	6441-493340	015702	WW- ELECTRICAL SUPPLIES 522-8200-8200-2255-0000-000	176.69 Total : 176.69
153635	1/6/2016	060178 RUBIO, MARISSA	2007349.015		COMM SVCS- REFUND DAY CAMP FEE 100-6200-6209-2301-0000-000	144.00 Total : 144.00
153636	1/6/2016	060174 SAENZ, JULIE	544846		COMM SVCS- REFUND TRIP FEE 100-6200-6206-2301-0000-000	25.00 Total : 25.00
153637	1/6/2016	092322 SAM'S CLUB DIRECT	CHARGES 12/15	054207 054207 054207 054207 054207	SUPPLIES (VARIOUS DEPT'S) 100-6200-6213-2301-0000-000 100-6200-6212-2301-0000-000 100-6200-6214-2301-0000-000 100-6200-6215-2301-0000-000 762-2318-001	169.43 182.62 45.34 1,779.16 1,554.38 Total : 3,730.93
153638	1/6/2016	060172 SANTOYO, ANITA	REBATE- TURF		WATER CONSERVATION REBATE 521-8100-8110-2041-0000-000	1,265.38 Total : 1,265.38
153639	1/6/2016	041367 SCHOLASTIC INC	12235275		LIB- BOOKS FOR LIBRARY 211-6200-7101-2301-0000-000	719.28 Total : 719.28
153640	1/6/2016	060177 SOBERANIS, EINER	1064932.015		REFUND CLEANING DEPOSIT 100-6747-000	86.00 Total : 86.00
153641	1/6/2016	045534 SOUTHERN CALIFORNIA POOL GUYS	A194207	015903	COMM SVCS- SWIMMING POOL MAINT 100-6200-6203-2350-0000-000	800.00 Total : 800.00
153642	1/6/2016	000234 SQUIRES LUMBER COMPANY	305786	054212	BM- MAINTENANCE MATERIAL 605-6150-6211-2250-6211-000	2.79

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153642	1/6/2016	000234 SQUIRES LUMBER COMPANY	(Continued)			
			305789		BM- MAINTENANCE MATERIAL	
				054212	605-6150-6211-2250-6211-000	49.05
			305806		BM- MAINTENANCE MATERIAL	
				054212	605-6150-6211-2250-6211-000	9.24
			305810		BM- MAINTENANCE MATERIAL	
				054212	605-6150-6211-2250-6211-000	5.93
			305879		BM- MAINTENANCE MATERIAL	
				054212	605-6150-6211-2250-6211-000	51.76
			305930		PD- MAINTENANCE MATERIAL	
				054212	100-6070-6071-2301-0000-000	46.26
			305985		C. CARE- MAINTENANCE MATERIAL	
				054212	206-7200-7202-2301-0000-000	28.07
			305996		BM- MAINTENANCE MATERIAL	
				054212	605-6150-6211-2250-6211-000	5.17
					Total :	198.27
153643	1/6/2016	093930 TOOLS-R-US, INC.	467838		ELEC- TOOLS & ADAPTERS	
				016000	520-8000-8004-2301-0921-000	909.36
					Total :	909.36
153644	1/6/2016	093984 VCA CODE GROUP	71487		DEV SVCS- PLAN CHECK & INSPECTIC	
				015870	100-6300-6302-2350-0000-000	6,400.00
					Total :	6,400.00
153645	1/6/2016	036062 VERIZON CALIFORNIA	8842700-1115		C. CARE- TELEPHONE SERVICE	
				015971	206-7200-7203-2310-0000-000	88.87
					Total :	88.87
153646	1/6/2016	093406 VERIZON WIRELESS	9757127084		I.S.- CELLULAR SERVICES	
				054219	606-6040-6044-2310-0000-000	76.02
			9757451052		PD- CELLULAR SERVICE	
				054219	100-6070-6071-2310-0000-000	1,144.90
			9757451060		COMM SVCS- CELLULAR SERVICES	
				054219	100-6200-6250-2310-0000-000	100.97
				054219	100-6200-6202-2310-0000-000	193.14
			9757451062		PURCH- CELLULAR SERVICES	

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153646	1/6/2016	093406 VERIZON WIRELESS	(Continued)			
			9757451067	054219	100-6040-6043-2310-0000-000 I.S.- CELLULAR SERVICES	22.70
			9757451069	054219	606-6040-6044-2310-0000-000 DEV SVCS- CELLULAR SERVICES	154.93
			9757451070	054219	100-6300-6302-2310-0000-000 COUNCIL- CELLULAR SERVICES	78.84
			9757451071	054219	100-6000-6000-2310-0000-000 COUNCIL- CELLULAR SERVICE	76.02
			9757451072	054219	100-6000-6000-2310-0000-000 CM- CELLULAR SERVICES	165.42
				054219	100-6020-6020-2310-0000-000	27.37
					Total :	2,040.31
153647	1/6/2016	002306 WILLDAN ENGINEERING	002-16199		DEV. SVCS- CRYSTAL RIDGE DEV. PRC	
				054227	762-2335-000	1,170.00
					Total :	1,170.00
153648	1/6/2016	093970 ZUCKER SYSTEMS	3508		CM- CONSULTING SERVICES	
				015672	100-6020-6020-2350-0000-000	20,000.00
					Total :	20,000.00
8909600	12/28/2015	009994 SHELL ENERGY NORTH AMERICA	11.2015 T+3		FIRM POWER, ISO FEES	
					520-8000-8006-2330-0555-400	844.72
					520-8000-8009-2321-0547-000	3,587.16
					520-8000-8006-2330-5550-000	17,200.00
					520-8000-8006-2330-0555-600	97,904.56
					520-8000-8006-2330-0555-800	21,541.35
					520-7905-000	-2,550.70
					Total :	138,527.09
9618800	12/30/2015	035929 BANK OF AMERICA	FEDERAL 12/29/15-SUP		FEDERAL TAXES	
					762-2200-000	6.98
					Total :	6.98
15754800	12/30/2015	059733 COLTON SOLAR TWO, LLC	CS1005		ELEC- ENERGY PURCHASED	
					520-8000-8006-2330-0555-540	27,479.52

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
15754800	12/30/2015	059733 059733 COLTON SOLAR TWO, LLC	(Continued)			Total : 27,479.52
15754900	12/30/2015	059733 COLTON SOLAR TWO, LLC	CST007		ELEC- ENERGY PURCHASED 520-8000-8006-2330-0555-540	10,505.68 Total : 10,505.68
53120000	12/29/2015	003181 SOUTHERN CALIFORNIA GAS CO	099-236-3108-0-11/15		ELEC- NATURAL GAS TRANSMISSION 520-8000-8009-2321-0547-000	1,877.70 Total : 1,877.70
100025126	12/10/2015	058819 CALIFORNIA INDEPENDENT	2015120831-31340624		ELECTRIC TRANSMISSION SERVICE 520-8000-8006-2330-0555-710 520-7907-000	263,921.26 -209,778.61 Total : 54,142.65
64 Vouchers for bank code : boa						Bank total : 337,082.73
64 Vouchers in this report						Total vouchers : 337,082.73



Anita Agramonte
Finance Director



Aurelio De La Torre
City Treasurer

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153649	1/11/2016	060159 KIVRIZIS, ANGELIC	1068007.015		REFUND CLEANING DEPOSIT 100-6747-000	137.52
Total :						137.52
153650	1/14/2016	cbc0333 2015-3 IH2 BORROWER LP	00760180		CLOSING BILL CREDIT 520-2450-232	110.66
Total :						110.66
153651	1/14/2016	093656 2XL CORPORATION	186059	016060	COMM SVCS- GYMWIPES 100-6200-6208-2301-0000-000 100-6200-6208-2301-0000-000 762-2210-000	570.76 38.34 -38.34
Total :						570.76
153652	1/14/2016	092665 A PLUS TIRE SERVICE	69494	054151	AUTOMOTIVE PARTS 608-6150-8700-2210-6071-000	69.95
Total :						69.95
153653	1/14/2016	092768 A-1 AUTO GLASS & TIRE	12549	054150	AUTO- MOLDING & GLASS MATERIALS 608-6150-8700-2210-6200-000	275.00
Total :						275.00
153654	1/14/2016	cbc#3102 ACEVEDO, RICARDO	00721450		CLOSING BILL CREDIT 520-2450-232	50.15
Total :						50.15
153655	1/14/2016	048088 AETNA, INC	H1037786		HEALTH PREMIUMS 762-2020-000	111,547.88
			H1037788		HEALTH PREMIUMS- RETIREES 100-6030-6030-1150-0000-000	13,179.18
			H1037789		HEALTH PREMIUMS- RETIREES 100-6030-6030-1150-0000-000	49,316.10
Total :						174,043.16
153656	1/14/2016	cbc0411 AGUAYO, CELIA	00140453		CLOSING BILL CREDIT 520-2450-232	174.57

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153656	1/14/2016	cbc0411 cbc0411 AGUAYO, CELIA	(Continued)			Total : 174.57
153657	1/14/2016	093554 ALLIANCE SOLAR CAPITAL LLC	DEC 15		ELEC- PERFORMANCE BASED INCENT 520-8000-8005-2350-0923-000	9,838.34 Total : 9,838.34
153658	1/14/2016	cbc0408 ALONZO, FRANK	00131705		CLOSING BILL CREDIT 520-2450-232	86.25 Total : 86.25
153659	1/14/2016	cbc0421 ANDRADE, ANGELINA	00170385		CLOSING BILL CREDIT 520-2450-232	148.59 Total : 148.59
153660	1/14/2016	049247 ASCAP	500578763- 2016		COMM SVCS- MUSIC LICENSE 100-6200-6202-2241-0000-000	669.00 Total : 669.00
153661	1/14/2016	046028 AT & T	2532447-1215		PD- TELEPHONE SERVICES 100-6070-6071-2310-0000-000	553.58
			2545539-1215	054153	PD- TELEPHONE SERVICES 100-6070-6071-2310-0000-000	48.79
			2545540-1215	054153	PD- TELEPHONE SERVICES 100-6070-6071-2310-0000-000	48.79
			3438452-1215	054153	PD- TELEPHONE SERVICES 100-6070-6071-2310-0000-000	398.91
			3701428-1215	054153	COMM SVCS- TELEPHONE SERVICES 100-6200-6250-2310-0000-000	191.10
			4221867-1215	054153	COMM SVCS- TELEPHONE SERVICES 100-6200-6250-2310-0000-000	18.51
			5129287-1215	054153	I.S.- TELEPHONE SERVICES 606-6040-6044-2310-0000-000	393.58
			7830875-1215	054153	PD- TELEPHONE SERVICES 100-6300-6301-2310-0000-000	181.20
			7833573-1215	054153	COMM SVCS- TELEPHONE SERVICES 100-6200-6250-2310-0000-000	18.51
			7837506-1215		PD- TELEPHONE SERVICES	

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153661	1/14/2016	046028 AT & T	(Continued)			
			8249576-1215	054153	100-6070-6071-2310-0000-000 COMM SVCS- TELEPHONE SERVICES	16.63
			8252211-1215	054153	100-6200-6250-2310-0000-000 PD- TELEPHONE SERVICES	18.51
			8720162-1215	054153	100-6070-6071-2310-0000-000 I.S.- TELEPHONE SERVICES	25.82
			8798315-1215	054153	606-6040-6044-2310-0000-000 COMM SVCS- TELEPHONE SERVICES	18.51
				054153	100-6200-6250-2310-0000-000	35.75
					Total :	1,968.19
153662	1/14/2016	001527 BEST BEST & KRIEGER	762818		DEV SVCS- LEGAL SERVICES 898-9000-9800-2350-0000-000	17,977.50
					Total :	17,977.50
153663	1/14/2016	cbc0407 BISHOP, NICHOLAS	00850328		CLOSING BILL CREDIT 520-2450-232	291.09
					Total :	291.09
153664	1/14/2016	cbc0417 BREWSTER, JANET	00970745		CLOSING BILL CREDIT 520-2450-232	190.09
					Total :	190.09
153665	1/14/2016	000469 CALIF MUNI UTILITIES ASSOC	02/01/16		ELEC- REGIS. (CAPITOL DAY) 520-8000-8001-1160-0926-000	130.00
					Total :	130.00
153666	1/14/2016	cbc0405 CAMPOS, NORMA	00950150		CLOSING BILL CREDIT 520-2450-232	152.14
					Total :	152.14
153667	1/14/2016	092067 CAPTURE TECHNOLOGIES	34871	016073	PD- SOFTWARE RENEWAL 100-6070-6071-2240-0000-000	3,805.99
					Total :	3,805.99
153668	1/14/2016	059862 CASC ENGINEERING	REBATE- TURF		WATER CONSERVATION REBATE 521-8100-8110-2041-0000-000	5,000.00

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153668	1/14/2016	059862	059862 CASC ENGINEERING		(Continued)	Total : 5,000.00
153669	1/14/2016	092018	CB TYRES RECYCLING RESOURCES	18043	ST- TIRE DISPOSAL SERVICE 210-6150-6160-2350-0000-000	7.50 Total : 7.50
153670	1/14/2016	060179	CCAC	02/04-05 16	CLERK- REGIS. NUTS & BOLTS WORKS 100-6010-6010-2280-0000-000	200.00 Total : 200.00
153671	1/14/2016	cbc0429	CEBALLOS, JESSICA	00261001	CLOSING BILL CREDIT 520-2450-232	58.24 Total : 58.24
153672	1/14/2016	060187	CHERNE, MJ	REBATE- TURF	WATER CONSERVATION REBATE 521-8100-8110-2041-0000-000	800.00 Total : 800.00
153673	1/14/2016	093122	CINTAS CORP. LOC#150	150599103	ELEC- UNIFORM CLEANING SERVICE 520-8000-8004-1170-0926-000	287.92
				054160	520-8000-8002-2301-0921-000	29.72
			150599104	054160	ELEC- UNIFORM CLEANING SERVICE 520-8000-8003-1170-0926-000	175.56 Total : 493.20
153674	1/14/2016	093122	CINTAS CORP. LOC#150	150601803	ELEC- UNIFORM CLEANING SERVICE 520-8000-8009-2225-0548-000	158.63 Total : 158.63
153675	1/14/2016	001005	CITY OF COLTON	312692-312832	WORKERS COMP CLAIMS 607-1110-000	77,588.68 Total : 77,588.68
153676	1/14/2016	000491	COLTON TRUCK SUPPLY	5253490001	AUTOMOTIVE PARTS & SUPPLIES 608-6150-8700-2210-6160-000	215.41
			7560960	054161	ELEC- AUTOMOTIVE PARTS 520-8000-8003-2255-0592-100	333.54

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153676	1/14/2016	000491 000491 COLTON TRUCK SUPPLY	(Continued)			Total : 548.95
153677	1/14/2016	060181 CORPUS, ARNIE	2007373.015		YBB REFUND 100-6750-000	28.00 Total : 28.00
153678	1/14/2016	001114 CPS HR CONSULTING	SOP40604 TRRTN29615		PD- DISPATCHER TESTS 100-6070-6071-2270-0000-000 PD- CREDIT ON DISPATCHER TEST 100-6070-6071-2270-0000-000	720.50 -70.00 Total : 650.50
153679	1/14/2016	046833 CRIME SCENE STERI-CLEAN	46833		PD- CRIME SCENE CLEAN UP 100-6070-6071-2350-0000-000	1,333.80 Total : 1,333.80
153680	1/14/2016	060149 DABBS, STACEY	01/12/16		FIN- MILEAGE- STRATEGIC SEMINAR 100-6040-6041-2280-0000-000	66.71 Total : 66.71
153681	1/14/2016	002720 DANIELS TIRE SERVICE	230089682	016050	INV- TIRES 100-1510-000 100-1510-000	806.16 74.99 Total : 881.15
153682	1/14/2016	043438 DELL COMPUTER CORPORATION	XJTXT1K59	054166	LIB- TONER CARTRIDGES 211-6200-7101-2301-0000-000	1,317.30 Total : 1,317.30
153683	1/14/2016	059654 DELTA DENTAL INSURANCE COMPANY	BE001438685		DENTAL PREMIUMS 762-2030-000	2,818.27 Total : 2,818.27
153684	1/14/2016	003660 DELTA DENTAL OF CALIFORNIA	BE001436955		DENTAL PREMIUMS- ACTIVE 762-2030-000 100-6030-6030-1150-0000-000 762-2030-000	14,164.27 94.42 330.64

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153684	1/14/2016	003660 003660 DELTA DENTAL OF CALIFORNIA	(Continued)			Total : 14,589.33
153685	1/14/2016	093981 DRIFTWOOD DAIRY INC.	4523461	015828	COMM SVCS- MILK FOR SNACK PROG 100-6200-6215-2301-0000-000	59.34 Total : 59.34
153686	1/14/2016	cbc#9930 EAGLE VISTA EQUITIES	00721190		CLOSING BILL CREDIT 520-2450-232	238.67 Total : 238.67
153687	1/14/2016	cbc0418 EL TARASCO TAQUERIA	01960740		CLOSING BILL CREDIT 520-2450-232	1,359.30 Total : 1,359.30
153688	1/14/2016	092862 ELLIOTT'S PET EMPORIUM	01/04/16 12/16/15	015531 015531	COMM SVCS- FOOD FOR FISH 100-6200-6213-2301-0000-000 COMM SVCS- FOOD FOR FISH 100-6200-6213-2301-0000-000	62.11 22.69 Total : 84.80
153689	1/14/2016	044801 EVERBANK COMMERCIAL FINANCE IN	3505489	015587	C/S- MAINTENANCE ON COPIER 100-6040-6042-2420-0000-000	317.30 Total : 317.30
153690	1/14/2016	060183 EVERETT, YANEAN	00500156		C/S- DEPOSIT REFUND 520-2450-232	450.00 Total : 450.00
153691	1/14/2016	060185 FAMILY OF GOD CHURCH	1068812.015		REFUND CLEANING DEPOSIT 100-6747-000	50.00 Total : 50.00
153692	1/14/2016	013964 FEDERAL EXPRESS CORPORATION	5-260-83145	015623	ELEC- OVERNIGHT DELIVERY SVC 520-8000-8009-2225-0548-000	29.50 Total : 29.50
153693	1/14/2016	001422 FERGUSON ENTERPRISES INC #1350	2757875	054171	BM- PLUMBING SUPPLIES 605-6150-6211-2250-6211-000	231.86

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153693	1/14/2016	001422	001422 FERGUSON ENTERPRISES INC #1350		(Continued)	Total : 231.86
153694	1/14/2016	cbc0403	FIERST, SHAWN		CLOSING BILL CREDIT 520-2450-232	77.08 Total : 77.08
153695	1/14/2016	093928	FLYERS ENERGY, LLC	054201	INV- FUEL, DIESEL, AND LUBRICANTS 100-1530-000	15,012.55 Total : 15,012.55
153696	1/14/2016	017955	GALLS, LLC	054173	FIRE- UNIFORM (D. SANTOS) 100-6090-6091-1170-0000-000	283.76
			BC0212208	054173	FIRE- UNIFORM (D. SANTOS) 100-6090-6091-1170-0000-000	237.58
			BC0213780	054173	FIRE- UNIFORM (J. NOVAK) 100-6090-6091-1170-0000-000	138.22
			BC0216174	054173	FIRE- UNIFORM (M. RUSTON) 100-6090-6091-1180-0000-000	145.75
			BC0216951	054173	FIRE- UNIFORM (D. SILVA) 100-6090-6091-1170-0000-000	367.17
			BC0217568	054173	FIRE- UNIFORM (T. HUTCHISON) 100-6090-6091-1170-0000-000	141.88
			BC0220936	054173	FIRE- UNIFORM (M. RUSTON) 100-6090-6091-1170-0000-000	247.06
			BC0222930	054173	FIRE- UNIFORM (D. SILVA) 100-6090-6091-1170-0000-000	10.80
			BC0225863	054173	FIRE- UNIFORM (S. SANDS) 100-6090-6091-1180-0000-000	258.97
			BC0226557	054173	FIRE- UNIFORM (D. SANTOS) 100-6090-6091-1170-0000-000	269.99 Total : 2,101.18
153697	1/14/2016	cbc0416	GARCIA, LIZARDO		CLOSING BILL CREDIT 520-2450-232	184.44 Total : 184.44
153698	1/14/2016	cbc0430	GARCIA, ROSA MARIA		CLOSING BILL CREDIT	

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153698	1/14/2016	cbc0430 GARCIA, ROSA MARIA	(Continued)		520-2450-232	55.22
Total :						55.22
153699	1/14/2016	093811 GENERAL PUMP COMPANY, INC.	23735-R		W- WELL 15 PROJECT 521-2460-000	5,486.00
Total :						5,486.00
153700	1/14/2016	000157 GENUINE AUTO PARTS	132806		AUTOMOTIVE PARTS	
			134449	054176	608-6150-8700-2210-6071-000	93.41
			134462	054176	608-6150-8700-2210-6160-000	107.83
			134576	054176	608-6150-8700-2210-8700-000	17.37
			134621	054176	608-6150-8700-2210-6071-000	226.31
			134672	054176	608-6150-8700-2210-8200-000	2.65
			134717	054176	608-6150-8700-2210-6071-000	58.94
			134916	054176	608-6150-8700-2210-6071-000	49.66
			134953	054176	608-6150-8700-2210-8200-000	21.58
			135168	054176	608-6150-8700-2210-6071-000	17.46
			135193	054176	608-6150-8700-2210-8700-000	-17.37
			135365	054176	608-6150-8700-2210-6071-000	58.94
			135370	054176	608-6150-8700-2210-8700-000	10.42
			135475	054176	608-6150-8700-2210-8101-000	106.09
				054176	608-6150-8700-2210-8101-000	35.61

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153700	1/14/2016	000157	000157 GENUINE AUTO PARTS		(Continued)	Total : 788.90
153701	1/14/2016	000157	GENUINE AUTO PARTS	134817	INV- WIPER BLADES	
				016054	100-1510-000	119.80
					100-1510-000	9.58
					Total :	129.38
153702	1/14/2016	cbc#8356	H CUBED PROPERTY	00731394	CLOSING BILL CREDIT	
					520-2450-232	106.60
					Total :	106.60
153703	1/14/2016	cbc0414	HOLLAND, TAYLOR	00882840	CLOSING BILL CREDIT	
					520-2450-232	136.35
					Total :	136.35
153704	1/14/2016	025906	HOME DEPOT	2010196	BM- HARDWARE SUPPLIES	
				054182	605-6150-6211-2250-6211-000	13.60
			4021772	054181	ELEC- HARDWARE SUPPLIES	
					520-8000-8003-2255-0592-100	75.16
			4063179	054182	BM- HARDWARE SUPPLIES	
					605-6150-6211-2250-6211-000	20.97
			4063180	054182	BM- HARDWARE SUPPLIES	
					605-6150-6211-2250-6211-000	70.70
			4063181	054182	BM- HARDWARE SUPPLIES	
					605-6150-6211-2250-8200-000	21.14
			5010913	054182	BM- HARDWARE SUPPLIES	
					605-6150-6211-2250-6211-000	22.04
			5011421-2	054184	W- HARDWARE SUPPLIES	
					521-8100-8110-3890-0000-000	2.28
			5016682	054182	BM- HARDWARE SUPPLIES	
					605-6150-6211-2250-8200-000	85.41
			5016740	054182	BM- HARDWARE SUPPLIES	
					605-6150-6211-2250-6211-000	57.57
				054182	605-6150-6211-2250-6212-000	18.45
			7017560	054182	BM- HARDWARE SUPPLIES	
					605-6150-6211-2250-6071-000	53.27
			7560960		ELEC- HARDWARE SUPPLIES	

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153704	1/14/2016	025906 HOME DEPOT	(Continued)			
			8020364	054181	520-8000-8003-2255-0592-100 BM- HARDWARE SUPPLIES	333.54
			8020744	054182	605-6150-6211-2250-6211-000 BM- HARDWARE SUPPLIES	172.12
				054182	605-6150-6211-2250-8200-000	32.38
					Total :	978.63
153705	1/14/2016	025906 HOME DEPOT	0591947		ELEC- HARDWARE SUPPLIES	
			5035232	015509	520-8000-8009-2225-0548-000 ELEC- HARDWARE SUPPLIES	17.22
				015509	520-8000-8009-2225-0548-000	138.01
					Total :	155.23
153706	1/14/2016	000372 HOUR GLASS & MIRROR INC.	31569		COMM SVCS- GRAFFITI FILM ON MIRR	
			31587	054186	605-6150-6211-2250-0000-000 BM- GLASS & FRAME	360.00
				054186	605-6150-6211-2250-6217-000 605-6150-6211-2250-6217-000	255.12 19.21
					Total :	634.33
153707	1/14/2016	cbc0424 HUNT, SHILOH	00881550		CLOSING BILL CREDIT 520-2450-232	197.55
					Total :	197.55
153708	1/14/2016	057969 JAMES, JANICE	00150590		LEVEL PAY PLAN REFUND 520-2450-232	222.74
					Total :	222.74
153709	1/14/2016	cbc0428 JIMENEZ, ANNA	00780650		CLOSING BILL CREDIT 520-2450-232	5.17
					Total :	5.17
153710	1/14/2016	cbc0413 JR WIRELESS	01942750		CLOSING BILL CREDIT 520-2450-232	55.83
			01942755		CLOSING BILL CREDIT 520-2450-232	87.64

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153710	1/14/2016	cbc0413 cbc0413 JR WIRELESS	(Continued)			Total : 143.47
153711	1/14/2016	092166 K H METALS AND SUPPLY	0321999-IN	015477	ELEC- VARIOUS REPAIR PARTS 520-8000-8009-2225-0548-000	140.27 Total : 140.27
153712	1/14/2016	092166 K H METALS AND SUPPLY	0320137-IN	054193	ELEC- HARDWARE SUPPLIES 520-8000-8004-2301-0921-000	75.60 Total : 75.60
153713	1/14/2016	cbc0409 KRAUT, ERICKA	00260955		CLOSING BILL CREDIT 520-2450-232	26.79 Total : 26.79
153714	1/14/2016	cbc0419 LAPINSKY, SONIA	00751070		CLOSING BILL CREDIT 520-2450-232	277.86 Total : 277.86
153715	1/14/2016	093951 LIBERTY PAPER	281378	016029	INV- COPY PAPER 100-1500-000 100-1500-000	1,280.00 102.40 Total : 1,382.40
153716	1/14/2016	041927 LOU'S TIRE SERVICE	78540	054196	AUTOMOTIVE TIRES 608-6150-8700-2210-6160-000	33.48 Total : 33.48
153717	1/14/2016	060184 MACHON, MELINDA	00842030		C/S- DEPOSIT REFUND 520-2450-232	230.00 Total : 230.00
153718	1/14/2016	060180 MARTIN, MONIQUE	2007374.015		COMM SVCS- YBB REFUND 100-6750-000	28.00 Total : 28.00
153719	1/14/2016	093033 MAYON, LLC	01/03/16-01/14/16		FIN- PROF ACCOUNTING SERVICE 100-6040-6041-2350-0000-000	1,450.00

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153719	1/14/2016	093033 093033 MAYON, LLC			(Continued)	Total : 1,450.00
153720	1/14/2016	cbc0433 MERAZ, JOSE	00791725		CLOSING BILL CREDIT 520-2450-232	109.98 Total : 109.98
153721	1/14/2016	cbc0400 MILLER, PAULINA	00270135		CLOSING BILL CREDIT 520-2450-232	62.73 Total : 62.73
153722	1/14/2016	041081 MISSION LINEN SUPPLY & UNIFORM	501419629	054197	PURCH- UNIFORM RENTAL SERVICE 100-6040-6043-1170-0000-000	26.28
			501461757	054197	PURCH- UNIFORM RENTAL SERVICE 100-6040-6043-1170-0000-000	26.28
			501506340	054197	PURCH- UNIFORM RENTAL SERVICES 100-6040-6043-1170-0000-000	26.28
			501552705	054197	PURCH- UNIFORM RENTAL SERVICE 100-6040-6043-1170-0000-000	26.28
			501598843	054197	PURCH- UNIFORM RENTAL SERVICES 100-6040-6043-1170-0000-000	26.28
			501631733	054197	BM- MAT RENTAL 605-6150-6211-2250-6211-000	45.69
					Total :	177.09
153723	1/14/2016	041081 MISSION LINEN SUPPLY & UNIFORM	501419630	015580	AUTO- UNIFORM RENTAL SERVICE 608-6150-8700-1170-0000-000	27.80
				015580	608-6150-8700-2301-0000-000	14.97
			501419631	015581	BM- UNIFORM RENTAL 605-6150-6211-1170-0000-000	13.01
			501451577	015582	BM- RUG RENTALS FOR CITY HALL 605-6150-6211-2250-6211-000	26.07
			501461758	015580	AUTO- UNIFORM RENTAL SERVICE 608-6150-8700-1170-0000-000	27.80
				015580	608-6150-8700-2301-0000-000	14.97
			501461759	015581	BM- UNIFORM RENTAL SERVICE 605-6150-6211-1170-0000-000	13.01
			501497205		BM- RUG RENTALS FOR CITY HALL	

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153723	1/14/2016	041081 MISSION LINEN SUPPLY & UNIFORM	(Continued)			
			501506341	015582	605-6150-6211-2250-6211-000 AUTO- UNIFORM RENTAL SERVICE	26.07
				015580	608-6150-8700-1170-0000-000	27.80
			501506342	015580	608-6150-8700-2301-0000-000 BM- UNIFORM RENTAL SERVICE	14.97
			501543284	015581	605-6150-6211-1170-0000-000 BM- RUG RENTAL	13.90
			50155166	015582	605-6150-6211-2250-6211-000 AUTO- UNIFORM RENTAL SERVICE	26.07
				015580	608-6150-8700-1170-0000-000	6.50
			501552706	015580	608-6150-8700-2301-0000-000 AUTO- UNIFORM RENTAL SERVICE	3.50
				015580	608-6150-8700-1170-0000-000	27.80
			501552707	015580	608-6150-8700-2301-0000-000 BM- UNIFORM RENTAL SERVICE	14.97
			501587398	015581	605-6150-6211-1170-0000-000 BM- RUG RENTAL	13.01
			501598844	015582	605-6150-6211-2250-6211-000 AUTO- UNIFORM RENTAL SERVICE	30.56
				015580	608-6150-8700-1170-0000-000	27.80
			501598845	015580	608-6150-8700-2301-0000-000 BM- UNIFORM RENTAL SERVICE	14.97
				015581	605-6150-6211-1170-0000-000	15.90
					Total :	401.45
153724	1/14/2016	cbc0435 NANYONYI, ANGELA	00180100		CLOSING BILL CREDIT 520-2450-232	65.74
					Total :	65.74
153725	1/14/2016	092291 NATIONAL PEN CORPORATION	108311018		COMM SVCS- MARKETING SUPPLIES 100-6200-6214-2301-0000-000	378.83
					Total :	378.83
153726	1/14/2016	cbc0404 NAVARRO, JOHN	00431190		CLOSING BILL CREDIT 520-2450-232	2.51

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153726	1/14/2016	cbc0404 cbc0404 NAVARRO, JOHN	(Continued)			Total : 2.51
153727	1/14/2016	014668 NORTHSIDE VETERINARY CLINIC	161216131	015546	PD- VETERINARY SERVICES 100-6070-6071-2350-0000-000	482.31 Total : 482.31
153728	1/14/2016	045033 OFFICE DEPOT	806770886001 806770992001 812764338001 812764994001	015914 015914 015914 015914	PW- OFFICE SUPPLIES 100-6150-6151-2301-0000-000 PW- OFFICE SUPPLIES 100-6150-6151-2301-0000-000 PW- OFFICE SUPPLIES 100-6150-6151-2301-0000-000 PW- OFFICE SUPPLIES 100-6150-6151-2301-0000-000	256.25 11.37 106.05 14.84 Total : 388.51
153729	1/14/2016	045033 OFFICE DEPOT	815884813001 815884898001	054199 054199	PD- OFFICE SUPPLIES 100-6070-6071-2300-0000-000 100-6070-6071-2300-0000-000 PD- OFFICE SUPPLIES 100-6070-6071-2300-0000-000 100-6070-6071-2300-0000-000	52.02 4.16 105.82 8.47 Total : 170.47
153730	1/14/2016	092396 ONE SOURCE DISTRIBUTORS	S4748837.001 S4951295.001 S4951295.002 S4951295.003	015396 016012 016012 016012	ELEC INV- HARDWARE SUPPLIES 520-1500-154 520-1500-154 ELEC SVCS- HARDWARE SUPPLIES 520-1500-154 520-1500-154 ELEC INV- HARDWARE SUPPLIES 520-1500-154 520-1500-154 ELEC INV- HARDWARE SUPPLIES 520-1500-154 520-1500-154	6,480.00 518.40 290.50 23.24 307.50 24.60 68.00 5.44 Total : 7,717.68

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153731	1/14/2016	093839 P & P UNIFORMS	402397/4		PD- UNIFORM (A. JAEGER)	
				054200	100-6070-6071-1170-0000-000	207.32
			402526/4		PD- UNIFORM (E. WICKMAN)	
				054200	100-6070-6071-1170-0000-000	82.08
			402764/4		PD- UNIFORM (R. WILSON)	
				054200	100-6070-6071-1170-0000-000	207.32
Total :						496.72
153732	1/14/2016	057676 PACHAS, JOE	10/18-23 15		I.S.- PARKING/ BAGGAGE CLAIM (CIS C	
					606-6040-6044-2280-0000-000	75.60
Total :						75.60
153733	1/14/2016	001712 PACIFIC ALARM SERVICE	R116109		BM- ALARM SERVICES	
				054225	605-6150-6211-2250-8001-000	76.00
			R116110		BM- ALARM SERVICES	
				054225	605-6150-6211-2250-8001-000	41.50
			R116111		BM- ALARM SERVICES	
				054225	605-6150-6211-2250-8001-000	134.00
			R116112		BM- ALARM SERVICES	
				054225	605-6150-6211-2250-8001-000	86.00
			R116113		BM- ALARM SERVICES	
				054225	605-6150-6211-2250-6211-000	162.00
			R116114		BM- ALARM SERVICES	
				054225	605-6150-6211-2250-8101-000	61.50
				054225	605-6150-6211-2250-6211-000	61.50
			R116115		BM- ALARM SERVICES	
				054225	605-6150-6211-2250-6211-000	59.00
			R116116		BM- ALARM SERVICES	
				054225	605-6150-6211-2250-8001-000	111.00
			R116117		BM- ALARM SERVICES	
				054225	605-6150-6211-2250-8001-000	210.00
			R116118		BM- ALARM SERVICES	
				054225	605-6150-6211-2250-6211-000	43.50
			R116119		BM- ALARM SERVICES	
				054225	605-6150-6211-2250-6211-000	164.50
			R116120		BM- ALARM SERVICES	
				054225	605-6150-6211-2250-8001-000	88.00

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153733	1/14/2016	001712 PACIFIC ALARM SERVICE	(Continued) R116122		BM- ALARM SERVICES 605-6150-6211-2250-6071-000	58.00
			R116123	054225	BM- ALARM SERVICES 605-6150-6211-2250-6071-000	48.50
			R116124	054225	BM- ALARM SERVICES 605-6150-6211-2250-6071-000	39.50
			R116125	054225	BM- ALARM SERVICES 605-6150-6211-2250-6071-000	92.50
			R116126	054225	BM- ALARM SERVICES 605-6150-6211-2250-6071-000	38.50
Total :						1,575.50
153734	1/14/2016	cbc0422 PANGARIBUAN, ESRA	00680535		CLOSING BILL CREDIT 520-2450-232	268.23
Total :						268.23
153735	1/14/2016	cbc0432 PMG, INC	00110005		CLOSING BILL CREDIT 521-2450-000	119.82
Total :						119.82
153736	1/14/2016	093977 PRECISION INSTRUMENTATION COMP	201512089	015760	ELEC- INSTRUMENTATION EQUIPMEN 520-8000-8009-2225-0548-000	1,580.37
Total :						1,580.37
153737	1/14/2016	cbc0434 QUIGLEY, NANCY	00680045		CLOSING BILL CREDIT 520-2450-232	161.49
Total :						161.49
153738	1/14/2016	cbc0402 RIZO, FERNANDO	00570525		CLOSING BILL CREDIT 520-2450-232	23.26
Total :						23.26
153739	1/14/2016	pc11 RODARTE, MACIEL	PC- COUNCIL- 1/12/16		PETTY CASH REPLENISHMENT 100-6000-6000-2280-0001-000	189.77
Total :						189.77
153740	1/14/2016	cbc0426 ROTH, KAYLA	00880010		CLOSING BILL CREDIT	

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153740	1/14/2016	cbc0426 ROTH, KAYLA	(Continued)		520-2450-232	49.56
						Total :
						49.56
153741	1/14/2016	093865 ROW TRAFFIC SAFETY, INC.	14532	016002	INV- SAFETY CONES 100-1500-000 100-1500-000	1,041.00 83.28
						Total :
						1,124.28
153742	1/14/2016	060186 SALAZAR, ISABEL	REBATE- TURF		WATER CONSERVATION REBATE 521-8100-8110-2041-0000-000	800.00
						Total :
						800.00
153743	1/14/2016	000237 SAN BERNARDINO COUNTY SUN, THE	900361416- 2016		LIB- NEWSPAPER SUBSCRIPTION 100-6200-6250-2270-0000-000	388.40
						Total :
						388.40
153744	1/14/2016	014714 SAN BERNARDINO VALLEY	2861		ELEC- IEBL SERVICE 520-8000-8009-2225-0548-000	4,432.91
						Total :
						4,432.91
153745	1/14/2016	cbc0427 SERRANO, ELIZABETH	00650990		CLOSING BILL CREDIT 520-2450-232	272.90
						Total :
						272.90
153746	1/14/2016	059101 SHIMMIN, JENNIFER	01/13-15 16		PER DIEM (QWEL PROGRAM) 521-8100-8110-2280-0000-000	58.00
						Total :
						58.00
153747	1/14/2016	060182 SILVA, GABRIEL	2007375.015		COMM SVCS- ABB REFUND 100-6750-000	150.00
						Total :
						150.00
153748	1/14/2016	093099 SKAPIK LAW GROUP	CLT- 006M- 15 CLT-003M- 39 CLT-003M- 40		LEGAL SERVICES- I-215/MT VERNON 100-6050-6050-2350-0000-000 W- LEGAL SERVICES- GROUNDWATER 521-8100-8101-2350-0000-000 W- LEGAL SERVICES- GROUNDWATER	5,478.35 4,803.90

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153748	1/14/2016	093099 SKAPIK LAW GROUP	(Continued)		521-8100-8101-2350-0000-000	6,116.54
			CLT-006M- 16		LEGAL SERVICES- I-215/MT VERNON	
					100-6050-6050-2350-0000-000	5,587.40
					Total :	21,986.19
153749	1/14/2016	058207 SMX CAPITAL INC.	DEC 15		ELEC- PERFORMANCE BASED INCENT	
					520-8000-8005-2350-0923-000	1,716.08
					Total :	1,716.08
153750	1/14/2016	092670 SO CAL LOCKSMITH	31766		BM- LOCK PARTS AND SERVICE	
				054209	605-6150-6211-2250-6211-000	1.35
				054209	605-6150-6211-2250-8101-000	1.35
					Total :	2.70
153751	1/14/2016	003758 SOUTHERN CALIFORNIA EDISON	2-20-147-0325-0116		ELEC- ELECTRIC SERVICE	
					520-8000-8006-2330-0555-700	7,321.90
			2-20-444-9151-0116		ELEC- ELECTRIC SERVICE	
					520-8000-8006-2330-0555-700	304.94
			2-25-757-6884-0116		ELEC- ELECTRIC SERVICE	
					520-8000-8006-2330-0555-700	163.41
					Total :	7,790.25
153752	1/14/2016	093988 SPARKLING CLEAN CAR WASH INC.	142		ELEC- CAR WASH SERVICE	
				054228	520-8000-8004-2210-0933-000	14.00
			149		ELEC- CAR WASH SERVICE	
				054228	520-8000-8004-2210-0933-000	7.00
			159		PD- CAR WASH SERVICE	
				054228	100-6070-6071-2210-0000-000	10.00
					Total :	31.00
153753	1/14/2016	000234 SQUIRES LUMBER COMPANY	305884		BM- MAINTENANCE MATERIAL	
				054212	605-6150-6211-2250-6211-000	5.39
			306003		ELEC- MAINTENANCE MATERIAL	
				054212	520-8000-8003-2255-0592-100	8.62
			306047		BM- MAINTENANCE MATERIAL	
				054212	605-6150-6211-2250-6211-000	26.99

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153753	1/14/2016	000234 SQUIRES LUMBER COMPANY	(Continued) 306049		BM- CREDIT 605-6150-6211-2250-6211-000	-26.99
			306104	054212	BM- MAINTENANCE MATERIAL 605-6150-6211-2250-6211-000	30.94
				054212	605-6150-6211-2250-6217-000	21.50
					Total :	66.45
153754	1/14/2016	cbc0425 STEWARD, MELISSA	00780605		CLOSING BILL CREDIT 520-2450-232	69.53
					Total :	69.53
153755	1/14/2016	cbc0406 STONE, DEBORAH SUE	00150030		CLOSING BILL CREDIT 520-2450-232	221.88
					Total :	221.88
153756	1/14/2016	024139 SUN BADGE CO	365184		PD- BADGE REPAIRS 100-6070-6071-2350-0000-000	124.94
			365238	015547	PD- BADGE REPAIRS 100-6070-6071-2350-0000-000	99.29
					Total :	224.23
153757	1/14/2016	092089 SUNBELT RENTALS	54631257-001		BM- ELECTRIC SCISSOR LIFT 605-6150-6211-2250-6217-000	560.88
			55265215-001	016030	BM- ELECTRIC SCISSOR LIFT 605-6150-6211-2250-6217-000	585.00
					Total :	1,145.88
153758	1/14/2016	044543 SUNDOWN WINDOW TINTING	C56878		BM- GRAFFITI FILM FOR WINDOWS 605-6150-6211-2250-6211-000	2,027.00
				015574		Total : 2,027.00
153759	1/14/2016	092998 TECHNOFIT FITNESS EQUIPMENT	33881		PD- MAINTENANCE FOR GYM EQUIP. 100-6070-6071-2350-0000-000	229.50
				015545		Total : 229.50
153760	1/14/2016	094005 THE PRESS-ENTERPRISE	0010090858		PW- ADVERTISING SERVICES 225-1604-6150-3890-0000-000	96.00
				054169		

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153760	1/14/2016	094005	094005 THE PRESS-ENTERPRISE		(Continued)	Total : 96.00
153761	1/14/2016	059602	THE STANDARD INSURANCE COMPANY	JAN 16	VSP PLAN INSURANCE PREMIUMS 762-2015-000 100-6030-6030-1150-0000-000 762-2015-000	1,754.88 13.92 -20.88 Total : 1,747.92
153762	1/14/2016	045823	THOMPSON COBURN LLP	NOV 15	015759 ELEC- LEGAL SERVICES -FERC 520-8000-8001-2350-0923-000	5,654.32 Total : 5,654.32
153763	1/14/2016	cbc0401	THUGGIN LMKR	01971360	CLOSING BILL CREDIT 520-2450-232	1,886.72 Total : 1,886.72
153764	1/14/2016	093146	TIME WARNER CABLE	844840- 01/16	015651 I.S.- CITY WIDE CABLE 606-6040-6044-2310-0000-000	576.35 Total : 576.35
153765	1/14/2016	093930	TOOLS-R-US, INC.	469979 874828	016000 ELEC- CREDIT 520-8000-8004-2301-0921-000 016000 ELEC- SMALL TOOLS 520-8000-8004-2301-0921-000	-457.92 909.36 Total : 451.44
153766	1/14/2016	093539	TSR CONSTRUCTION & INPECTIONS	COBURN #3	015395 W- ASPHALT FOR COBURN ST. PRJ. 521-8100-8101-2303-0000-000 521-2460-000	13,980.00 -699.00 Total : 13,281.00
153767	1/14/2016	093539	TSR CONSTRUCTION & INPECTIONS	#7- WASH/RECHE-FINAL	CIP- RECHE CANYON INTERSECTION I 450-2460-000	10,261.51 Total : 10,261.51
153768	1/14/2016	003917	U S BANK	4173892	ADMIN FEES (SPECIAL TAX REVENUE 350-7700-7705-2380-0000-000	4,065.00

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153768	1/14/2016	003917 003917 U S BANK	(Continued)			Total : 4,065.00
153769	1/14/2016	059577 UNION PACIFIC RAILROAD COMPANY	90056081		CIP- PLAN CHECK INSPECTIONS 450-1307-6987-3890-0000-000	1,267.51
			90057867		CIP- PLAN CHECK INSPECTIONS 450-1307-6987-3890-0000-000	343.19
					Total :	1,610.70
153770	1/14/2016	003123 UNITED PARCEL SERVICE	0000A4V827505	054218	W- SHIPPING SERVICES 521-8300-8300-2300-0000-000	55.39
					Total :	55.39
153771	1/14/2016	cbc0399 VALENCIA, ALYSSA	00800175		CLOSING BILL CREDIT 520-2450-232	54.44
					Total :	54.44
153772	1/14/2016	093999 VERIZON BUSINESS SOLUTIONS	69643741	016043	PD- T-1 DEDICATED LINE 100-6070-6071-2310-0000-000	1,442.54
					Total :	1,442.54
153773	1/14/2016	092286 VERIZON WIRELESS	9757263577	015598	ELEC- CELLULAR SERVICES 520-8000-8024-2310-0930-200	646.63
					Total :	646.63
153774	1/14/2016	093406 VERIZON WIRELESS	9755808654	054219	ST- CELLULAR SERVICES 210-6150-6160-2310-0000-000	181.02
			9757451053	054219	ELEC- CELLULAR SERVICES 520-8000-8001-2310-0930-200	824.58
			9757451055	054219	BM- CELLULAR SERVICE 608-6150-8700-2310-0000-000	11.25
			9757451056	054219	BM- CELLULAR SERVICE 210-6150-6160-2310-0000-000	185.15
			9757451057	054219	ELEC- CELLULAR SERVICES 520-8000-8001-2310-0930-200	249.47
			9757451058	054219	ELEC- CELLUALR SERVICES 520-8000-8001-2310-0930-200	413.16
			9757451059	054219	ELEC- CELLULAR SERVICES 520-8000-8009-2225-0548-000	721.30

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153774	1/14/2016	093406 VERIZON WIRELESS	(Continued) 9757451061		BM- CELLULAR SERVICE 100-6150-6151-2310-0000-000	856.62
			9757451063	054219	BM- CELLULAR SERVICE 100-6150-6205-2310-0000-000	158.00
			9757451065	054219	BM- CELLULAR SERVICE 605-6150-6211-2310-0000-000	67.08
Total :						3,667.63
153775	1/14/2016	cbc0431 VILLAPANDO, FRANK	00841200		CLOSING BILL CREDIT 520-2450-232	72.76
Total :						72.76
153776	1/14/2016	093071 VOYAGER FLEET SYSTEMS INC.	869246439552		PD- FUEL FOR CITY VEHICLE 100-6070-6071-2210-0000-000	103.62
Total :						103.62
153777	1/14/2016	000159 W W GRAINGER, INC	9872960811		WW- MAINTENANCE SUPPLIES 522-8200-8200-1180-0000-000	139.54
			9874352892	054221	WW- CREDIT	-139.54
			9874762934	054221	WW- MAINTENANCE SUPPLIES 522-8200-8200-1180-0000-000	406.68
			987495560	054221	WW- CREDIT	-28.02
			9875608623	054221	WW- MAINTENANCE SUPPLIES 522-8200-8200-1180-0000-000	50.11
			9875608631	054221	WW- MAINTENANCE SUPPLIES 522-8200-8200-1180-0000-000	56.59
			9880702114	054221	WW- MAINTENANCE SUPPLIES 522-8200-8200-1180-0000-000	171.78
			9886825281	054221	BM- MAINTENANCE SUPPLIES 605-6150-6211-2250-6211-000	71.46
			9886825299	054221	BM- MAINTENANCE SUPPLIES 605-6150-6211-2250-6211-000	74.01
			9894964627	054221	WW- MAINTENANCE SUPPLIES 522-8200-8200-1180-0000-000	191.17

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153777	1/14/2016	000159 W W GRAINGER, INC	(Continued)			
			9904683027	054221	BM- MAINTENANCE SUPPLIES 605-6150-6211-2250-6211-000	80.74
			9906562526	054221	WW- MAINTENANCE SUPPLIES 522-8200-8200-1180-0000-000	440.16
			9914954574	054221	WW- MAINTENANCE SUPPLIES 522-8200-8200-1180-0000-000	548.85
			9917747207	054221	BM- MAINTENANCE SUPPLIES 605-6150-6211-2250-6212-000	19.53
			9922294971	054221	WW- MAINTENANCE SUPPLIES 522-8200-8200-2255-0000-000	152.15
			9922746103	054221	WW- MAINTENANCE SUPPLIES 522-8200-8200-1180-0000-000	65.65
			9923151394	054221	WW- MAINTENANCE SUPPLIES 522-8200-8200-1180-0000-000	218.72
			9923294301	054221	WW- MAINTENANCE SUPPLIES 522-8200-8200-1180-0000-000	354.29
			9923294319	054221	BM- MAINTENANCE SUPPLIES 605-6150-6211-2250-6211-000	296.71
Total :						3,170.58
153778	1/14/2016	092064 WALTER'S WHOLESALE ELECTRIC	1431174-40	054222	BM- ELECTRICAL SUPPLIES 605-6150-6211-2250-6217-000	20.50
			1435519-00	054222	BM- ELECTRICAL SUPPLIES 605-6150-6211-2250-6211-000	29.52
					605-6150-6211-2250-6211-000	2.37
			1435700-00	054222	BM- ELECTRICAL SUPPLIES 605-6150-6211-2250-6212-000	226.50
					605-6150-6211-2250-6212-000	18.12
			1436049-00	054222	BM- ELECTRICAL SUPPLIES 605-6150-6211-2250-8200-000	868.35
			1436051-00	054222	BM- ELECTRICAL SUPPLIES 605-6150-6211-2250-8200-000	820.80
Total :						1,986.16
153779	1/14/2016	000188 WAXIE	75397471	054223	JANITORIAL SUPPLIES 605-6150-6211-2301-0000-000	72.00

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153779	1/14/2016	000188 000188 WAXIE	(Continued)			Total : 72.00
153780	1/14/2016	003478 WESTERN WATER WORKS SUPPLY	388852-01	015872	W- HARDWARE SUPPLIES 521-1500-000	3,278.30
			391564-00		521-1500-000	262.26
				015943	INV- HARDWARE SUPPLIES 521-1500-000	3,099.50
					521-1500-000	247.96
					Total :	6,888.02
153781	1/14/2016	cbc0410 WILES, NICOLE MARIE	00290940		CLOSING BILL CREDIT 520-2450-232	88.74
					Total :	88.74
153782	1/14/2016	cbc0415 WILSON, NATALIE	00282950		CLOSING BILL CREDIT 520-2450-232	6.83
					Total :	6.83
153783	1/14/2016	cbc0423 ZAMORA, ANA	00730815		CLOSING BILL CREDIT 520-2450-232	173.25
					Total :	173.25
3676600	12/24/2015	035929 BANK OF AMERICA	FEDERAL 12/23/15-SUP		FEDERAL TAXES 762-2200-000	3,433.14
					Total :	3,433.14
3678600	12/24/2015	035929 BANK OF AMERICA	STATE 12/23/15- SUPP		STATE TAXES 762-2010-000	1,352.14
					Total :	1,352.14
7350300	1/8/2016	035929 BANK OF AMERICA	FEDERAL 1/7/16		FEDERAL TAXES 762-2200-000	164,282.47
					Total :	164,282.47
7378600	1/8/2016	035929 BANK OF AMERICA	STATE 1/7/16		STATE TAXES 762-2010-000	68,311.66
					Total :	68,311.66

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
64520600	1/4/2016	000214 PERS-PAYROLL REPORT	12/10/15- 68		RETIREMENT CONTRIBUTION 762-2080-000	119,676.55 Total : 119,676.55
64520700	1/4/2016	000214 PERS-PAYROLL REPORT	12/10/15- 69		RETIREMENT CONTRIBUTION 762-2080-000	28,772.03 Total : 28,772.03
64520800	1/4/2016	000214 PERS-PAYROLL REPORT	12/10/15- 70		RETIREMENT CONTR. PPE 12/04/15 762-2080-000	41,211.62 Total : 41,211.62
64520900	1/4/2016	000214 PERS-PAYROLL REPORT	12/10/15- 25056		RETIREMENT CONTRIBUTION 762-2080-000	4,993.39 Total : 4,993.39
64521000	1/4/2016	000214 PERS-PAYROLL REPORT	12/10/15- 25057		RETIREMENT CONTRIBUTION 762-2080-000	6,396.93 Total : 6,396.93
64521100	1/4/2016	000214 PERS-PAYROLL REPORT	12/10/15- 26038		RETIREMENT CONTRIBUTION 762-2080-000	22,344.84 Total : 22,344.84
64521200	1/4/2016	000214 PERS-PAYROLL REPORT	12/10/15- 15025		RETIREMENT CONTRIBUTION 762-2080-000	1.30 Total : 1.30
64521300	1/4/2016	000214 PERS-PAYROLL REPORT	12/10/15- 15025-2		RETIREMENT CONTRIBUTION 762-2080-000	1,619.97 Total : 1,619.97
64521400	1/4/2016	000214 PERS-PAYROLL REPORT	12/10/15- 15026		RETIREMENT CONTRIBUTION 762-2080-000	5,549.75 Total : 5,549.75
64801800	1/8/2016	003893 ING	PP 01/07/16		457 DEF COMP & LOAN PAYMENT 762-2040-000	8,418.19

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
64801800	1/8/2016	003893 ING	(Continued)		762-2045-000	788.16
					Total :	9,206.35
64951600	1/13/2016	000214 PERS-PAYROLL REPORT	12/23/15- 68		RETIREMENT CONTRIBUTION 762-2080-000	116,882.53
					Total :	116,882.53
64951700	1/13/2016	000214 PERS-PAYROLL REPORT	12/23/15- 69		RETIREMENT CONTRIBUTION 762-2080-000	29,723.86
					Total :	29,723.86
64951800	1/13/2016	000214 PERS-PAYROLL REPORT	12/23/15- 70		RETIREMENT CONTRIBUTION 762-2080-000	43,319.15
					Total :	43,319.15
64951900	1/13/2016	000214 PERS-PAYROLL REPORT	12/23/15- 25056		RETIREMENT CONTRIBUTION 762-2080-000	4,615.10
					Total :	4,615.10
64952000	1/13/2016	000214 PERS-PAYROLL REPORT	12/23/15- 25057		RETIREMENT CONTRIBUTION 762-2080-000	6,394.49
					Total :	6,394.49
64952100	1/13/2016	000214 PERS-PAYROLL REPORT	12/23/15- 26038		RETIREMENT CONTRIBUTION 762-2080-000	20,721.58
					Total :	20,721.58
64952200	1/13/2016	000214 PERS-PAYROLL REPORT	12/23/15- 15025		RETIREMENT CONTRIBUTION 762-2080-000	1,616.52
					Total :	1,616.52
64952300	1/13/2016	000214 PERS-PAYROLL REPORT	12/23/15- 15026		RETIREMENT CONTRIBUTION 762-2080-000	5,781.51
					Total :	5,781.51
66571716	1/7/2016	003772 STATE OF CALIFORNIA	PP 1/07/16		CHILD SUPPORT PAYMENTS 762-2150-000	3,579.34

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
66571716	1/7/2016	003772	003772 STATE OF CALIFORNIA		(Continued)	Total : 3,579.34
158 Vouchers for bank code : boa						Bank total : 1,175,189.77
158 Vouchers in this report						Total vouchers : 1,175,189.77



Anita Agramonte
Finance Director



Aurelio De La Torre
City Treasurer

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153784	1/21/2016	092955 12MILESOUT	21530		I.S.- VIDEO STREAMING SERVICE	
				015653	606-6040-6044-2240-0000-000	600.00
					Total :	600.00
153785	1/21/2016	000788 AT & T	2654177493		ELEC- CHARGES FOR FRAME CIRCUIT	
			2654255784	015670	520-8000-8009-2225-0548-000	445.44
				015670	ELEC- CHARGES FOR FRAME CIRCUIT	
					520-8000-8001-2310-0930-200	250.56
					Total :	696.00
153786	1/21/2016	093757 ACCOUNTEMPS	44498545		W- TEMP EMPLOYEE- W. CONSERVATION	
			44548640	015962	521-8300-8300-2350-0000-000	881.40
			44609214	015962	W- TEMP EMPLOYEE- W. CONSERVATION	
					521-8300-8300-2350-0000-000	734.50
				015962	W- TEMP EMPLOYEE- W. CONSERVATION	
					521-8300-8300-2350-0000-000	616.98
					Total :	2,232.88
153787	1/21/2016	058493 AETNA	AT0066- JAN 16		HR- RETIREE HEALTH PREMIUMS	
					100-6030-6030-1150-0000-000	1,426.93
					Total :	1,426.93
153788	1/21/2016	092700 AIR & HOSE SOURCE INC.	01-232938		WW- HOSES & FITTINGS	
				015712	522-8200-8200-2255-0000-000	55.85
					Total :	55.85
153789	1/21/2016	093716 AIR EXCHANGE INC.	37196		FIRE- EXHAUST REMOVAL SYSTEM	
				015536	100-6090-6091-2240-0000-000	490.09
					Total :	490.09
153790	1/21/2016	000289 AIRGAS USA, LLC	9045981692		W- OXYGEN & WELDING SUPPLIES	
			9046262136	015718	521-8100-8101-2301-0000-000	168.03
			9046627448	015718	W- OXYGEN & WELDING SUPPLIES	
					521-8100-8101-2301-0000-000	98.24
				015718	W- OXYGEN & WELDING SUPPLIES	
					521-8100-8101-2301-0000-000	85.58

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount	
153790	1/21/2016	000289 AIRGAS USA, LLC	(Continued) 9046673037		W- OXYGEN & WELDING SUPPLIES 521-8100-8101-2301-0000-000	168.45	
			9932034861	015718	W- OXYGEN & WELDING SUPPLIES 521-8100-8101-2301-0000-000	88.65	
					Total :	608.95	
153791	1/21/2016	092430 ALLIANCE BUS LINES INC.	53231		COMM SVCS- TRANSPORTATION SERVICES 100-6200-6209-2301-0000-000	420.05	
				015940		Total :	420.05
153792	1/21/2016	026370 ALLSTAR FIRE EQUIPMENT INC	186548		FIRE- SAFETY GEAR 100-6090-6091-1180-0000-000	311.88	
			186962	015433	FIRE- SAFETY GEAR 100-6090-6091-1180-0000-000	594.00	
					Total :	905.88	
153793	1/21/2016	093774 AMERICAN NATIONAL RED CROSS &	10421874		COMM SVCS- CPR/FIRST AID TRAINING 100-6200-6202-1160-0000-000	232.20	
				015530		Total :	232.20
153794	1/21/2016	044956 ANGELICA HEALTHCARE SERVICES	1400524661		FIRE- LINEN SUPPLIES 100-6090-6091-2301-0000-000	38.82	
			1400525405	015432	FIRE- LINEN SUPPLIES 100-6090-6091-2301-0000-000	38.82	
			1400526126	015432	FIRE- LINEN SUPPLIES 100-6090-6091-2301-0000-000	38.82	
					Total :	116.46	
153795	1/21/2016	093989 ANIXTER POWER SOLUTIONS INC.	3064706-00		ELEC INV- HARDWARE SUPPLIES 520-1500-154	1,874.72	
				016013	520-1500-154	149.98	
			3064726-00		ELEC INV- HARDWARE SUPPLIES 520-1500-154	1,710.00	
				016013	520-1500-154	136.80	
			3064726-01		ELEC INV- HARDWARE SUPPLIES 520-1500-154	199.00	
				016013			

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153795	1/21/2016	093989 ANIXTER POWER SOLUTIONS INC.	(Continued)		520-1500-154	15.92
Total :						4,086.42
153797	1/21/2016	046028 AT & T	0001454-0116		I.S.- TELEPHONE SERVICES	
			2516474-1215	054153	606-6040-6044-2310-0000-000	1,092.91
			2711575-1215	054153	ELEC- TELEPHONE SERVICES	265.34
			3700339-1215	054153	520-8000-8001-2310-0930-200	
			3700340-1215	054153	W- TELEPHONE SERVICES	70.02
			3700807-0116	054153	521-8100-8101-2310-0000-000	
			3701325-0116	054153	ELEC- TELEPHONE SERVICES	18.51
			3702643-1215	054153	520-8000-8024-2310-0930-200	
			3702739-1215	054153	ELEC- TELEPHONE SERVICES	35.13
			3703596-0116	054153	520-8000-8024-2310-0930-200	
			3704863-1215	054153	PD- TELEPHONE SERVICES	16.63
			3813148-1215	054153	100-6090-6091-2310-0000-000	
			4218472-1215	054153	I.S.- TELEPHONE SERVICES	16.63
			4219818-637	054153	606-6040-6044-2310-0000-000	
			4220124-0116	054153	ELEC- TELEPHONE SERVICES	19.07
			4220768-1215	054153	520-8000-8024-2310-0930-200	
			4221190-1215	054153	ELEC- TELEPHONE SERVICES	19.07
				054153	100-6070-6071-2310-0000-000	
				054153	W- TELEPHONE SERVICES	18.51
				054153	521-8100-8101-2310-0000-000	
				054153	FIRE- TELEPHONE SERVICES	33.25
				054153	100-6090-6091-2310-0000-000	
				054153	ELEC- TELEPHONE SERVICES	90.90
				054153	520-8000-8024-2310-0930-200	
				054153	ELEC- TELEPHONE SERVICES	18.51
				054153	520-8000-8024-2310-0930-200	
				054153	LIB- TELEPHONE SERVICES	34.57
				054153	100-6200-6250-2310-0000-000	
				054153	ELEC- TELEPHONE SERVICES	18.51
				054153	520-8000-8024-2310-0930-200	
				054153	ELEC- TELEPHONE SERVICES	18.51

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153797	1/21/2016	046028 AT & T	(Continued)			
			4221327-0116	054153	520-8000-8024-2310-0930-200 C. CARE- TELEPHONE SERVICES	19.07
			4221864-1215	054153	206-7200-7202-2310-0000-000 ELEC- TELEPHONE SERVICES	20.06
			4230547-1215	054153	520-8000-8024-2310-0930-200 ELEC- TELEPHONE SERVICES	18.52
			4240128-0116	054153	520-8000-8024-2310-0930-200 LIB- TELEPHONE SERVICES	16.63
			4240164-0116	054153	100-6200-6250-2310-0000-000 C. CARE - TELEPHONE SERVICES	108.50
			4300092-1215	054153	206-7200-7202-2310-0000-000 ELEC- TELEPHONE SERVICES	79.07
			4330024-1215	054153	520-8000-8009-2225-0548-000 ELEC- TELEPHONE SERVICES	210.88
			4330127-1215	054153	520-8000-8024-2310-0930-200 ELEC- TELEPHONE SERVICES	36.19
			4339203-1215	054153	520-8000-8024-2310-0930-200 ELEC- TELEPHONE SERVICES	18.51
			4339427-1215	054153	520-8000-8024-2310-0930-200 ELEC- TELEPHONE SERVICES	18.51
			4497448-1215	054153	520-8000-8024-2310-0930-200 ELEC- TELEPHONE SERVICES	18.51
			4510114-1215	054153	520-8000-8001-2310-0930-200 ELEC- TELEPHONE SERVICES	253.04
			5140443-1215	054153	520-8000-8001-2310-0930-200 ELEC- TELEPHONE SERVICES	206.39
			5141921-1215	054153	520-8000-8024-2310-0930-200 ELEC- TELEPHONE SERVICES	17.96
			6862546-1215	054153	520-8000-8024-2310-0930-200 ELEC- TELEPHONE SERVICES	18.51
			7830962-1215	054153	520-8000-8024-2310-0930-200 ELEC- TELEPHONE SERVICES	18.52
			7831436-1215	054153	520-8000-8024-2310-0930-200 ELEC- TELEPHONE SERVICES	16.63
			7831468-1215	054153	520-8000-8024-2310-0930-200 W- TELEPHONE SERVICES	18.51

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153797	1/21/2016	046028 AT & T	(Continued)			
			7832613-1215	054153	521-8100-8101-2310-0000-000 ELEC- TELEPHONE SERVICES	18.51
			7832709-1215	054153	520-8000-8024-2310-0930-200 ELEC- TELEPHONE SERVICES	18.51
			7833501-1215	054153	520-8000-8024-2310-0930-200 ELEC- TELEPHONE SERVICES	18.51
			7833610-1215	054153	520-8000-8024-2310-0930-200 ELEC- TELEPHONE SERVICES	18.51
			7833649-1215	054153	520-8000-8024-2310-0930-200 ELEC- TELEPHONE SERVICES	18.51
			7833652-1215	054153	520-8000-8024-2310-0930-200 ELEC- TELEPHONE SERVICES	35.13
			7833824-1215	054153	520-8000-8024-2310-0930-200 ELEC- TELEPHONE SERVICES	18.51
			7833826-1215	054153	520-8000-8024-2310-0930-200 ELEC- TELEPHONE SERVICES	18.51
			7833829-1215	054153	520-8000-8024-2310-0930-200 ELEC- TELEPHONE SERVICES	18.51
			7833835-1215	054153	520-8000-8024-2310-0930-200 ELEC- TELEPHONE SERVICES	18.51
			7833902-1215	054153	520-8000-8024-2310-0930-200 ELEC- TELEPHONE SERVICES	18.51
			7833911-1215	054153	520-8000-8024-2310-0930-200 ELEC- TELEPHONE SERVICES	18.51
			7833917-1215	054153	520-8000-8024-2310-0930-200 ELEC- TELEPHONE SERVICES	18.51
			7833923-1215	054153	520-8000-8024-2310-0930-200 ELEC- TELEPHONE SERVICES	18.51
			7833944-1215	054153	520-8000-8024-2310-0930-200 ELEC- TELEPHONE SERVICES	18.51
			7834069-1215	054153	520-8000-8024-2310-0930-200 ELEC- TELEPHONE SERVICES	18.51
			7834206-1215	054153	520-8000-8024-2310-0930-200 ELEC- TELEPHONE SERVICES	18.51
			7834208-1215	054153	520-8000-8024-2310-0930-200 ELEC- TELEPHONE SERVICES	18.51

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153797	1/21/2016	046028 AT & T	(Continued)			
			7834218-1215	054153	520-8000-8024-2310-0930-200 ELEC- TELEPHONE SERVICES	18.51
			7834230-1215	054153	520-8000-8024-2310-0930-200 TELEPHONE SERVICES	18.51
			7834317-1215	054153	520-8000-8024-2310-0930-200 ELEC- TELEPHONE SERVICES	18.51
			7837951-1215	054153	520-8000-8024-2310-0930-200 ELEC- TELEPHONE SERVICES	18.51
			7838104-0116	054153	520-8000-8024-2310-0930-200 I.S.- TELEPHONE SERVICES	18.51
			8243147-1215	054153	606-6040-6044-2310-0000-000 FIRE- TELEPHONE SERVICES	110.51
			8243247-0116	054153	100-6090-6094-2310-0000-000 PD- TELEPHONE SERVICES	267.88
			8250742-1215	054153	100-6070-6071-2310-0000-000 ELEC- TELEPHONE SERVICES	68.39
			8251278-1215	054153	520-8000-8024-2310-0930-200 ELEC- TELEPHONE SERVICES	16.63
			8252094-1215	054153	520-8000-8009-2225-0548-000 ELEC- TELEPHONE SERVICES	214.44
			8254114-1215	054153	520-8000-8024-2310-0930-200 W- TELEPHONE SERVICES	35.13
			8256846-1215	054153	521-8100-8101-2310-0000-000 W- TELEPHONE SERVICES	105.22
			8257703-1215	054153	521-8100-8101-2310-0000-000 ELEC- TELEPHONE SERVICES	74.89
			8720497-1215	054153	520-8000-8024-2310-0930-200 ELEC- TELEPHONE SERVICES	18.51
			8720941-1215	054153	520-8000-8024-2310-0930-200 ELEC- TELEPHONE SERVICES	18.51
			8751438-1115	054153	520-8000-8024-2310-0930-200 ELEC- TELEPHONE SERVICES	17.96
			8752362-1115	054153	520-8000-8024-2310-0930-200 ELEC- TELEPHONE SERVICES	18.51
				054153	520-8000-8024-2310-0930-200	35.13

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153797	1/21/2016	046028 046028 AT & T	(Continued)			Total : 4,344.14
153798	1/21/2016	093746 AT & T	287254304436X122715	015458	ELEC- PHONE SURVEILLANCE CAMERAS 520-8000-8004-2301-0921-000	28.98 Total : 28.98
153799	1/21/2016	000205 AT&T	8410909-1215	054152	VW- TELEPHONES SERVICES 522-8200-8200-2310-0000-000	33.28 Total : 33.28
153800	1/21/2016	093496 BROADCAST MUSIC INC.	27383565		COMM SVCS- MUSIC LICENSE FEE 100-6200-6202-2241-0000-000	658.00 Total : 658.00
153801	1/21/2016	093834 CADD OFFLOAD	0106	015933	CDGB- ENG. SUPPORT & PROJECT MGMT 215-1503-6920-3890-0000-000	2,100.00 Total : 2,100.00
153802	1/21/2016	043162 CALIFORNIA TOOL & WELD SUPPLY	083934	015434	FIRE- OXYGEN CYLINDER REFILLS 100-6090-6091-2301-0000-000	5.40 Total : 5.40
153803	1/21/2016	015809 CALOLYMPIC GLOVE &	346917 347000	016035 016053	FIRE- GAS ALERT SENSORS 100-6090-6091-2301-0000-000 100-6090-6091-2301-0000-000 INV- LOCKS 100-1500-000 100-1500-000	1,521.00 133.12 841.92 78.23 Total : 2,574.27
153804	1/21/2016	093676 CANON SOLUTIONS AMERICAN, INC.	4017947005	015416 015416 015416 015416 015416 015416 015416	COPIER MAINTENANCE (VARIOUS DEPT'S) 100-6150-6151-2240-0000-000 521-8300-8300-2240-0000-000 100-6300-6301-2240-0000-000 520-8000-8001-2240-0930-200 100-6040-6043-2240-0000-000 100-6200-6200-2240-0000-000 100-6090-6091-2240-0000-000	106.30 106.30 322.55 269.38 13.29 309.54 33.25

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153804	1/21/2016	093676 CANON SOLUTIONS AMERICAN, INC.	(Continued)			
				015416	100-6000-6000-2240-0000-000	94.51
				015416	100-6070-6071-2240-0000-000	86.97
				015416	206-7200-7202-2240-0000-000	29.53
				015416	100-6040-6043-2240-0000-000	7.69
				015416	100-6070-6071-2240-0000-000	16.84
				015416	100-6150-6151-2240-0000-000	44.97
				015416	521-8300-8300-2240-0000-000	44.98
				015416	100-6070-6071-2240-0000-000	237.51
				015416	100-6200-6250-2240-0000-000	6.47
				015416	100-6030-6030-2240-0000-000	29.06
				015416	100-6070-6071-2240-0000-000	167.57
				015416	520-8000-8009-2225-0548-000	3.39
				015416	100-6040-6041-2240-0000-000	68.05
				015416	100-6200-6250-2240-0000-000	42.25
				015416	100-6070-6071-2240-0000-000	105.65
				015416	520-8000-8003-2240-0592-100	21.53
				015416	100-6020-6020-2240-0000-000	27.60
					Total :	2,195.18
153805	1/21/2016	093662 CAROLLO ENGINEERS, INC.	0145849		W- MASTERPLAN PER CONTRACT	
				012931	521-8100-8101-2350-0000-000	1,309.00
					Total :	1,309.00
153806	1/21/2016	045027 CDW GOVERNMENT	BFT3703		I.S.- COMPUTER SUPPLIES	
			BMZ0035	054158	606-6040-6044-2315-0000-000	316.43
				054158	I.S.- COMPUTER SUPPLIES	
					606-6040-6044-4900-0000-000	73.33
					Total :	389.76
153807	1/21/2016	003894 GENDEJAS, CONSTANTINO	12/27/15- RECERTS		FIRE- REIMBURSE FOR RECERT FEES	
					100-6090-6091-1161-0000-000	260.00
					Total :	260.00
153808	1/21/2016	093913 CHAMPION ELECTRIC, INC.	4098		W- ELECTRICAL SERVICES	
				015990	521-8100-8101-2411-0000-000	370.00

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153808	1/21/2016	093913 093913 CHAMPION ELECTRIC, INC.	(Continued)			Total : 370.00
153809	1/21/2016	093729 CHILDCARE CAREERS, LLC	220610	015459	C. CARE- TEACHERS & AIDES 206-7200-7203-2350-0000-000	91.40 Total : 91.40
153810	1/21/2016	093122 CINTAS CORP. LOC#150	150602866	054160	ELEC- UNIFORM CLEANING SVC 520-8000-8004-1170-0926-000	287.92
				054160	520-8000-8002-2301-0921-000	29.72
			150602867	054160	ELEC- UNIFORM CLEANING SVC 520-8000-8003-1170-0926-000	175.56
			150606648	054160	ELEC- UNIFORM CLEANING SVC 520-8000-8004-1170-0926-000	287.92
				054160	520-8000-8002-2301-0921-000	29.72
			150606649	054160	ELEC- UNIFORM CLEANING SVC 520-8000-8003-1170-0926-000	175.56
					Total : 986.40	
153811	1/21/2016	049181 CITY NEWS GROUP	22914		C. CLERK- LEGAL PUBLICATION 100-6010-6010-2340-0000-000	61.51
			22916		C. CLERK- LEGAL PUBLICATION 100-6010-6010-2340-0000-000	252.53
					Total : 314.04	
153812	1/21/2016	000882 COLONIAL LIFE & ACCIDENT	9636291-0101836		PREMIUM PROCESSING 762-2020-000	4,002.68 Total : 4,002.68
153813	1/21/2016	001230 COLTON CHAMBER OF COMMERCE	2448		ECO DEV- CONTRACTUAL SERVICES 100-6300-9050-2350-0000-000	6,250.00
			2461		ECO DEV- CONTRACTUAL SERVICES 100-6300-9050-2350-0000-000	6,250.00
					Total : 12,500.00	
153814	1/21/2016	000491 COLTON TRUCK SUPPLY	5253430062	054161	AUTOMOTIVE PARTS & SUPPLIES 608-6150-8700-2210-8101-000	48.30
			5260110038	054161	AUTOMOTIVE PARTS 608-6150-8700-2210-6160-000	546.40

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153814	1/21/2016	000491 000491 COLTON TRUCK SUPPLY	(Continued)			Total : 594.70
153815	1/21/2016	031653 CONFIRE JPA	2016044	015563	FIRE- CONFIRE SERVICES 100-6090-6091-2350-0000-000	33,249.34 Total : 33,249.34
153816	1/21/2016	060189 CRUZ DEVELOPMENT COMPANY	SC0-000-587		REFUND STREET CUT PERMIT 762-2360-000	250.00 Total : 250.00
153817	1/21/2016	001453 CSMFO	166639 166646		FIN- REGIS. CSMFO CONF. (S. DABBS) 100-6040-6041-2280-0000-000 FIN- REGIS. CSMFO CONF. (A. AGRAMK 100-6040-6041-2280-0000-000	370.00 370.00 Total : 740.00
153818	1/21/2016	001453 CSMFO	DY156893		DUES (S. DABBS) 100-6040-6041-2270-0000-000	110.00 Total : 110.00
153819	1/21/2016	040945 CSR COMPANY	15392 15393 15515	015852 015852 015852	W- A/C MAINTENANCE 521-8100-8101-2350-0000-000 W- A/C MAINTENANCE 521-8100-8101-2350-0000-000 W- A/C MAINTENANCE 521-8100-8101-2350-0000-000	47.96 125.00 125.00 Total : 297.96
153820	1/21/2016	000139 CULLIGAN WATER CONDITION	564383	015710	WW- SOFTENER SUPPLIES 522-8200-8200-2301-0000-000	45.90 Total : 45.90
153821	1/21/2016	003952 DAILY JOURNAL CORP	B2818629		W- LEGAL PUBLICATION 521-8300-8300-2340-0000-000	2,217.60 Total : 2,217.60
153822	1/21/2016	043438 DELL COMPUTER CORPORATION	XJW3D72W2	054166	I.S.- LASER PRINTER 606-6040-6044-4900-0000-000	234.27

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153822	1/21/2016	043438	043438 DELL COMPUTER CORPORATION		(Continued)	Total : 234.27
153823	1/21/2016	093838	DEVELOPMENT MANAGEMENT GROUP	AUG 15	ECON DEV.- CONSULTING SERVICES	
				015162	100-6020-9050-2350-0000-000	2,518.75
				015162	898-9000-9000-2350-0000-000	2,518.75
			JAN 16		ECON DEV.- CONSULTING SERVICES	
				015162	100-6020-9050-2350-0000-000	474.50
				015162	898-9000-9000-2350-0000-000	474.50
			JULY 15		ECON DEV.- CONSULTING SERVICES	
				015162	100-6020-9050-2350-0000-000	1,743.75
				015162	898-9000-9000-2350-0000-000	1,743.75
			OCT 15		ECON DEV.- CONSULTING SERVICES	
				015162	100-6020-9050-2350-0000-000	562.50
				015162	898-9000-9000-2350-0000-000	562.50
			SEPT 15		ECON DEV.- CONSULTING SERVICES	
				015162	100-6020-9050-2350-0000-000	2,966.93
				015162	898-9000-9000-2350-0000-000	2,966.94
					Total :	16,532.87
153824	1/21/2016	000149	DUNN-EDWARDS CORP	2018247434	W- PAINT SUPPLIES	
				054167	521-8100-8101-2411-0000-000	224.89
			2018248373		W- PAINT SUPPLIES	
				054167	521-8100-8101-2301-0000-000	517.33
					Total :	742.22
153825	1/21/2016	060190	FARRIES, GERALDINE	1069341.015	REFUND CLEANING DEPOSIT	
					100-6747-000	50.00
					Total :	50.00
153826	1/21/2016	013964	FEDERAL EXPRESS CORPORATION	5-275-52077	ELEC- DELIVERY SERVICE	
				015623	520-8000-8001-2300-0921-000	37.34
					Total :	37.34
153827	1/21/2016	093728	FIRE APPARATUS SOLUTIONS	9859	FIRE- VEHICLE MAINTENANCE	
				015586	100-6090-6091-2210-0000-000	7,445.16
			9861		FIRE- VEHICLE MAINTENANCE	
				015586	100-6090-6091-2210-0000-000	866.60

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153827	1/21/2016	093728 FIRE APPARATUS SOLUTIONS	(Continued)			
			9862	015586	FIRE- VEHICLE MAINTENANCE 100-6090-6091-2210-0000-000	4,700.75
			9863	015586	FIRE- VEHICLE MAINTENANCE 100-6090-6091-2210-0000-000	13,317.65
			9864	015586	FIRE- VEHICLE MAINTENANCE 100-6090-6091-2210-0000-000	2,134.51
Total :						28,464.67
153828	1/21/2016	093928 FLYERS ENERGY, LLC	15-183718	054201	FIRE- FUEL, DIESEL, AND LUBRICANTS 100-6090-6091-2210-0000-000	1,401.38
			15-183721	054201	FIRE- FUEL, DIESEL, AND LUBRICANTS 100-6090-6091-2210-0000-000	654.50
			16-189626	054201	FIRE- FUEL, DIESEL, & LUBRICANTS 100-6090-6091-2210-0000-000	277.86
			16-189627	054201	FIRE- FUEL, DIESEL, AND LUBRICANTS 100-6090-6091-2210-0000-000	1,192.23
Total :						3,525.97
153829	1/21/2016	092134 FOX OCCUPATIONAL MEDICAL CENTE	5100-65826	054172	HR- PRE-EMPLOYMENT PHYSICALS 100-6030-6030-2342-0000-000	367.00
				054172	100-6150-6205-2350-0000-000	35.00
Total :						402.00
153830	1/21/2016	000230 GAS COMPANY	009-021-7100-0116	054174	BM- GAS SERVICES 605-6150-6211-2320-0000-000	131.01
			034-221-7500-4-0116	054174	BM- GAS SERVICES 605-6150-6211-2320-0000-000	434.13
			036-321-7500-0-0116	054174	BM- GAS SERVICES 605-6150-6211-2320-0000-000	100.06
			050-921-8700-3-0116	054174	BM- GAS SERVICES 605-6150-6211-2320-0000-000	106.03
			078-321-4900-4-0116	054174	BM- GAS SERVICES 605-6150-6211-2320-0000-000	78.07
			082-521-4900-3-0116	054174	BM- GAS SERVICES 605-6150-6211-2320-0000-000	330.34
			101-521-4300-3-0116		BM- GAS SERVICES	

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153830	1/21/2016	000230 GAS COMPANY	(Continued)			
				054174	605-6150-6211-2320-0000-000	142.53
			116-145-3943-2-0116		BM- GAS SERVICES	
				054174	605-6150-6211-2320-0000-000	41.21
			120-321-4800-4-1215		W- GAS SERVICES	
				054174	521-8100-8101-2320-0000-000	488.82
			187-421-0400-5-0116		BM- GAS SERVICES	
				054174	605-6150-6211-2320-0000-000	48.56
					Total :	1,900.76
153831	1/21/2016	092051 GE MOBILE WATER, INC	98023182		ELEC- EQUIPMENT LEASE	
				015689	520-8000-8009-2225-0548-000	1,711.09
					Total :	1,711.09
153832	1/21/2016	000157 GENUINE AUTO PARTS	135082		AUTOMOTIVE PARTS	
				054176	608-6150-8700-2210-8101-000	19.21
			135127		AUTOMOTIVE PARTS	
				054176	608-6150-8700-2210-8101-000	19.21
			135731		AUTOMOTIVE PARTS	
				054176	608-6150-8700-2210-8101-000	26.54
			136012		AUTOMOTIVE PARTS	
				054176	608-6150-8700-2210-6160-000	12.29
			136088		ELEC- AUTOMOTIVE PARTS	
				054176	520-8000-8009-2225-0548-000	13.67
					Total :	90.92
153833	1/21/2016	093069 GLOBALSTAR USA	1.7000826		FIRE- SATELLITE PHONES	
				015535	100-6090-6094-2310-0000-000	240.40
					Total :	240.40
153834	1/21/2016	000160 GRAYBAR ELECTRIC CO	982485129		BM- ELECTRICAL PARTS	
				054178	605-6150-6211-2250-8200-000	362.70
					Total :	362.70
153835	1/21/2016	044960 HERTZ EQUIPMENT RENTAL	28216544-003		W- EQUIPMENT RENTALS	
				015740	521-8100-8101-2420-0000-000	505.44
			28372239-001		ELEC- EQUIPMENT RENTALS	

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153835	1/21/2016	044960 HERTZ EQUIPMENT RENTAL	(Continued)			
				016069	520-8000-8004-2301-0921-000	585.98
					520-8000-8004-2301-0921-000	46.88
					Total :	1,138.30
153836	1/21/2016	025906 HOME DEPOT	0064833		BM- HARDWARE SUPPLIES	
			1080673	054182	605-6150-6211-2250-6211-000	92.28
			1561198	054180	C. CARE- HARDWARE SUPPLIES	
					206-7200-7202-2250-0000-000	119.57
					C. CARE- HARDWARE SUPPLIES	
				054180	605-6150-6211-2250-6211-000	99.00
				054180	206-7200-7202-2250-0000-000	11.01
			2011245		BM- HARDWARE SUPPLIES	
				054182	605-6150-6211-2250-6211-000	80.17
			3011065		BM- HARDWARE SUPPLIES	
				054182	605-6150-6211-2250-6211-000	9.19
			3011152		BM- HARDWARE SUPPLIES	
				054182	605-6150-6211-2250-6211-000	20.07
			3011167		BM- HARDWARE SUPPLIES	
				054182	605-6150-6211-2250-6211-000	24.53
			3051249		BM- HARDWARE SUPPLIES	
				054182	605-6150-6211-2250-6217-000	92.16
			4035300		BM- HARDWARE SUPPLIES	
				054182	605-6150-6211-2250-6211-000	47.23
			4130261		ELEC- HARDWARE SUPPLIES	
				054181	520-8000-8004-2301-0921-000	81.64
			5010842		BM- HARDWARE SUPPLIES	
				054182	605-6150-6211-2250-6211-000	27.15
			5010843		BM- HARDWARE SUPPLIES	
				054182	605-6150-6211-2250-6211-000	30.82
			5575375		FIRE- HARDWARE SUPPLIES	
				054183	100-6090-6091-2301-0000-000	59.51
			7012081		BM- HARDWARE SUPPLIES	
				054182	605-6150-6211-2250-6211-000	331.58
			7014936		BM- HARDWARE SUPPLIES	
				054182	605-6150-6211-2250-6211-000	330.81
			7022420		BM- HARDWARE SUPPLIES	

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153836	1/21/2016	025906 HOME DEPOT	(Continued)			
			7073893	054182	605-6150-6211-2250-6211-000 BM- HARDWARE SUPPLIES	750.19
			7382112	054182	605-6150-6211-2250-6211-000 BM- HARDWARE SUPPLIES	400.45
			7382113	054182	605-6150-6211-2250-6211-000 BM- HARDWARE SUPPLIES	51.01
				054182	605-6150-6211-2250-6211-000	32.44
					Total :	2,690.81
153837	1/21/2016	025906 HOME DEPOT	1562563		ELEC- HARDWARE SUPPLIES	
			2802509	015509	520-8000-8009-2225-0548-000	8.44
				015509	ELEC- HARDWARE SUPPLIES 520-8000-8009-2225-0548-000	243.38
					Total :	251.82
153838	1/21/2016	041205 HOUSTON & HARRIS PCS INC.	15-19347		WW- HYDRO-WASH SERVICES	
				015890	522-8200-8200-2257-0000-000	1,868.25
					Total :	1,868.25
153839	1/21/2016	000164 HUB CONST SPECIALTIES, INC	A08013353		ST- MAINTENANCE MATERIALS	
			A08013872	054187	100-6150-6205-2301-0000-000	40.46
			A08014041	054187	100-6150-6205-2301-0000-000	20.23
			A08014109	054187	100-6150-6205-2301-0000-000	4,654.75
			A08014603	054187	100-6150-6205-2301-0000-000	465.48
			A10009212	054187	100-6150-6205-2301-0000-000	17.97
			A10009503	054187	100-6150-6205-2301-0000-000	6.26
				054187	100-6150-6205-2301-0000-000	88.49
					Total :	5,293.64
153840	1/21/2016	016765 HYDRO SCAPE	9443100-00		INV- HARDWARE SUPPLIES	

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153840	1/21/2016	016765 HYDRO SCAPE	(Continued)			
				015981	100-1500-000	216.00
					100-1500-000	17.28
					Total :	233.28
153841	1/21/2016	059253 IRON MOUNTAIN ARCHIVE	MDL5585		DEV SVCS- STORAGE SERVICES	
					100-6300-9050-2350-0000-000	105.50
					Total :	105.50
153842	1/21/2016	093803 KNOX, CLIFTON	#1- BASKETBALL-2016		COMM SVCS- BASKETBALL OFFICIAL	
				015974	100-6200-6204-2350-0000-000	100.00
					Total :	100.00
153843	1/21/2016	093456 KROGER	1215046077		C. CARE- SUPPLIES	
			1215046117	015419	206-7200-7202-2305-0000-000	69.49
			1215046140	015421	206-7200-7203-2305-0000-000	76.38
			1215046259	015420	206-7200-7204-2305-0000-000	30.41
			1215046382	015419	206-7200-7202-2305-0000-000	36.48
			1215046385	015421	206-7200-7203-2305-0000-000	192.12
				015421	206-7200-7203-2305-0000-000	167.04
					Total :	571.92
153844	1/21/2016	093056 LAWSON PRODUCTS	9303788567		ELEC- HARDWARE SUPPLIES	
				015649	520-8000-8009-2225-0548-000	195.57
					Total :	195.57
153845	1/21/2016	000617 LEAGUE OF CALIFORNIA CITIES	158550		COUNCIL- LEAGUE DUES 2016	
					100-6000-6000-2270-0000-000	17,447.04
					Total :	17,447.04
153846	1/21/2016	092174 LEGALSHIED	JAN 16		PREMIUMS PROCESSED	
					762-2086-000	250.06

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153846	1/21/2016	092174	092174 LEGALSHIED		(Continued)	Total : 250.06
153847	1/21/2016	032193	LEXIS-NEXIS	1630501-20151231	PD- ADVANCED INVESTIGATIONS 100-6070-6071-2350-0000-000	555.90 Total : 555.90
153848	1/21/2016	039089	MERCADO, GABRIEL	02/13/16	COMM SVCS- ENTERTAINMENT FOR DANCE 100-6200-6212-2350-0000-000	650.00 Total : 650.00
153849	1/21/2016	046319	MINAGAR & ASSOCIATES, INC	652	CIP- TRAFFIC SIGNAL DESIGN SVC	
				691	451-1103-6987-3890-0000-000	7,855.46
				695	PW- DESIGN TRAFFIC SIGNAL 249-1605-6150-3890-0000-000	7,500.00
				696	ST- TRAFFIC ENGINEERING SVCS 210-6150-6160-2350-0000-000	18,728.17
					ST- TRAFFIC ENGINEERING SVC 210-6150-6160-2350-0000-000	3,262.20
					Total : 37,345.83	
153850	1/21/2016	041081	MISSION LINEN SUPPLY & UNIFORM	501631734	PD- TOWEL RENTAL SERVICE 100-6070-6071-2350-0000-000	148.04
				501675654	PD- TOWEL RENTAL SERVICE 100-6070-6071-2350-0000-000	144.24
					Total : 292.28	
153851	1/21/2016	041081	MISSION LINEN SUPPLY & UNIFORM	501631735	BM- UNIFORM RENTAL SERVICE 605-6150-6211-2250-6211-000	30.56
				501642048	AUTO- UNIFORM RENTAL SERVICE 608-6150-8700-1170-0000-000	19.68
					608-6150-8700-2301-0000-000	10.60
				501643049	BM- UNIFORM RENTAL SERVICE 605-6150-6211-1170-0000-000	15.55
				501675655	BM- UNIFORM RENTAL SERVICE 605-6150-6211-2250-6211-000	30.56
				501683182	AUTO- UNIFORM RENTAL SERVICE 608-6150-8700-1170-0000-000	27.80

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153851	1/21/2016	041081 MISSION LINEN SUPPLY & UNIFORM	(Continued)			
			501683183	015580	608-6150-8700-2301-0000-000	14.97
				015581	BM- UNIFORM RENTAL SERVICE	
					605-6150-6211-1170-0000-000	15.55
					Total :	165.27
153852	1/21/2016	093994 MONTROSE ENVIRONMENTAL CORP.	108317		ELEC- ENVIRONMENTAL CONSULTING	
				016008	520-8000-8003-2350-0923-000	5,179.05
					Total :	5,179.05
153853	1/21/2016	093388 MUNICIPAL CODE CORPORATION	264767		C. CLERK- CODE OF ORDINANCES PA	
					100-6010-6010-2350-0000-000	371.99
					Total :	371.99
153854	1/21/2016	093220 NESTLE WATERS NORTH AMERICA	15L0021202460		FIRE- BOTTLE WATER SERVICES	
				054155	100-6090-6091-2301-0000-000	215.96
					Total :	215.96
153855	1/21/2016	059177 NEW YORK LIFE	JAN 16		SUPP. LIFE INSURANCE PREMIUMS	
					762-2205-000	576.46
					Total :	576.46
153856	1/21/2016	000681 OCLC, INC	0000436343		LIB- OCLC TCP/IP ACCESS	
				015424	100-6200-6250-2302-0000-000	48.45
					Total :	48.45
153857	1/21/2016	045033 OFFICE DEPOT	811566829001		FIRE- OFFICE SUPPLIES	
				054199	100-6090-6091-2300-0000-000	6.49
					100-6090-6091-2300-0000-000	0.52
			811567229001		FIRE- OFFICE SUPPLIES	
				054199	100-6090-6091-2300-0000-000	48.45
					100-6090-6091-2300-0000-000	3.88
			812910328001		FIRE- CREDIT	
				054199	100-6090-6091-2300-0000-000	-7.01
			812917807001		FIRE- OFFICE SUPPLIES	
				054199	100-6090-6091-2300-0000-000	12.98
					100-6090-6091-2300-0000-000	1.04

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153857	1/21/2016	045033 OFFICE DEPOT	(Continued)			
			812918015001	054199	FIRE- OFFICE SUPPLIES 100-6090-6091-2300-0000-000	141.72
					100-6090-6091-2300-0000-000	11.34
			815424312001	054199	COMM SVCS- OFFICE SUPPLIES 100-6200-6213-2301-0000-000	56.20
				054199	100-6200-6217-2301-0000-000	49.24
					100-6200-6213-2301-0000-000	4.50
					100-6200-6217-2301-0000-000	3.94
			815424365001	054199	COMM SVCS- OFFICE SUPPLIES 100-6200-6213-2301-0000-000	12.49
					100-6200-6213-2301-0000-000	1.00
			815424366001	054199	COMM SVCS- OFFICE SUPPLIES 100-6200-6217-2301-0000-000	7.99
					100-6200-6217-2301-0000-000	0.64
			815525575001	054199	COMM SVCS- OFFICE SUPPLIES 100-6200-6212-2301-0000-000	8.20
					100-6200-6212-2301-0000-000	0.66
			815547073001	054199	PD- OFFICE SUPPLIES 100-6070-6071-2300-0000-000	17.27
			815547267001	054199	PD- OFFICE SUPPLIES 100-6070-6071-2300-0000-000	121.86
			815547268001	054199	PD- OFFICE SUPPLIES 100-6070-6071-2300-0000-000	34.18
			815547269001	054199	PD- OFFICE SUPPLIES 100-6070-6071-2300-0000-000	149.02
			816293349001	054199	HR- OFFICE SUPPLIES 100-6030-6030-2300-0000-000	24.26
			816294105001	054199	HR- OFFICE SUPPLIES 100-6030-6030-2300-0000-000	37.67
			816417701001	054199	COUNCIL- OFFICE SUPPLIES 100-6000-6000-2301-0000-000	335.50
				054199	100-6000-6000-2280-0001-000	53.68
			817111737001	054199	PD- OFFICE SUPPLIES 100-6070-6071-2300-0000-000	38.39
			817111879001	054199	PD- OFFICE SUPPLIES 100-6070-6071-2300-0000-000	150.34

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153857	1/21/2016	045033 045033 OFFICE DEPOT			(Continued)	Total : 1,326.44
153858	1/21/2016	093839 P & P UNIFORMS	402523/4	054200	PD- UNIFORM (J. WICKMAN) 100-6070-6071-1170-0000-000	86.38 Total : 86.38
153859	1/21/2016	001712 PACIFIC ALARM SERVICE	R116825	054225	BM- ALARM SERVICES 605-6150-6211-2250-8001-000	76.00
			R116826	054225	BM- ALARM SERVICES 605-6150-6211-2250-8001-000	41.50
			R116827	054225	BM- ALARM SERVICES 605-6150-6211-2250-8001-000	134.00
			R116828	054225	BM- ALARM SERVICES 605-6150-6211-2250-8001-000	86.00
			R116829	054225	BM- ALARM SERVICES 605-6150-6211-2250-6211-000	162.00
			R116830	054225	BM- ALARM SERVICES 605-6150-6211-2250-6211-000	61.50
				054225	605-6150-6211-2250-8101-000	61.50
			R116831	054225	BM- ALARM SERVICES 605-6150-6211-2250-6211-000	59.00
			R116832	054225	BM- ALARM SERVICES 605-6150-6211-2250-8001-000	111.00
			R116833	054225	BM- ALARM SERVICES 605-6150-6211-2250-8001-000	210.00
			R116834	054225	BM- ALARM SERVICES 605-6150-6211-2250-6211-000	43.50
			R116835	054225	BM- ALARM SERVICES 605-6150-6211-2250-6211-000	164.50
			R116836	054225	BM- ALARM SERVICES 605-6150-6211-2250-8001-000	88.00
			R116838	054225	BM- ALARM SERVICES 605-6150-6211-2250-6071-000	58.00
			R116839	054225	BM- ALARM SERVICES 605-6150-6211-2250-6071-000	48.50
			R116840	054225	BM- ALARM SERVICES 605-6150-6211-2250-6071-000	39.50

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153859	1/21/2016	001712	PACIFIC ALARM SERVICE (Continued)			
			R116841		BM- ALARM SERVICES	
				054225	605-6150-6211-2250-6071-000	92.50
			R116842		BM- ALARM SERVICES	
				054225	605-6150-6211-2250-6071-000	38.50
			R116843		BM- ALARM SERVICES	
				054225	605-6150-6211-2250-8200-000	365.50
			R116844		BM- ALARM SERVICES	
				054225	605-6150-6211-2250-8101-000	134.00
			R117287		BM- ALARM SERVICES	
				054225	605-6150-6211-2250-6250-000	57.00
			R117288		BM- ALARM SERVICES	
				054225	605-6150-6211-2250-6202-000	260.00
			R117289		BM- ALARM SERVICES	
				054225	605-6150-6211-2250-6091-000	61.00
			R117290		BM- ALARM SERVICES	
				054225	605-6150-6211-2250-6250-000	147.00
			R117291		BM- ALARM SERVICES	
				054225	605-6150-6211-2250-6213-000	48.50
			R117292		BM- ALARM SERVICES	
				054225	605-6150-6211-2250-6213-000	41.00
			R117293		BM- ALARM SERVICES	
				054225	605-6150-6211-2250-6213-000	175.00
			R117294		BM- ALARM SERVICES	
				054225	605-6150-6211-2250-6091-000	53.50
			R117295		BM- ALARM SERVICES	
				054225	605-6150-6211-2250-6218-000	124.00
					Total :	3,042.00
153860	1/21/2016	092540	PRAXAIR DISTRIBUTION	54485418	ELEC- VARIOUS GASES	
					520-8000-8009-2225-0548-000	414.00
				015523		
					Total :	414.00
153861	1/21/2016	093060	PROTECTION ONE ALARM MONITORIN	106874560	PD- ELECTRONIC SECURITY SYSTEM	
					100-6070-6071-2350-0000-000	363.62
				015559		
					Total :	363.62

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153862	1/21/2016	093799 RILEY JR, ADAM	#1- BASKETBALL-2016	015973	COMM SVCS- BASKETBALL OFFICIAL 100-6200-6204-2350-0000-000	200.00 Total : 200.00
153863	1/21/2016	093911 RIVERSIDE COUNTY DEPARTMENT OF	AN0000000647	015539	PD- ANIMAL SHELTER SERVICES 100-6070-6071-2350-0000-000	15,053.00 Total : 15,053.00
153864	1/21/2016	003799 SAN BERNARDINO COUNTY	18872- 1	015533	PD- RADIO ACCESS SERVICE 100-6070-6071-2310-0000-000	10,951.04
			18872- 2	015532	PD- RADIO MAINTENANCE SVC 100-6070-6071-2240-0000-000	1,679.77
			18872- 5	015551	PD- DISPATCH CONSOLE MAINT. 100-6070-6071-2240-0000-000	1,053.00
			18872- 6	015554	PD- COUNTY WAN CONNECTION 100-6070-6071-2310-0000-000	324.00 Total : 14,007.81
153865	1/21/2016	015748 SAN BERNARDINO COUNTY	18872- 3 & 4	015553	PD- SHERIFF'S AUTO SYSTEM 100-6070-6071-2350-0000-000	446.55 Total : 446.55
153866	1/21/2016	092103 SAN DIEGO FLUID SYSTEMS	438239	015467	ELEC- SWEDLOCK FITTING AND PARTS 520-8000-8009-2225-0548-000	376.42 Total : 376.42
153867	1/21/2016	060191 SEC EQUIPMENT CORP	01921855		REFUND OVERPAYMENT ON ACCOUNT 521-2450-000	10,146.86 Total : 10,146.86
153868	1/21/2016	093642 SHRED-IT USA INC.	9408659906	015549	PD- DOCUMENT DESTRUCTION SVC 100-6070-6071-2350-0000-000	156.78 Total : 156.78
153869	1/21/2016	046087 SIERRA VISTA BAPTIST CHURCH	#64		C. CARE- LEASE ON PRESCHOOL 206-7200-7203-2421-0000-000	1,625.00 Total : 1,625.00

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153870	1/21/2016	000224 SMART AND FINAL IRIS CO	12/29/15		COMM SVCS- SUPPLIES	
				054208	100-6200-6209-2301-0000-000	84.29
			180450		COMM SVCS- SUPPLIES	
				054208	100-6200-6209-2301-0000-000	94.96
			182630		COMM SVCS- SUPPLIES	
				054208	100-6200-6209-2301-0000-000	84.08
					Total :	263.33
153871	1/21/2016	093920 SMITH, JODY	#1- BASKETBALL- 2016		COMM SVCS- BASKETBALL OFFICIAL	
				015968	100-6200-6204-2350-0000-000	60.00
					Total :	60.00
153872	1/21/2016	092670 SO CAL LOCKSMITH	31949		CM- LOCK PARTS AND SERVICE	
				054209	100-6010-6010-2300-0000-000	5.13
					Total :	5.13
153873	1/21/2016	060188 SOBERANIS, RUBI	1069148.015		REFUND CLEANING DEPOSIT	
					100-6747-000	176.50
					Total :	176.50
153874	1/21/2016	025294 SOUTH COAST AIR QUALITY	2891468		ELEC- OPERATING PERMIT FEES	
					520-8000-8009-2225-0548-000	3,662.63
					Total :	3,662.63
153875	1/21/2016	025294 SOUTH COAST AIR QUALITY	2891147		ELEC- OPERATING PERMIT FEES	
					520-8000-8009-2225-0548-000	127.51
					Total :	127.51
153876	1/21/2016	000228 SOUTHERN CALIFORNIA EDISON	2-01-195-9400-0116		ELEC- ELECTRICAL SERVICE	
				015753	520-8000-8011-2320-0585-000	181.61
					Total :	181.61
153877	1/21/2016	000234 SQUIRES LUMBER COMPANY	305787		BM- MAINTENANCE MATERIAL	
			305813	054212	605-6150-6211-2250-6091-000	9.91
			306007	054212	605-6150-6211-2250-6091-000	5.39
				054212	605-6150-6211-2250-6091-000	52.32

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153877	1/21/2016	000234 SQUIRES LUMBER COMPANY	(Continued)			
			306050	054212	C. CARE- MAINTENANCE MATERIAL 206-7200-7202-2250-0000-000	31.18
			306066	054212	ELEC- MAINTENANCE MATERIAL 520-8000-8004-2301-0921-000	5.17
			306167	054212	PD- MAINTENANCE MATERIAL 100-6070-6071-2301-0000-000	4.31
			306281	054212	BM- MAINTENANCE MATERIAL 605-6150-6211-2250-6211-000	17.27
			921256	054212	C. CARE- MAINTENANCE MATERIAL 206-7200-7202-2250-0000-000	113.36
Total :						238.91
153878	1/21/2016	000234 SQUIRES LUMBER COMPANY	305743		ST- MAINTENANCE MATERIALS 210-6150-6160-2301-0000-000	35.63
			305854	015835	PARKS- MAINTENANCE MATERIAL 100-6150-6205-2301-0000-000	5.39
			305859	015835	ST- MAINTENANCE MATERIALS 210-6150-6160-2301-0000-000	52.84
			305872	015835	ST- MAINTENANCE MATERIALS 210-6150-6160-2301-0000-000	26.40
			305873	015835	ST- MAINTENANCE MATERIALS 210-6150-6160-2301-0000-000	21.59
			305885	015795	PARKS- MAINTENANCE MATERIALS 100-6150-6205-2301-0000-000	8.63
			305910	015835	ST- CREDIT 210-6150-6160-2301-0000-000	-15.08
			305927	015835	ST- MAINTENANCE MATERIALS 210-6150-6160-2301-0000-000	23.74
			305931	015795	PARKS- MAINTENANCE MATERIALS 100-6150-6205-2301-0000-000	10.76
			305958	015795	PARKS- MAINTENANCE MATERIALS 100-6150-6205-2301-0000-000	45.71
			305991	015795	PARKS- MAINTENANCE MATERIALS 100-6150-6205-2301-0000-000	59.90
			306004	015835	ST- MAINTENANCE MATERIALS 210-6150-6160-2301-0000-000	16.17

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153878	1/21/2016	000234 SQUIRES LUMBER COMPANY	(Continued) 306064		PARKS- MAINTENANCE MATERIALS 100-6150-6205-2301-0000-000	29.33
			306085	015795	PARKS- MAINTENANCE MATERIALS 100-6150-6205-2301-0000-000	29.98
			306086	015795	PARKS- MAINTENANCE MATERIALS 100-6150-6205-2301-0000-000	12.95
			306119	015795	ST- MAINTENANCE MATERIALS 210-6150-6160-2301-0000-000	3.41
					Total :	367.35
153879	1/21/2016	003481 STATE BOARD OF EQUALIZATION	12/15		ENERGY SURCHARGE RETURN 520-2250-242	26,191.48
					Total :	26,191.48
153880	1/21/2016	002327 STATE OF CALIF / JUSTICE DEPT	140353	015550	PD- FINGERPRINTING SERVICE 100-6070-6071-2350-0000-000	66.00
					Total :	66.00
153881	1/21/2016	003079 STATE OF CALIF / JUSTICE DEPT	141495	054213	HR- FINGERPRINTING SERVICE 100-6030-6030-2342-0000-000	320.00
					Total :	320.00
153882	1/21/2016	059603 THE STANDARD INSURANCE COMPANY	JAN 16		LIFE & AD&D PREMIUMS 100-6030-6030-2440-0000-000 762-2205-000	11,124.65 802.32
					Total :	11,926.97
153883	1/21/2016	093800 THOMAS, MATTHEW	#1- BASKETBALL-2016	015965	COMM SVCS- BASKETBALL OFFICIAL 100-6200-6204-2350-0000-000	140.00
					Total :	140.00
153884	1/21/2016	041675 TRANSCAT, INC	1057863	015522	ELEC- CALIBRATE TESTING EQUIPMENT 520-8000-8009-2225-0548-000	233.90
					Total :	233.90
153885	1/21/2016	014681 UNDERGROUND SERVICE ALERT	1220150156	015521	ELEC- UNDERGROUND SERVICE ALER TS 520-8000-8001-2350-0923-000	36.51

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153885	1/21/2016	014681 UNDERGROUND SERVICE ALERT	(Continued)			
				015521	521-8100-8101-2301-0000-000	36.50
				015521	522-8200-8200-2301-0000-000	36.49
					Total :	109.50
153886	1/21/2016	059509 UNITED STATES TREASURY	CQ4-15		UNDERPAYMENT OF EMPLOYMENT TAXES	
					762-2200-000	77.48
					Total :	77.48
153887	1/21/2016	036062 VERIZON CALIFORNIA	3810369-1215		ELEC- TELEPHONE MODEM CHARGES	
			8842700-1215	015625	520-8000-8024-2310-0930-200	58.80
			8845048-1215	015971	C. CARE- TELEPHONE SERVICE	88.49
				015625	ELEC- TELEPHONE MODEM CHARGES	63.23
					Total :	210.52
153888	1/21/2016	093406 VERIZON WIRELESS	9757451068		FIRE- CELLULAR SERVICES	
			9758048939	054219	100-6090-6091-2310-0000-000	142.97
			9758117530	054219	ELEC- CELLULAR SERVICES	456.12
			9758131872	054219	520-8000-8009-2225-0548-000	698.22
				054219	PD- CELLULAR SERVICES	1,465.32
					Total :	2,762.63
153889	1/21/2016	092064 WALTER'S WHOLESALE ELECTRIC	1436532-01		ELEC- ELECTRICAL SUPPLIES	
			1436557-00	054222	520-8000-8004-2301-0921-000	770.90
				054222	BM- ELECTRICAL SUPPLIES	58.87
					Total :	829.77
153890	1/21/2016	003171 WEST VALLEY WATER DISTRICT	23577-23504-0116		LLMD- WATER SERVICES	
			24015-23926-0116		702-6150-6210-2320-0000-000	51.61
					LLMD- WATER SERVICES	51.61
					702-6150-6210-2320-0000-000	51.61

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
153890	1/21/2016	003171 WEST VALLEY WATER DISTRICT	(Continued) 24843-24702-0116 25241-25078-0116 25493-25320-0116 25495-25322-0116 25875-25680-0116 26061-25862-0116 26529-26320-0116		LLMD- WATER SERVICES 702-6150-6210-2320-0000-000 LLMD- WATER SERVICES 702-6150-6210-2320-0000-000 LLMD- WATER SERVICES 702-6150-6210-2320-0000-000 LLMD- WATER SERVICES 702-6150-6210-2320-0000-000 LLMD- WATER SERVICES 702-6150-6210-2320-0000-000 LLMD- WATER SERVICES 702-6150-6210-2320-0000-000 LLMD- WATER SERVICES 702-6150-6210-2320-0000-000	70.02 70.02 35.91 35.91 94.01 25.05 70.02
Total :						504.16
153891	1/21/2016	093847 WHITE NELSON DIEHL EVANS LLP	157530	015928	FIN- CONSULTING SERVICES-AUDIT 100-6040-6041-2350-0000-000	9,490.00
Total :						9,490.00
153892	1/21/2016	092891 ZOLL MEDICAL CORPORATION	2327933	015440	FIRE- MEDICAL SUPPLIES 100-6090-6091-2301-0000-000	367.52
Total :						367.52
197600	1/22/2016	035929 BANK OF AMERICA	FEDERAL 1/21/16		FEDERAL TAXES 762-2200-000	136,856.88
Total :						136,856.88
1470000	1/11/2016	046969 NORESKO	31644 31677		ELEC- O & M SERVICES FOR AGUA MA 520-8000-8009-2225-0548-000 ELEC- O & M SERVICES FOR AGUA MA 520-8000-8009-2225-0548-000	44,200.00 80,905.37
Total :						125,105.37
1998000	1/22/2016	035929 BANK OF AMERICA	STATE 1/21/16		STATE TAXES 762-2010-000	43,108.22

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
1998000	1/22/2016	035929	035929 BANK OF AMERICA		(Continued)	Total : 43,108.22
8917900	12/28/2015	009994	SHELL ENERGY NORTH AMERICA	2016 NERC/WECC FINAL	ELEC- NERC/WECC FINAL ASSESSMEN 520-8000-8006-2330-0555-800	2,486.09 Total : 2,486.09
11338356	1/19/2016	048436	COLTON PUBLIC UTILITIES	11338356	W- ELECTRIC TOU BILLS 521-8100-8101-2320-0000-000	126,079.91 Total : 126,079.91
11339557	1/19/2016	048436	COLTON PUBLIC UTILITIES	11339557	W- ELECTRIC TOU BILLS 521-8100-8101-2320-0000-000	117,122.36 Total : 117,122.36
64955800	1/13/2016	000214	PERS-PAYROLL REPORT	01/07/16- 68	RETIREMENT CONTRIBUTION 762-2080-000	113,970.26 Total : 113,970.26
64955900	1/13/2016	000214	PERS-PAYROLL REPORT	01/07/16- 69	RETIREMENT CONTRIBUTION 762-2080-000	29,767.37 Total : 29,767.37
64956000	1/13/2016	000214	PERS-PAYROLL REPORT	01/07/16- 70	RETIREMENT CONTRIBUTION 762-2080-000	40,356.52 Total : 40,356.52
64956100	1/13/2016	000214	PERS-PAYROLL REPORT	01/07/16- 25056	RETIREMENT CONTRIBUTION 762-2080-000	4,533.25 Total : 4,533.25
64956200	1/13/2016	000214	PERS-PAYROLL REPORT	01/07/16- 25057	RETIREMENT CONTRIBUTION 762-2080-000	6,522.51 Total : 6,522.51
64956300	1/13/2016	000214	PERS-PAYROLL REPORT	01/07/16- 26038	RETIREMENT CONTRIBUTION 762-2080-000	20,734.33 Total : 20,734.33

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
64956400	1/13/2016	000214 PERS-PAYROLL REPORT	01/07/16- 15025		RETIREMENT CONTRIBUTION 762-2080-000	1,633.35 Total : 1,633.35
64956500	1/13/2016	000214 PERS-PAYROLL REPORT	01/07/16- 15026		RETIREMENT CONTRIBUTION 762-2080-000	5,831.38 Total : 5,831.38
65200700	1/20/2016	000215 CALPERS/ REPLACEMENT BEN.FUND	100000014678274		REPLACEMENT BENEFIT CONTRIBUTION 100-6030-6030-2440-0000-000	30,961.80 Total : 30,961.80
65235400	1/20/2016	003893 ING	PP 01/21/16		457 DEF COMP & LOAN PAYMENT 762-2040-000 762-2045-000	8,184.05 788.16 Total : 8,972.21
89096000	12/28/2015	003753 SO CALIF PUBLIC POWER AUTH, BNY WESTE PV1215			ELEC- POWER COSTS- PALO VERDE 520-8000-8006-2330-0555-200 520-8000-8001-1160-0926-000 520-8000-8001-2350-0923-000 520-8000-8002-1160-0926-000 520-8000-8022-2350-0923-000 526-8000-8035-2041-0930-020 526-8000-8035-2041-0930-040 526-8000-8037-2041-0930-020 526-8000-8038-2350-0923-000	73,127.00 17.00 81.72 17.01 2,653.41 158.12 31,292.60 158.11 179,651.47 Total : 287,156.44
200937200	1/8/2016	058819 CALIFORNIA INDEPENDENT	2016010532-31528887		ELECTRIC TRANSMISSION SERVICE 520-8000-8006-2330-0555-710 520-7907-000	265,537.28 -218,405.73 Total : 47,131.55
665712016	1/20/2016	003772 STATE OF CALIFORNIA	PP 01/21/15		CHILD SUPPORT PAYMENTS 762-2150-000	3,579.34 Total : 3,579.34

Bank code : boa

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
1136019500	1/19/2016	048436 COLTON PUBLIC UTILITIES	11360195		W- ELECTRIC TOU BILLS (WELLS & BO 521-8100-8101-2320-0000-000	84,195.71
Total :						84,195.71
128 Vouchers for bank code : boa						Bank total : 1,553,044.94
128 Vouchers in this report						Total vouchers : 1,553,044.94



Anita Agramonte
Finance Director



Aurelio De La Torre
City Treasurer

COLTON
Payroll Disbursement Listing
Payperiod Dates: 1/2/2016 to 1/15/2016

<u>CHECK NO</u>	<u>ACTIVITY ID</u>	<u>PAYMENT</u>
City Council		
108430	6000	0.00
108431	6000	3,415.78 Regular Salary/Leave Cashout
108432	6000	255.59
108433	6000	986.83
108434	6000	274.04
108435	6000	274.04
108436	6000	1,441.61
108437	6000	252.41
108438	6000	259.27
935058	6000	274.04
	Subtotal	<u>7,433.61</u>
City Clerk		
108439	6010	721.33
108440	6010	2,297.13 Regular Salary
108441	6010	1,589.12
	Subtotal	<u>4,607.58</u>
City Manager		
108442	6020	2,084.95
108443	6020	4,731.09 Regular Salary
	Subtotal	<u>6,816.04</u>
Human Resources		
108444	6030	2,592.65
108445	6030	3,226.31 Regular Salary
108446	6030	1,957.02
	Subtotal	<u>7,775.98</u>
Finance		
108447	6040	4,568.44 Regular Salary
108448	6040	2,568.23
108449	6040	1,541.84
108450	6040	1,796.21
108451	6040	1,364.26
108452	6040	3,668.99 Regular Salary/Leave Cashout
108453	6040	1,751.87
935106	6040	1,470.79
108454	6040	1,214.92
108455	6040	1,756.79
108456	6040	1,237.92
108457	6040	1,876.70
108458	6040	1,443.57

COLTON
Payroll Disbursement Listing
Payperiod Dates: 1/2/2016 to 1/15/2016

<u>CHECK NO</u>	<u>ACTIVITY ID</u>	<u>PAYMENT</u>
108459	6040	1,371.90
108460	6040	1,261.06
108461	6040	1,564.34
108462	6040	1,430.01
108463	6040	1,241.29
935059	6040	1,453.68
935107	6040	243.56
935108	6040	2,624.33
108464	6040	3,638.13 Regular Salary
108747	6040	1,816.78
108748	6040	1,563.18
108749	6040	1,637.78
108750	6040	3,227.72 Regular Salary
108751	6040	1,782.11
108752	6040	2,908.41
108762	6040	2,095.03
	Subtotal	<u>56,119.84</u>
City Treasurer		
108465	6060	1,350.62
	Subtotal	<u>1,350.62</u>
Police		
108466	6070	2,481.85
108467	6070	1,866.99
108468	6070	1,857.22
108469	6070	2,631.71
108470	6070	3,397.69
108471	6070	1,724.37
108472	6070	3,832.11
108473	6070	964.32
108474	6070	3,083.75
108475	6070	1,885.76
108476	6070	2,555.14
108477	6070	2,455.38
108478	6070	2,597.35
108479	6070	1,824.62
108480	6070	3,013.03
108481	6070	2,797.24
108482	6070	3,214.77
108483	6070	1,284.15
108484	6070	3,476.96
108485	6070	1,674.16
108486	6070	5,781.76 Regular Salary/OT
108487	6070	1,806.97
108488	6070	1,952.10
108489	6070	295.20
108490	6070	3,451.24
108491	6070	2,646.04

COLTON
Payroll Disbursement Listing
Payperiod Dates: 1/2/2016 to 1/15/2016

<u>CHECK NO</u>	<u>ACTIVITY ID</u>	<u>PAYMENT</u>
108492	6070	1,729.50
108493	6070	265.07
108494	6070	2,234.91
108495	6070	3,149.69
108496	6070	286.24
108497	6070	476.99
108498	6070	2,889.20
108499	6070	1,703.63
108500	6070	3,300.35
108501	6070	1,857.20
108502	6070	2,131.04
108503	6070	3,075.51
108504	6070	1,219.60
108505	6070	2,870.20
108506	6070	1,895.02
108507	6070	3,102.36
108508	6070	2,146.23
108509	6070	2,495.22
108510	6070	1,394.74
108511	6070	3,524.35
108512	6070	2,092.31
108513	6070	2,998.89
108514	6070	2,223.30
108515	6070	516.13
108516	6070	1,429.44
108517	6070	2,513.05
108518	6070	2,526.55
108519	6070	1,443.59
108520	6070	2,393.77
108521	6070	2,046.39
108522	6070	2,906.90
108523	6070	4,818.45 Regular Salary
108524	6070	2,344.88
108525	6070	2,594.56
108526	6070	2,148.84
108527	6070	3,101.84
108528	6070	2,752.81
108529	6070	1,307.29
108530	6070	1,850.02
108531	6070	2,264.65
108532	6070	760.47
108533	6070	2,646.06
108534	6070	2,278.70
108535	6070	1,599.82
108536	6070	2,445.16
108537	6070	3,111.74
108538	6070	3,012.34
108539	6070	250.45
108540	6070	3,117.54
108541	6070	2,084.19

COLTON
Payroll Disbursement Listing
Payperiod Dates: 1/2/2016 to 1/15/2016

<u>CHECK NO</u>	<u>ACTIVITY ID</u>	<u>PAYMENT</u>
108542	6070	2,775.49
108543	6070	2,504.84
108544	6070	2,284.26
108545	6070	2,459.33
935060	6070	272.82
935109	6070	216.91
	Subtotal	<u>184,392.71</u>

Fire

108546	6090	3,741.36
108547	6090	0.00
108548	6090	3,669.92
108549	6090	5,132.12 Regular Salary/Staffing
108550	6090	4,543.30 Regular Salary/Staffing
108551	6090	4,254.29 Regular Salary/Staffing
108552	6090	3,524.18
108553	6090	3,839.44
108554	6090	2,034.06
108555	6090	2,988.95
108556	6090	4,400.82 Regular Salary/Staffing
108557	6090	4,900.66 Regular Salary/Staffing
108558	6090	1,134.75
108559	6090	5,048.05 Regular Salary/Staffing
108560	6090	1,840.02
108561	6090	2,844.40
108562	6090	4,530.26 Regular Salary/Staffing
108563	6090	1,647.90
108564	6090	3,708.97
108565	6090	4,456.43 Regular Salary
108566	6090	3,566.07
108567	6090	4,124.11
108568	6090	3,360.14
108569	6090	2,485.59
108570	6090	3,021.81
108571	6090	5,579.15 Regular Salary/Staffing
108572	6090	3,144.47
108573	6090	2,279.75
108574	6090	2,935.65
108575	6090	2,012.23
108576	6090	6,138.64 Regular Salary/Staffing
108577	6090	3,237.08
108578	6090	9,833.44 Regular Salary/Staffing
108579	6090	4,193.76
935110	6090	3,433.15
108580	6090	3,582.34
	Subtotal	<u>131,167.26</u>

COLTON

Payroll Disbursement Listing

Payperiod Dates: 1/2/2016 to 1/15/2016

<u>CHECK NO</u>	<u>ACTIVITY ID</u>	<u>PAYMENT</u>
Public Works		
108581	6150	566.58
108582	6150	1,194.56
108583	6150	2,508.56
108584	6150	1,734.23
108585	6150	1,366.57
108586	6150	334.25
935061	6150	1,126.38
935062	6150	1,298.10
935063	6150	1,361.05
935064	6150	438.19
935065	6150	659.97
935066	6150	1,112.72
935111	6150	3,113.96
935112	6150	1,633.27
935113	6150	1,045.30
108587	6150	1,479.24
108588	6150	3,725.94 Regular Salary
108589	6150	2,732.69
935067	6150	2,080.42
108590	6150	1,455.25
108591	6150	1,704.62
108592	6150	537.18
108593	6150	2,536.14
108594	6150	1,316.45
108595	6150	588.07
108596	6150	1,166.14
935068	6150	1,721.43
935069	6150	1,301.09
935070	6150	1,207.71
108753	6150	2,169.08
108754	6150	2,034.58
108755	6150	2,150.71
935096	6150	522.76
	Subtotal	<u>49,923.19</u>

Community Services

108597	6200	199.42
108598	6200	681.40
108599	6200	314.22
108600	6200	297.64
108601	6200	417.77
108602	6200	26.15
108603	6200	814.85
108604	6200	410.40
108605	6200	3,830.97 Regular Salary
108606	6200	1,583.63
108607	6200	581.17
108608	6200	500.42
108609	6200	161.63
108610	6200	864.46
108611	6200	561.51

COLTON
Payroll Disbursement Listing
Payperiod Dates: 1/2/2016 to 1/15/2016

<u>CHECK NO</u>	<u>ACTIVITY ID</u>	<u>PAYMENT</u>
108612	6200	356.62
108613	6200	228.19
108614	6200	513.34
108615	6200	1,636.87
108616	6200	232.73
108617	6200	514.88
108618	6200	189.85
108619	6200	672.21
108620	6200	188.22
108621	6200	1,761.59
108622	6200	1,998.48
108623	6200	102.31
108624	6200	92.23
108625	6200	301.36
108626	6200	323.02
108627	6200	883.60
108628	6200	378.61
108629	6200	233.88
108630	6200	373.24
108631	6200	173.58
108632	6200	457.63
108633	6200	409.56
108634	6200	2,202.97
108635	6200	855.10
108636	6200	516.45
108637	6200	1,486.33
108638	6200	52.43
935071	6200	104.58
935072	6200	236.63
935073	6200	234.97
935074	6200	517.29
935075	6200	633.08
935076	6200	367.31
935077	6200	165.45
935078	6200	299.68
935079	6200	79.23
935080	6200	495.67
935081	6200	524.29
935082	6200	100.70
935083	6200	512.05
935084	6200	59.43
935085	6200	388.98
935114	6200	77.02
935115	6200	122.36
935116	6200	253.65
935117	6200	36.38
Subtotal		33,589.67

COLTON
Payroll Disbursement Listing
Payperiod Dates: 1/2/2016 to 1/15/2016

<u>CHECK NO</u>	<u>ACTIVITY ID</u>	<u>PAYMENT</u>
Library		
108639	6250	605.81
108640	6250	594.52
108641	6250	116.49
108642	6250	272.55
108643	6250	400.39
108644	6250	440.29
108645	6250	107.73
108646	6250	2,456.08 Regular Salary
935086	6250	600.28
	Subtotal	5,594.14
 Development Services		
108647	6300	1,534.72
108648	6300	2,635.96
108649	6300	2,072.13
108650	6300	1,262.78
108651	6300	3,714.17 Regular Salary/Leave Cashout
108652	6300	1,449.69
108653	6300	3,109.94
108654	6300	4,600.08 Regular Salary
108655	6300	2,006.17
	Subtotal	22,385.64
 Child Care		
108656	7200	732.72
108657	7200	382.20
108658	7200	810.98
108659	7200	126.55
108660	7200	776.65
108661	7200	617.19
108662	7200	934.49
108663	7200	1,974.47
108664	7200	2,683.41 Regular Salary
108665	7200	784.17
108666	7200	415.58
108667	7200	1,531.83
108668	7200	1,545.58
108669	7200	696.12
108670	7200	756.59
108671	7200	650.55
108672	7200	643.40
108673	7200	644.26
108674	7200	554.01
108675	7200	310.46
	Subtotal	17,571.21

COLTON

Payroll Disbursement Listing

Payperiod Dates: 1/2/2016 to 1/15/2016

	<u>CHECK NO</u>	<u>ACTIVITY ID</u>	<u>PAYMENT</u>
Electric	108676	8000	3,997.50
	108677	8000	3,165.17
	108678	8000	2,539.28
	108679	8000	2,572.55
	108680	8000	2,352.44
	108681	8000	3,235.08
	108682	8000	1,388.85
	108683	8000	1,787.87
	108684	8000	2,876.87
	108685	8000	1,879.78
	108686	8000	1,776.31
	108687	8000	1,754.39
	108688	8000	1,792.45
	108689	8000	2,769.05
	108690	8000	3,431.79
	108691	8000	3,010.86
	108692	8000	2,648.86
	108693	8000	3,469.44
	108694	8000	3,054.47
	108695	8000	2,323.02
	108696	8000	3,591.13
	108697	8000	2,873.95
	108698	8000	2,460.07
	108699	8000	2,592.45
	108700	8000	2,772.88
	108701	8000	2,207.22
	935087	8000	3,596.80
	935088	8000	3,255.63
	935089	8000	4,527.67 Regular Salary/Leave Cashout
	935090	8000	3,583.99
	935091	8000	3,696.15
	935092	8000	2,845.94
	108702	8000	2,206.88
	108703	8000	4,858.51 Regular Salary
	108704	8000	1,378.18
	935118	8000	59.90
	108705	8000	2,020.62
	108706	8000	1,682.94
	108707	8000	2,508.37
	108708	8000	2,044.90
	935093	8000	1,971.79
		Subtotal	108,562.00
Water Utility	108709	8100	1,772.72
	108710	8100	2,754.64
	108711	8100	3,593.29 Regular Salary/Leave Cashout
	108712	8100	1,860.89
	108713	8100	1,480.89
	108714	8100	1,912.17
	108715	8100	1,538.30
	108716	8100	2,054.83

COLTON
Payroll Disbursement Listing
Payperiod Dates: 1/2/2016 to 1/15/2016

<u>CHECK NO</u>	<u>ACTIVITY ID</u>	<u>PAYMENT</u>
108717	8100	1,510.81
108718	8100	1,981.78
108719	8100	2,184.19
108720	8100	2,456.53
108721	8100	2,065.18
108722	8100	3,581.77 Regular Salary/OT
935094	8100	3,214.63 Regular Salary/OT
935119	8100	82.18
Subtotal		34,044.80

Wastewater Utility & Storm Water

108728	8200	2,779.27
108729	8200	2,151.83
108730	8200	1,185.35
108731	8200	2,159.09
108732	8200	2,970.27
108733	8200	1,241.56
108734	8200	1,812.37
108735	8200	1,574.57
108736	8200	2,259.53
108737	8200	1,808.29
108738	8200	2,764.14
108739	8200	2,120.97
108740	8200	1,660.62
108741	8200	1,813.24
108742	8200	2,627.71
108743	8200	1,239.76
108744	8200	2,015.03
108745	8200	1,356.60
108746	8200	1,983.70
935095	8200	1,684.85
935120	8200	33.84
935121	8200	40.30
Subtotal		39,282.89

Wastewater Administration

108723	8300	1,123.09
108724	8300	3,267.48 Regular Salary
108725	8300	3,040.22
108726	8300	2,348.07
108727	8300	3,104.41
Subtotal		12,883.27

COLTON
Payroll Disbursement Listing
Payperiod Dates: 1/2/2016 to 1/15/2016

<u>CHECK NO</u>	<u>ACTIVITY ID</u>	<u>PAYMENT</u>
Successor Agency for Redevelopment		
108756	9000	3,075.71 Regular Salary
	Subtotal	<u>3,075.71</u>
 Grand Total		 <u><u>726,576.16</u></u>



 Anita Agramonte, Finance Director



 Aurelio De La Torre, Treasurer

THIS PAGE WAS INTENTIONALLY LEFT BLANK

ORDINANCE NO. O-03-16

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COLTON, ADDING CHAPTER 5.14 TO TITLE 5 OF THE COLTON MUNICIPAL CODE REGARDING MOBILE FOOD VEHICLES, ADDING CHAPTER 5.15 TO TITLE 5 REGARDING HOUSE NUMBERS ON CURBS, AMENDING CHAPTER 5.16 OF TITLE 5 REGARDING PEDDLERS, SOLICITORS AND CANVASSERS, AND AMENDING CHAPTER 5.24 OF TITLE 5 REGARDING MASSAGE PARLORS AND MASSAGE TECHNICIANS

WHEREAS, the City of Colton is receiving an increasing number of inquiries and business license applications for commercial mobile food vehicles (“food trucks”); and

WHEREAS, the Colton Municipal Code does not presently provide for a permit through which mobile food vehicles are regulated by the City; and

WHEREAS, the City Council now wishes to add Chapter 5.14 to Title 5 (Business Licenses and Regulations) to ensure that mobile food vehicles are operated in a safe and responsible manner; and

WHEREAS, the City receives, from time to time, complaints and inquiries from residents regarding companies and individuals painting of house numbers on curbs, and requesting payment for such services after the fact; and

WHEREAS, the Colton Municipal Code does not presently provide for a permit through which the painting of house numbers on curbs is regulated by the City; and

WHEREAS, the City Council now wishes to add Chapter 5.15 to Title 5 of the Colton Municipal Code to address the public concerns, as well as the concerns of elected and appointed officials regarding unregulated curb painting activities.

WHEREAS, the City’s Solicitors – Canvassers regulations, Chapter 5.16 of Title 5 of the Colton Municipal Code, was adopted in 1950 with minor amendments adopted in 1972; and

WHEREAS, it has been determined that the Solicitors – Canvassers regulations are out of date with respect to current legal interpretations and standard practices; and

WHEREAS, the City Council now wishes to amend Chapter 5.16 to bring the Solicitors – Canvassers regulations into conformity with current legal interpretations and standard practices;

WHEREAS, Chapter 5.24 of the Colton Municipal Code presently provides a system through which massage parlors and massage technicians are regulated by the City; and

WHEREAS, in 2008, the Legislature adopted Senate Bill 731, which created the California Massage Therapy Council, a state-organized nonprofit organization with regulatory authority over the certification of massage practitioners throughout the State of California; and

WHEREAS, Senate Bill 731 has been widely criticized by local agencies as providing massage businesses with almost unprecedented protection from local zoning and land use authority, and interfering with local law enforcement efforts to close massage businesses that allow prostitution, human trafficking and other illegal activities; and

WHEREAS, Assembly Bill 1147, signed by Governor Jerry Brown, was created in response to criticism against Senate Bill 731 and allows local agencies to impose reasonable zoning, business licensing, and health and safety requirements on massage establishments; and

WHEREAS, the City Council now wishes to amend Chapter 5.24 to conform with the requirements of SB 731 and AB 1147.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COLTON DOES ORDAIN AS FOLLOWS:

SECTION 1: Chapter 5.14 of Title 5 of the Colton Municipal Code is hereby added to read as follows:

“Chapter 5.14 – MOBILE FOOD VEHICLES

Sections:

5.14.010 – Purpose and intent.

The City expressly finds that mobile food vehicles have the potential to pose traffic hazards and special dangers to the public health, safety and welfare. It is the purpose and intent of the City, in enacting this section, to provide responsible companies and persons, which engage in the operation of a mobile food vehicle on public property, with clear and concise regulations to prevent safety, traffic and health hazards, as well as to preserve the peace, safety and welfare of the community.

5.14.020 – Permit required.

It is unlawful for any person to sell or offer for sale, or operate any vehicle or conduct any business for the purpose of causing sale of, or offering for sale, any hot and/or cold foods and related goods or merchandise, from any mobile food vehicle parked, stopped or standing upon any public street, alley, parkway, sidewalk or public property in the City, except in accordance with all applicable provisions of this section. Mobile food vehicles on private property associated with temporary, private events shall be permitted and licensed under Chapter 5.44 of this Title, “Special Events.” All mobile food vehicles and their operators conducting business in the city shall comply with the following:

- A. Shall obtain a business license for each mobile food vehicle before vending in the City. In addition, the mobile food vehicle shall possess a valid Mobile Food Facility Health Permit issued by the County of San Bernardino, Division of Environmental Health Services (“county health department”).
 - a. Upon applying for a business license, evidence shall be submitted to the Business License Officer demonstrating that the operator or vendor has obtained a sellers permit from the State Board of Equalization;
 - b. The business license shall not be transferrable to a different vehicle, person, company, operator or vendor. The City shall be notified in writing if there are changes in the contact information for the person(s) responsible or company.

- B. Properly licensed mobile food vehicles shall:
- a. Have a decal and letter grade posted on the vehicle issued by the county health department;
 - b. Possess current San Bernardino County food handlers card for all employees handling food, and at least one original Managers Certificate.
 - c. Obtain property owner authorization in writing when temporarily or permanently vending on private property;
 - d. Carry evidence of property owner authorization at all times;
 - e. Not be stationed within a street or public way or within the clear sight triangle;
 - f. Not be stationed within three hundred (300) feet from any operating commercial restaurant building in the City of Colton, unless the mobile food vehicle is operated by said vehicle or is authorized by a Special Event Permit;
 - g. Not be stationed in any location that blocks or otherwise interferes with the free movement of vehicles, pedestrians, or accessible (handicap) parking or path of travel.
 - h. Not be stationary on any site for a period exceeding sixty (60) minutes unless a readily available toilet and handwashing facility are provided within two hundred (200) feet of the vehicle. After the allotted time, vehicles shall not vend on the same property, or within five hundred (500) feet of that property, for a period of two hours;
 - i. Not back up in a street or public way to make or attempt to make a sale;
 - j. Not operate between the hours of 9:00 p.m. and 8:00 a.m. within any residentially designated area and shall not operate within one hundred fifty (150) from any residential designated and built property.
 - k. Shall be equipped with refuse containers large enough to contain all refuse generated by the operation of such vehicle, and the operator of the food vehicle shall pick up all refuse generated by such operation within a fifty-foot radius of the vehicle before such vehicle is moved;
 - l. A commercial property or shopping center, which has three or more mobile food vehicles at the same time, shall be required to obtain a Special Event Permit pursuant to the provisions of Chapter 5.44.

- m. Prominently display the company's name, address and phone number with two-inch minimum letters and numbers on both sides of the vehicle.
- n. One portable sign, not to exceed twenty (20) square feet and a height of four feet, may be displayed outside of a mobile food vehicle when displayed in conjunction with an operating mobile food vehicle. The sign shall be considered part of the mobile food vehicle and cannot be placed where the vehicle would otherwise be prohibited. The sign shall be removed upon the mobile food vehicle leaving the property.
- o. Shall be subject to other regulations in the Colton Municipal Code, including but not limited to noise and light/glare regulations;
- p. Other non-motorized mobile food vending apparatuses (e.g., push carts, bicycle carts), not classified as mobile food vehicles, shall be regulated by Chapter 5.16 – Peddlers, Solicitors, Canvassers.

5.14.030 – Fees.

Fees for a business license to operate a mobile food vehicle shall be as prescribed in Chapter 5.02, Section 5.02.390 (Classification A) of this Title.

5.14.40 – Liability.

No person shall drive or operate or cause or permit to be driven any mobile food vehicle in the City unless the operator or vendor thereof shall have obtained a liability insurance policy from a responsible and solvent corporation, authorized to issue such policies under the laws of the state, insuring such operator or vendor and covering the mobile food vehicle. The City of Colton shall be named as an additional insured under the policy. The Development Services Director may waive the insurance requirement for special events with a valid Special Event Permit.

5.14.50 – Actions as a result of violations.

The Development Services Director or his/her designee may deny an application for a mobile food services business license if there is evidence on the record that the mobile food

service vehicle has operated at an event, within the City, in violation of the law, and/or poses a threat to the public's health, safety and welfare.

- A. License denial —notice. Notice of the denial of a license shall be given in writing, setting forth specifically the grounds for denial and the opportunity to appeal the denial. Such notice shall be mailed, postage prepaid, to the licensee at his last known address within five days following denial of the license application.
- B. Appeals. Denial of a business license for a mobile food service vehicle may be appealed by applicant to the Code Compliance and Housing Appeals Board (CCHAB). Such appeal shall be taken by filing with the City Clerk, within fourteen days after notice of the action has been mailed to appellant's last known address, a written statement setting forth fully the grounds for the appeal. The CCHAB shall set a time and place for a hearing on such appeal and notice of such hearing shall be given to the appellant in the manner as provided in Chapter 8.04, Section 8.04.090. The decision and order of the CCHAB on such appeal shall be final and conclusive.
- C. Revocation of license. Licenses issued under the provisions of this chapter may be revoked by the after notice and hearing by CCHAB, for any of the following causes:
 - a. Fraud, misrepresentation, or false statement contained in the Application for license; and
 - b. Any violation of this chapter.

The decision and order of the CCHAB on such appeal shall be final and conclusive.”

SECTION 2: Chapter 5.15 of Title 5 of the Colton Municipal Code is hereby added to read as follows:

“Chapter 5.15 – HOUSE NUMBERS ON CURBS

Sections:

5.15.010 – Permit required.

It is unlawful for any person to paint or cause to be painted any house numbers on street curbs within the City, or charge a fee or solicit contributions for same, without a valid permit and business license, issued as provided in this chapter. As used in this section, the words “paint” or “cause to be painted” include any means by which house numbers are affixed or applied to a street curb, including but not limited to paint of any kind applied in any manner and decals of any type which are designed to adhere to a street curb.

5.15.020 – Applications.

To obtain a permit pursuant to the provisions of this chapter, an application shall be filed with the Public Works Department containing the following information:

- A. The location or area in which the applicant intends to paint house numbers on curbs;
- B. The specific days on which the applicant intends to paint curbs;
- C. Such other relevant information as determined to be necessary by the Public Works Department.

5.15.030 – Fees.

Applicants shall pay a license tax based upon Gross Receipts at the rates and classifications set forth in Section 5.02.400 (Service-oriented Businesses). Non-profit charitable and religious organizations shall pay a non-refundable fee of \$25.00, as prescribed in Section 5.02.040(F) which shall cover both permit and business license.

5.16.040 – Display of Permit.

Every person to whom a permit and license has been granted shall display the permit in a conspicuous place, or on the front of his or her garment, at all times while canvassing neighborhood to sell services. Failure to display or exhibit the permit is a violation of this chapter.

5.15.050 – Prior approval required.

Prior to painting house numbers, the permit holder shall obtain the written consent of an adult owner and/or occupant of the abutting property. The permit and business license shall be on display in a conspicuous place and available for inspection by the owner and/or occupant of the property. In addition to written consent from the owner and/or occupant, the form used for obtaining consent shall also specify the exact fee or donation which is expected to be paid. The

silence of the owner and/or occupant of the failure or omission of any occupant to complete or sign the form or to in any other manner indicate consent or refusal to have house numbers painted on the curb shall not constitute consent or in any way be relied on by the permit holder as indicating consent. No person other than an adult owner and/or occupant who has consented in writing shall have any responsibility for payment of the fee or donation.

5.15.060 – Standards.

The Public Works Department shall establish standards which shall govern the appearance of house numbers on curbs and the manner in which they may be applied, including but not limited to standards relating to the size, color and location of the numbers and materials used to apply the numbers. The standards shall be provided in writing to every person to whom the permit is issued and the permit holder shall sign a copy of the standards which includes a statement indicating that the permit holder has read and understands the standards and will follow them in applying curb numbers. The signed copy shall be retained in the Department's files relating to the applicant.

5.15.070 – Liability.

The issuance of a permit hereunder shall not be construed as imposing any responsibility or liability on the City or any of its officers or employees for claims for property damage or personal injury in any way arising out of, or relating to, the house number painting activities of the permit holder. It is unlawful for the permit holder to in any way represent or imply to anyone that the permit holder is a representative, or is acting for or on behalf of, the City or any other public agency in offering to paint house numbers on curbs.

- A. Permit holder shall indemnify, defend and save the City, its authorized agents, officers, representatives and employees, harmless from and against any and all penalties, liabilities or loss resulting from claims of court action and arising out of any accident, loss or damage to persons or property happening or occurring as a proximate result of any work undertaken under the permit granted pursuant to this application.

- B. Permit holder shall comply with terms and conditions of the permit and all applicable rules and regulations of the City of Colton and other public agencies having jurisdiction.

5.15.080 – Conditions.

The issuance of a permit pursuant to this chapter shall be conditioned on compliance by the applicant with all provisions of this chapter and shall be subject to any special conditions which the Public Works Department determines to be necessary for the purpose of protecting the condition and use of City rights-of-way and public improvements located thereon and the health, safety and general welfare of the property owners abutting on the rights-of-way on which the applicant intends to paint house numbers. Such special conditions may include, but are not limited to, limits on the house during which the permit holder may solicit orders and the hours during which the house number painting activity may take place and a permit expiration date which shall not be later than the sixtieth (60th) day following the date on which the permit is issued. It is unlawful for the permit holder or any employee or representative of the permit holder to solicit orders or engage in house number painting activities in violation of any such special conditions. Special conditions applicable to a permit shall be specified in writing on the permit or in a written attachment thereto.

5.15.090 – Employee list.

Before issuance of any permit, the applicant shall file with the Public Works Department a list of the names and addresses of all persons who will be in the employ of, or act as representatives of, the permit holder, for the purpose of carrying on the activities authorized by the permit. The permit holder shall notify the Public Works Department in writing of any additions to the list within seventy-two (72) hours following the addition of any new employee or representative. The permit holder shall have a person on location to act as manager at all times during which the street numbering activities are conducted.

5.15.100 – Records.

The permit holder shall maintain a record of the streets and curb numbers in which he or she paints street address numbers. A list of such streets shall be forwarded to the Public Works

Director upon completion of the work on a weekly basis.

5.15.110 – Cancellation and revocation.

A permit may be cancelled by the Public Works Department and business license revoked by the Business License Officer if it is determined that the permit holder or his representatives have violated any of the requirements of this chapter or have engaged in any other conduct or activity on the basis of which it is determined that the permit should be cancelled and the business license revoked for the protection of public health, safety or general welfare. Notice of cancellation and/or revocation shall be in writing and shall specify the reasons for the cancellation and/or revocation. The cancellation and/or revocation shall be effective immediately upon confirmation of delivery to the permit holder or his/her authorized representative.

5.15.120 – Appeal.

The cancellation of a permit as provided in CMC Section 5.15.110 shall be final on the expiration of ten (10) days following the effective date of the revocation unless the permit holder files a written notice of appeal to the City Council pursuant to CMC Chapter 5.44.220.

5.15.130 – Penalty.

Violation of any requirement or prohibition of this chapter is a misdemeanor and is punishable as set forth by Title 9, Chapter 5 (Offense Against Property), Section 9.24.040 and is subject to administrative penalties as may be set forth in this Code.

SECTION 3: Chapter 5.16 of Title 5 of the Colton Municipal Code is hereby amended in its entirety to read as follows:

“Chapter 5.16 – PEDDLERS, SOLICITORS, CANVASSERS

Sections:

5.16.010 - Defined.

A. A "Peddler" is defined as any individual, whether resident of the City or not, traveling either by foot, automobile, truck or any other type of conveyance, from place to place, from house to house or along the streets of the City, selling and making immediate delivery of, or offering for sale and immediate delivery of, any goods, wares, merchandise or anything of value, in possession of the person. "Goods" shall include any items identified in Colton Municipal Code Section 12.44.010 as "any consumable items, foods, beverages, merchandise or wares, being offered for sale," as well as flowers, fruit and other perishable items.

B. A "Canvasser" or "Solicitor" is defined as any individual, traveling either by foot, automobile, truck or any other type of conveyance, from place to place, from house to house or along the streets of the City taking or attempting to take orders for Sale of Goods, wares or merchandise, Personal Property of any nature whatsoever for future delivery services to be furnished or performed in the future.

5.16.020 - Permit and license—Required.

It is unlawful for any Peddler, Solicitor or Canvasser as defined in Section 5.16.010 of this chapter to engage in such Business or activity within the corporate limits of the City without first obtaining a Permit and license therefor in compliance with the provisions of this chapter.

5.16.030 - Permit and license—Application—Filing and information required.

Applicants for Permit and license under this chapter must file with the City an Application in writing on a form to be furnished by the City Manager, or his or her designee, which shall give the Following information:

- A. Name, address and telephone number of the Applicant; including:
 - a. The true and fictitious names, aliases and residences of the applicant if an individual; the true and fictitious names, aliases and residences of all members of the applicant if the applicant is a firm, association or partnership; the true and fictitious names, aliases and residences of the principal officers of the applicant if the applicant is a corporation; and
 - b. The birth date and social security number of each and every person enumerated in subdivision (a);

- c. If employed, the name and address of the employer, together with credentials establishing the exact relationship;
- B. A brief description of the nature of the Business or activity, and the Goods or Services to be sold;
- C. The length of time for which the right to do Business is desired;
- D. A copy of the State of California Sales Tax Permit (Revenue & Taxation Code §6066) for the applicant’s activities as proposed in the application;
- E. A copy of the articles of incorporation for the corporate entity or non-profit.
- F. The geographic area(s) where the Goods or Services proposed to be sold, or orders taken for the Sale thereof, and the proposed method of delivery;
- G. Such other reasonable information as to identify the background of the persons enumerated in division (A) as the Chief of Police may require, including but not limited to, fingerprints and photograph(s) of Applicant(s). The fingerprints shall be submitted via LiveScan™, or equivalent direct input process, to the California Department of Justice with criminal history results directed to the mnemonics of the Colton Police Department at least thirty calendar days in advance of the proposed activity;
- H. A statement as to whether or not the Applicant has been convicted of any felony, misdemeanor, or Violation of any municipal Ordinance, within the past ten years, including the nature, place and date of any conviction for the offense and the punishment or penalty assessed therefor; and
- I. If food products are sold, the applicant shall obtain a Health Permit issued by the County of San Bernardino, Division of Environmental Health Services (“county health department”).

5.16.040 - Permit and license—Application—Fee.

At the time of filing the Application a Fee in an amount to be determined by Resolution of the City Council Shall be paid to the City to cover the cost of investigation of the facts stated therein.

5.16.050 - Investigation of Applicant.

Upon receipt of such Application, the original shall be referred to the Chief of Police, who shall cause such investigation of the Applicant's Business and moral character to be made as he deems necessary for the protection of the public good. The applicant shall cooperate with the Police Department in conducting their investigation and shall, if requested, provide the Police Department with other documents and materials which may be requested that reasonably relate to the course of the department's investigation. Within forty-five calendar days of the date the application is filed with the City, the Chief of Police shall report to the issuing department recommending approval or denial of the permit and stating the reasons therefore.

5.16.051 - Permit—Temporary.

Upon receipt of an Application, the City may issue a temporary Permit pending completion of the background investigation. Such Permit shall be revocable at any time and shall not be granted for a period exceeding one year.

5.16.060 - Permit and license—Application—Disapproval—Non-issuance.

If as a result of such investigation, the Applicant's character or Business responsibility is found to be unsatisfactory, the Chief of Police Shall endorse on such Application his disapproval and his reasons for the same, and return the Application to the Business License Officer Shall notify the Applicant that his Application is disapproved and that no Permit and license will be issued.

5.16.070 - Permit and license—Application—Approval—Issuance—Record.

If as a result of such investigation, the character and Business responsibility of the Applicant are found to be satisfactory, the Chief of Police Shall endorse on the Application his Approval for the carrying on of the Business applied for and return the Application to the Business License Officer who Shall, upon payment of the prescribed license Fee, issue the Applicant his Permit and license. Such license Shall and Shall show name, address and photograph of the licensee, the class of license issued and the kind of Goods to be sold thereunder, the amount of Fee paid, the date of issuance and the length of time the same Shall be operative, as well as the license number and other identifying description of any Vehicle Used in such soliciting or canvassing. The Business License Officer Shall keep a permanent record of all permits and licenses issued.

5.16.080 - Time for solicitation.

No Permit as herein contemplated shall be issued to allow peddling, canvassing or solicitations before nine a.m. in the morning or after sundown.

5.16.090 - Fee—Designated.

Fees for a permit and license for Peddling, Soliciting, or canvassing in the City shall be as prescribed in Chapter 5.02 of this Title.

5.16.130 - Fees Exemption.

Whenever any person intends to peddle or solicit goods, wares, services or merchandise for the purpose of raising funds of soliciting donations for a tax exempt organization (i.e., registered 501(c)(3) organizations), said applicant may apply to the Business License Officer for a permit to be issued with payment of one-half of the adopted permit fee. No exemption shall be provided for the Police background check.

5.16.140 – Exemptions from Chapter 5.16.

This chapter shall not apply to children, under the age of 18 years, selling items without compensation for schools, charitable organizations, scouts, athletic teams, or other such organized fundraising events.

5.16.150 – Display of Permit.

Every person to whom a permit and license has been granted shall display the permit in a conspicuous place, or on the front of his or her garment, at all times while peddling, soliciting or canvassing. Peddlers, Solicitors, and Canvassers are required to exhibit their licenses at the request of any citizen or Police Officer. Failure to display or exhibit the permit is a violation of this chapter.

5.16.16 - Duty of Police to enforce provisions.

It Shall be the duty of any Police Officer of the City to require any Person seen soliciting or canvassing, and who is not known by such Officer to be duly licensed, to produce his Peddler's, Solicitor's or Canvasser's license and to enforce the provisions of this chapter against any Person found to be violating the same.

5.16.17- Record of convictions for Violations to be kept.

The Chief of Police Shall maintain a record and report to the Business License Officer all convictions for Violation of this chapter and the Business License Officer Shall maintain a record for each license issued and record the reports of Violation therein.

5.16.18 - Permit and license—Revocation.

Permits and licenses issued under the provisions of this chapter may be revoked by the Code Compliance and Housing Appeals Board after Notice and hearing, for any of the Following causes:

- A. Fraud, misrepresentation, or false statement contained in the Application for license;
- B. Fraud, misrepresentation or false statement made in the course of carrying on his Business as Solicitor or as Canvasser;
- C. Any Violation of this chapter;
- D. Conviction of any crime or misdemeanor involving moral turpitude; or
- E. Conducting the Business of soliciting, or of canvassing, in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace of the health, safety, or general welfare of the public.

5.16.19 - Hearing for license revocation—Notice.

Notice of the hearing for revocation of a permit or license shall be given in writing, setting forth specifically the grounds of complaint and the time and place of hearing. Such Notice Shall be mailed, postage prepaid, to the licensee at his last known address at least five calendar Days prior to the date set for hearing.

5.16.20 - Appeal from Permit or license denial or Fee adjustment Decision—Hearing procedure.

Any Person aggrieved by the action of Business License Officer in the denial of a Permit or license as provided in Section 5.16.060, or the action of the City in the assessing of the Fee as provided in Section 5.16.140 Shall have the right of Appeal to the Code Compliance and Housing Appeals Board. Such Appeal Shall be taken by filing with the City Clerk, within fourteen calendar Days after Notice of the action complained of has been mailed to such Person's last known address, a Written statement setting forth fully the grounds for the Appeal. The Code Compliance and Housing Appeals Board Shall set a time and place for a hearing on such Appeal and Notice of such

hearing shall be given to the appellant in the same manner as provided in Section 5.16.200 for Notice of hearing or revocation. The Decision and order of the Code Compliance and Housing Appeals Board on such Appeal Shall be final and conclusive.

5.16.21 - Penalty for Violation.

Any Person violating any of the provisions of this chapter shall, upon conviction thereof, be punished by a fine in accordance with the most recently adopted citation fee schedule.”

SECTION 2: Chapter 5.24 of Title 5 of the Colton Municipal Code is hereby amended in its entirety to read as follows:

“Chapter 5.24 - MASSAGE PARLORS AND MASSAGE TECHNICIANS

Sections:

5.24.010 - Definitions.

The following words as used in this Chapter shall have the signification attached to them in this Chapter unless otherwise clearly apparent from the context:

“CAMTC Certificate” means a certificate issued by the California Massage Therapy Council to a Person who has obtained the right to use the title Certified Massage Therapist or Certified Massage Practitioner.

"Cosmetology Establishment" means an establishment which is licensed pursuant to all applicable Federal, State and Local Laws, rules and regulations to provide primarily the following types of services: (1) shaving or trimming the beard or cutting the hair of a Person; (2) giving facial and scalp Massages or treatments to a Person; (3) shampooing, arranging, dressing, curling, waving, relaxing, permanent waving, coloring or straightening the hair of a Person; (4) removing superfluous hair from the body of any Person by the Use of depilatories, tweezers or chemicals; and (5) cutting, trimming, polishing, tinting, coloring, cleansing, or manicuring the nails of any Person.

“Licensed Massage Technician” means any Person who administers Massage upon another human being in exchange for anything of value whatsoever while in the possession of a valid CAMTC Certificate.

"Massage" means and includes any method of treating or manipulating the external parts of the human body for remedial, hygienic, relaxation or any other purpose, whether by means of pressure on, friction against or rubbing, touching, stroking, tapping, kneading, pounding, vibrating or other manner of touching external parts of the human body with the hands or by means of an instrument, such as any mechanical or electrical apparatus or appliance, with or without supplementary aids such as rubbing alcohol, liniment, antiseptic, oil, powders, creams, ointment or other similar preparations commonly used in this practice.

"Massage Parlor" means any business wherein any Person, firm, association, partnership, corporation, or combination of the same engages in, conducts, carries on or permits to be engaged in, conducted or carried on, for money or any other consideration whatsoever, the administration to another Person of a Massage or a bath or health treatment involving a Massage. "Massage Parlor" shall not include Cosmetology Establishments.

"Operator" means all Persons who have an ownership interest in a Massage Parlor or a Cosmetology Establishment and who are responsible for the Day to Day operations of the establishment.

"Person" means any individual, corporation, partnership, association or other group or combination of the same acting as an entity.

"Unlicensed Massage Technician" means any Person who administers Massage upon another human being in exchange for anything of value whatsoever without a valid CAMTC Certificate.

5.24.020 - Business License—Required/Fee.

- A. The fee for an owner or operator of a Massage Parlor shall be set in accordance with Chapter 5.02.

5.24.030 - Massage Parlor Permit.

- A. It is unlawful for any Person to own or operate, in or upon any fixed premises within the City, a Massage Parlor in the absence of a Permit issued pursuant to the provisions hereinafter set forth.
- B. Notwithstanding anything to the contrary in subsection A of this section, Persons who own or operate licensed Cosmetology Establishments and who wish to provide incidental Massage services pursuant to Section 5.24.190, need not obtain a Permit pursuant to this Section.
- C. Each applicant shall pay a nonrefundable fee, in an amount determined by Resolution of the City Council, at the time they submit a Permit application or renewal application under this section. The application fee is for the purpose of defraying the expense of investigation, administration and issuance of said Permit.

5.24.040 – Unlicensed Massage Technicians.

- A. It is unlawful for any Person to engage in, conduct or carry on, attempt to engage in, conduct or carry on, or Permit to be engaged in, conducted or carried on the business of an Unlicensed Massage Technician at any location within the City, including a Massage Parlor and a Cosmetology Establishment.
- B. The requirements of this Section shall have no Application and no effect upon, and Shall not be construed as applying to, any physician, surgeon, chiropractor, osteopath, or physical therapist fully licensed by the State, or any nurse, assistant, trainee or other Person administering under the immediate direction, supervision and control of any physician, surgeon, chiropractor, osteopath, or physical therapist duly licensed by the State. This section does not apply to any treatment administered in good faith in the course of the practice of any healing art or professions by any Person licensed to practice any such art or

professions under the Business and Professions Code of the State or any other Law of this State.

5.24.050 – Permit Application contents.

- A. An applicant for a Massage Parlor Permit shall submit the following information:
1. Full name and any aliases heretofore used or currently used, and current addresses;
 2. Written proof that the applicant is over the age of eighteen Years;
 3. The business, occupation, or employment of the applicant for three years immediately preceding the date of the application;
 4. Any Massage or similar Business License history of the applicant, including whether such Person, in previous operation, in this or another area, has had his or her license revoked or suspended, the reason therefor, and any business activity or occupation subsequent to the action of suspension or revocation; and
 5. A full list of all Licensed Massage Technicians who will practice at the premises. For each Licensed Massage Technician listed, applicant shall provide the current CAMTC Certificate number and a copy of the CAMTC Certificate.

5.24.060 - Permit—Procedure.

Upon payment of all fees, the accurate submission of all information required by the application, and upon proper inspection, the appropriate Permit shall be granted. Any Person denied a Permit pursuant to these provisions may appeal to the City Council in writing, stating reasons why the Permit should be granted. The City Council may grant or deny the Permit. All Permits issued hereunder are nontransferable; provided, however, that a change of location of a Massage Parlor may be permitted pursuant to Section 5.24.080.

5.24.070 - Display of Permit and Certificates.

Every Person to whom a Massage Parlor Permit has been granted shall display the Permit and the current CAMTC Certificate held by each Licensed Massage Technician employed therein in a conspicuous place at the premises.

5.24.080 - Change of location.

A change of location of Massage Parlor premises shall be Approved by the Chief of Police provided all applicable laws are complied with and the change of location fee of ten dollars is first paid.

5.24.090 - Permit—Expiration and renewal.

- A. All Permits issued under provisions hereof shall expire on the first day of January of each year. A renewal Permit may be issued upon application to the collections officer and the payment of a renewal fee of ten dollars. Any application for renewal must be made on or before the fifteenth day of January of each year. In the event of failure to so apply for renewal of a Permit on or before the fifteenth day of January, a Person whose Permit has expired shall be deemed a new applicant and shall have to requalify under the provisions herein. With each new year's renewal application, Persons holding a Massage Parlor Permit must submit a list of all Licensed Massage Technicians who will practice at the premises. For each Licensed Massage Technician listed, applicant shall provide the current CAMTC Certificate number and shall provide copies of CAMTC Certificates of Licensed Massage Technicians who have been employed by the Massage Parlor during the prior year.

5.24.100 - Facilities.

No Massage Parlor Permit shall be issued unless an inspection discloses that the Massage Parlor complies with each of the following minimum requirements:

- A. A readable sign in compliance with this Code shall be posted at the main entrance identifying the business as a Massage Parlor.
- B. Minimum lighting shall be provided in accordance with the Uniform Building Code, and additionally, at least one artificial light of not less than forty watts shall be provided each enclosed room or booth where Massage services are being rendered.
- C. Minimum ventilation shall be provided in accordance with the Uniform Building Code.

- D. Adequate equipment for disinfecting and sterilizing any instruments used for Massage Shall be provided.
- E. Hot and cold running water shall be provided.
- F. Closed cabinets shall be utilized for the storage of clean linen.
- G. Adequate dressing and toilet facilities shall be provided for the patrons. Such facilities shall be equipped with adequate locking devices.
- H. All walls, ceilings, floors, steam or vapor rooms, and all other physical facilities for the Massage Parlor shall be kept in good repair and shall be maintained in a clean and sanitary condition.
- I. Clean and sanitary towels and linens shall be provided for patrons receiving Massage services. No common use of towels or linens shall be permitted.

5.24.110 - Employee—Restrictions.

No Person holding a Massage Parlor permit may hire any Unlicensed Massage Technician or permit any Unlicensed Massage Technician to perform Massages at the premises.

5.24.130 - Inspection.

The Chief of Police and/or the collections officer of the City, or their Representatives, may inspect any Massage Parlor or Cosmetology Establishment in which Incidental Massage services are performed pursuant to this Chapter upon either one week's written notice or immediately with a search warrant for the purpose of determining that the provisions of this Chapter are met.

5.24.140 - Records of treatment.

Every Person owning or operating a Massage Parlor under a Permit as herein provided, and any Person owning or operating a Cosmetology Establishment in which Incidental Massage services are performed pursuant to this Chapter, shall keep a record of the date and hour of each

treatment, the name and address of the patron, and the name of the technician administering such treatment. Identical records shall be kept of treatment rendered off the premises, and, in addition, shall describe the address where the treatment was rendered. Such records shall be maintained for a period of two years. Such records shall be open to inspection upon one week's written notice or immediately with a search warrant by officials charged with the enforcement of these provisions for the purposes of Law enforcement and for other purposes related to this Chapter.

5.24.150 - Grounds for revocation.

- A. A Massage Parlor Permit may be revoked as set forth in Section 5.24.160 on one or more of the following grounds:
1. That the holder is guilty of fraud or deceit in her or his application for a Permit;
 2. That the holder is permitting the practice of Massage in a manner intended to arouse, appeal to, or gratify the lust or passions or sexual desires of another, or that the holder is permitting the practice medicine without a license or engaging in other similar unauthorized practices;
 3. That the holder has been convicted in a court of competent jurisdiction of a felony or a crime of moral turpitude. The conviction of a felony shall include the conviction of an offense which, if committed within the State, would constitute a felony under the laws thereof; or
 4. That the holder has employed, allowed or permitted an Unlicensed Massage Technician to perform Massage at the premises.

5.24.160 - Revocation and Appeal.

If any Person holding a Permit to carry on the business of a Massage Parlor, as provided in this Chapter, shall conduct or carry on such business contrary to the provisions of this Chapter or any other law relating to or regulating such business, it shall be subject to suspension, revocation, and any other penalty permitted under this Code.

No Permit shall be suspended or revoked until after a hearing has been conducted before the City Council relating to such suspension or revocation. Notice of such hearing shall be given in writing and shall be served at least ten days prior to the date of the hearing thereon, which notice shall state the grounds of complaint against the holder of such Permit, or against the business

carried on by her or him and shall also state the time when and the place where such hearing will be held. Such notice shall be served upon the holder of such Permit by delivering the same to such Person, his manager or agent, or to any Person in charge of, or employed in the place of business of such licensee or by leaving such notice at the place of business or residence of such Person with some Person of suitable age and discretion. In the event the holder of such license cannot be found, and a service of such Notice cannot be made upon him or her in the manner herein provided, then a copy of such notice shall be mailed, postage fully prepaid, addressed to such holder or such licensee at his place of business or residence at least ten days prior to the date of such hearing.

5.24.170 - Abatement.

Any Massage Parlor or Cosmetology Establishment in which Incidental Massage services are performed pursuant to this Chapter that is operated, conducted, or maintained contrary to the provisions of this Chapter shall be and the same is declared to be unlawful and a Public Nuisance. The City Attorney or the District Attorney may, in addition to or in lieu of prosecution in a criminal action hereunder, commence an action or actions, proceeding or proceedings for the abatement, removal, and enjoinder thereof, in the manner provided by law. They shall also take such other steps, and shall apply to such courts or court as may have jurisdiction to grant such relief, as will abate or remove such Massage Parlor or Cosmetology Establishment and restrain and enjoin any Person from operating, conducting, or maintaining a Massage Parlor or Cosmetology Establishment contrary to the provisions of this Chapter.

5.24.180 - Severability.

This Chapter and the various parts, sections and clauses thereof are declared severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid, the remainder of this chapter shall not be affected thereby. The City Council of the City of Colton declares that it would have passed this Chapter and each part thereof, regardless of the fact that one or more parts thereof be declared unconstitutional or invalid.

5.24.190 - Cosmetology Establishments providing Incidental Massage services.

A. Every Cosmetology Establishment providing Massages pursuant to this Chapter shall be duly and adequately licensed at all times pursuant to all State and Local Laws, rules and

regulations, including but not limited to, Chapter 5.02 of this Code.

- B. Massage services shall be performed only by Licensed Massage Technicians.
- C. Massages shall be provided only in clearly designated, lighted and accessible locations within the Cosmetology Establishment. The provision of Massages, as well as the location in which the all Licensed Massage Technicians operate, shall comply with the Federal, State and Local health, safety and building standards applicable to Cosmetology Establishments, including those statutory and regulatory standards applicable to the operation of Cosmetology Establishments.
- D. Massage services shall be Incidental to the primary cosmetology services of the Cosmetology Establishment. No more than one Licensed Massage Technician shall be permitted to operate in a Cosmetology Establishment for every three cosmetologists operating in the same Establishment at any one time. If less than three cosmetologists are operating in the Establishment at any one time, there shall be no more than one Licensed Massage Technician operating in the same Establishment at that time.
- D. It is unlawful for any Person to own or operate a Cosmetology Establishment in which Licensed Massage Technicians operate if the establishment does not comply with all applicable Federal, State and Local health, safety and building standards, including those statutory and regulatory standards applicable to the operation of Cosmetology Establishments.”

SECTION 5: Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance or any part thereof is for any reason held to unconstitutional, such decision shall not affect the validity of the remaining portion of this ordinance or any part thereof. The City Council of the City of Colton hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrases be declared unconstitutional.

SECTION 6: This ordinance shall take force and effect thirty (30) after its adoption.

SECTION 7: The City Clerk shall certify to the adoption of this Ordinance and cause it, or a summary of it, to be published in a newspaper of general circulation printed and published within the City of Colton in accordance with law.

PASSED, APPROVED, AND ADOPTED this ____ day of _____, 2016.

Richard A. De La Rosa
Mayor

ATTEST:

Carolina R. Padilla
City Clerk

APPROVED AS TO FORM:

Best Best & Krieger LLP
City Attorney

CERTIFICATION

I, Carolina R. Padilla, City Clerk of the City of Colton, California, do hereby certify that the foregoing Ordinance was regularly introduced at a regular meeting of the City Council of the City of Colton, California, duly held the _____ day of _____, 20____, and thereafter at a regular adjourned meeting held on the _____ day of _____, 20____, it was duly passed and adopted by the following vote of the Council:

AYES:

NOES:

ABSENT:

ABSTAINED:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Colton, California, this _____ day of _____, 20____.

Carolina R. Padilla
City Clerk of the City of Colton, California



STAFF REPORT

DATE: FEBRUARY 2, 2016
TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS
FROM: BILL SMITH, CITY MANAGER 
PREPARED BY: SABDI SANCHEZ, CHIEF DEPUTY CITY CLERK 
SUBJECT: APPROVE AND ADOPT RESOLUTION NO. R-07-16 TO FORMALLY APPROVE AND ADOPT THE MILITARY BANNER PROGRAM POLICY AND GUIDELINES, AS RECOMMENDED BY THE MILITARY BANNER COMMITTEE.

RECOMMENDED ACTION

It is recommended that the City Council approve and adopt Resolution No. R-07-16 to formally approve and adopt the City of Colton Hometown Heroes Military Banner Program Policy and Guidelines as recommended by the Military Banner Committee.

BACKGROUND

On November 15, 2011, the City Council created the Military Banner Ad Hoc Committee and appointed Council Member David J. Toro, Former Council Member Susan M. Oliva and Former Council Member Alex Perez as members, with Former City Clerk Eileen Gomez serving as staff advisor. The current Committee is comprised of Council Member David J. Toro, Council Member Dr. Luis S. González and Mayor Pro Tempore Isaac T. Suchil.

On July 19, 2012, City Council approved the City of Colton Salute Our Heroes Military Banner Program Guidelines and banner design. Since then, 138 banners have been displayed throughout the City, primarily on La Cadena Drive and Valley Boulevard.

On November 17, 2015, City Council approved the amended Military Banner Program Guidelines and new fee of \$475 as recommended by the Military Banner Committee.

ISSUES/ANALYSIS

Since the last amendment, a number of concerns have surfaced that require the amendment of the policy and guidelines to conform to current procedures. City staff also believes a Resolution should be adopted to formalize the Hometown Military Banner Program.

FISCAL IMPACTS

No additional Fiscal Impact to the City is anticipated.

ALTERNATIVES

1. Provide alternative direction to staff.

ATTACHMENTS

1. Resolution No. R-07-16
2. Revised Military Banner Program Policy and Guidelines
3. Redline version of Military Banner Program Policy and Guidelines

ATTACHMENT 1

Resolution No. R- 07-16

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

RESOLUTION NO. R-07-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLTON FORMALLY APPROVING AND ADOPTING THE CITY OF COLTON HOMETOWN HEROES MILITARY BANNER PROGRAM POLICY AND GUIDELINES.

WHEREAS, the City of Colton (“City”) desires to formally approve a comprehensive policy to effectively administer and manage the Hometown Heroes Military Banner Program; and,

WHEREAS, there is a need to formalize the policies regarding the Hometown Heroes Military Banner Program and guidelines; and,

WHEREAS, the City desires to approve and adopt the City of Colton Hometown Heroes Military Banner Program Policy and Guidelines in order to promote the community’s quality of life and enrich the aesthetic and visual appearance of City of Colton’s thoroughfares.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Colton does hereby find, determine and declare as follows:

SECTION 1. The City Council of the City of Colton hereby adopts the Hometown Heroes Military Banner Program Policy and Guidelines attached hereto as Exhibit A to this Resolution.

SECTION 2. The City Council hereby authorizes the City Manager to take all actions necessary to carry out the Hometown Heroes Military Banner Program Policy and Guidelines.

PASSED, APPROVED, AND ADOPTED this 2nd Day of February, 2016.

RICHARD A. DELAROSA
Mayor

ATTEST:

CAROLINA R. PADILLA
City Clerk

ATTACHMENT 2

Revised Military Banner Program Policy and Guidelines



CITY OF COLTON HOMETOWN HEROES MILITARY BANNER PROGRAM POLICY AND GUIDELINES



PURPOSE

It is the purpose of this policy to articulate regulations pertaining to the circumstances, character, location and other standards under which the City will permit the use of City owned streetlight poles to display Military Banners that have a direct and substantial civic and/or community benefit and enrich the aesthetic and visual appearance of City of Colton's thoroughfares. The display of the Military Banners will contribute to the community's quality of life which lend a special character to the City of Colton.

GUIDELINES

Eligibility for Placement of the Hometown Heroes Military Banner Program Banners

- By enactment and administration of the Hometown Heroes Military Banner Program, the City does not intend to designate City light poles for expressive activity or render City light poles into a public forum for expressive activity.

Banner Content and Specifications

1. The Hometown Heroes Military Banner Program is to be used for the benefit of recognizing those who are currently serving or who have served in the United States Armed Forces and pay tribute to our veterans and deceased veterans.
2. The City Manager or his/her designee shall manage the Hometown Heroes Military Banner Program and have sole authority to approve the installation of banners meeting the requirements as stated in these guidelines for this program.
3. All banners shall conform to the following specifications unless specified otherwise.

Banner Fabric: Synthetic or synthetic blend
Banner Size: 3' (36") wide by 7' (84") long
Banner Fabrication: Double-layered hems with 5/8 inch grommets for stability located in all 4 corners
Font Size: Font must be at least 4" tall
Banner safety cable

4. The text of a banner must list the name of the person, service branch and logo, and name of sponsor. The banner shall also include the words “Colton Proudly Honors Our Hometown Heroes” on each printed banner.

Procedure

1. The banner installation guidelines and form may be obtained from the City of Colton’s website at www.coltonca.gov or you may contact the City Clerk’s Office to have one emailed to you by contacting the City Clerk’s Office at (909) 370-5001 or by email at ssanchez@coltonca.gov. Applications will also be available in the City Hall lobby, located at 650 N. La Cadena Drive, Colton, California.
2. The City’s decision to install any banners will be based on the availability of City staff, resources and staff scheduling for installation and removal, as well as the banners’ compliance with the banner program, including fulfillment of the criteria described above under “Banner Content and Specifications.”
3. Installations will only be scheduled on Tuesdays and Wednesdays between the hours of 8:00 a.m. and 3:00 p.m., contingent of staff availability.
4. The applicant may request the general location where they would like the banner displayed. However, the City shall make the final determination of the banner location.
5. The banner design was approved by the Military Banner Program Ad Hoc Committee and shall be used as the template for all banners produced through this program.
6. Once the banner has been produced, City staff shall contact the applicant to confirm the location of the pole and schedule the installation of the banner.
7. Installation ceremonies will not exceed 30 minutes.
8. Once banners are installed they will be displayed for five (5) years maximum or until the banners start to show deterioration. At the end of the display period, City staff will contact the family and/or applicant to arrange for pick up from City Hall within a reasonable timeframe once the banner has been taken down. Any banners unclaimed after this time will become the property of the City.
9. After the five years, if the applicant is interested in another banner, a new application will have to be submitted along with the appropriate fee.
10. Replacement banners are available at a reduced price of \$200 as long as the replacement takes place within the five-year period. This would apply to banners being replaced due to severe damage from extreme weather elements and/or change in banner type such as Active, Veteran and Memorial.

11. A relocation fee of \$120 will be assessed when a banner is moved to a different location once installed, at the request of the applicant.
12. Should the applicant decide not to replace a damaged banner within the five year display period; within 30 days, the applicant must sign a waiver and/or statement stating no further interest in replacing a banner. This will free up the pole for another interested person.
13. The existing fee for a banner is \$475. Please note that the fee may be increased/decreased in the future to meet the demands of the program.
14. The City will conduct periodic inspections; however, the City shall not be responsible for damage to banners falling off the pole due to extreme weather elements or other unforeseen events, but will assist to put them back up as time permits.

Other Specifics and Requirements

1. Installation shall be the responsibility of the City.
2. Fabrication and design of banners is the sole responsibility of the City. Banner specifications will be provided by the City.
3. Once produced and installed, banners shall remain the property of the City until removed and presented to the family or requestor.
4. All banner requests shall be submitted by the approved application along with a picture and military branch of the officer.
5. Banner installation shall be limited to City poles with approved banner brackets.
6. The City reserves the right not to install a banner if the requirements of this banner program are not met.

ATTACHMENT 3

Redline version of Military Banner Program Policy and Guidelines



CITY OF COLTON HOMETOWN HEROES MILITARY BANNER PROGRAM POLICY AND GUIDELINES



PURPOSE

It is the purpose of this policy to articulate regulations pertaining to the circumstances, character, location and other standards under which the City will permit the use of City owned streetlight poles to display Military Banners that have a direct and substantial civic and/or community benefit and enrich the aesthetic and visual appearance of City of Colton's thoroughfares. The display of the Military Banners will contribute to the community's quality of life which lend a special character to the City of Colton.

Formatted: Normal
Formatted: Normal, Justified

Formatted: Font: 12 pt
Formatted: Normal

MISSION STATEMENT

The purpose of the City of Colton Hometown Heroes Military Banner Program is to:

- Honor our Colton military currently active and deployed, and
- Pay tribute to our veterans and deceased veterans
- Ensure that the aesthetic appeal of Colton's main thoroughfares is maintained
- Promote the recognition of our military currently serving, veterans and deceased veterans
- Manage the military banner approval process

GUIDELINES

Eligibility for Placement of the Hometown Heroes Military Banner Program Banners

- By enactment and administration of the Hometown Heroes Military Banner Program, the City does not intend to designate City light poles for expressive activity or render City light poles into a public forum for expressive activity.

Banner Content and Specifications

1. The Hometown Heroes Military Banner Program is to be used for the benefit of recognizing those who are currently serving or who have served in the United States Armed Forces and pay tribute to our veterans and deceased veterans.
2. The City Manager or his/her designee shall manage the Hometown Heroes Military Banner Program and have sole authority to approve the installation of banners meeting the requirements as stated in these guidelines for this program.

Adopted by City Council: 7/19/2012
Amended and approved by City Council: 11/17/2015, 2/2/2016
Resolution No. R-07-16

3. All banners shall conform to the following specifications unless specified otherwise.

Banner Fabric: Synthetic or synthetic blend
Banner Size: 3' (36") wide by 7' (84") long
Banner Fabrication: Double-layered hems with 5/8 inch grommets for stability located in all 4 corners
Font Size: Font must be at least 4" tall
Banner safety cable

4. The text of a banner must list the name of the person, service branch and logo, and name of sponsor. The banner shall also include the words "Colton Proudly Honors Our Hometown Heroes" on each printed banner.

Procedure

1. The banner installation guidelines and form may be obtained from the City of Colton's website at www.ci.colton.ca.us or you may contact the City Clerk's Office to have one emailed to you by contacting ~~Sabdi Sanchez, the Chief Deputy City Clerk~~ [City Clerk's Office](mailto:ssanchez@ci.colton.ca.us) at (909) 370-5001 or by email at ssanchez@ci.colton.ca.us. Applications will also be available in the City Hall lobby, located at 650 N. La Cadena Drive, Colton, California.
2. The City's decision to install any banners will be based on the availability of City staff, resources and staff scheduling for installation and removal, as well as the banners' compliance with the banner program, including fulfillment of the criteria described above under "Banner Content and Specifications."
3. Installations will only be scheduled on Tuesdays and Wednesdays between the hours of 8:00 a.m. and 3:00 p.m., contingent of staff availability.
4. The applicant may request the general location where they would like the banner displayed. However, the City shall make the final determination of the banner location.
5. The banner design was approved by the Military Banner Program Ad Hoc Committee and shall be used as the template for all banners produced through this program.
6. Once the banner has been produced, City staff shall contact the ~~requestor~~ [applicant](#) to confirm the location of the pole and schedule the installation of the banner.
7. Installation ceremonies will not exceed 30 minutes.
8. ~~Once banners are installed they will remain up~~ [be displayed for five \(5\) years maximum or until they the banners start to show deterioration. At that time the](#)

Adopted by [City Council](#): 7/19/2012

Amended and approved by [City Council](#): 11/17/2015, [2/2/2016](#)

[Resolution No. R-07-16](#)

end of the display period, City staff will contact the family and/or applicant to ~~schedule an appearance at a Council meeting for a formalized delivery of the banner or arrangements can be for made for~~ pick up from City Hall within a reasonable timeframe once the banner has been taken down. Any banners unclaimed after this time will become the property of the City.

9. ~~After the five years, if the applicant is interested in another banner, a new application will have to be submitted along with the appropriate fee.~~

Formatted: List Paragraph, Left, No bullets or numbering

10. ~~Replacement banners are available at a reduced price of \$200 as long as the replacement takes place within the five-year period. This would apply to banners being replaced due to severe damage from extreme weather elements and/or change in banner type such as Active, Veteran and Memorial.~~

Formatted: List Paragraph, Left, No bullets or numbering

11. ~~A relocation fee of \$120 will be assessed when a banner is moved to a different location once installed, at the request of the applicant.~~

Formatted: List Paragraph, Left, No bullets or numbering

12. ~~Should the applicant decide not to replace a damaged banner within the five year display period; within 30 days, the applicant must sign a waiver and/or statement stating no further interest in replacing a banner. This will free up the pole for another interested person.~~

Formatted: List Paragraph, Left, No bullets or numbering

8.13. ~~The existing fee for a banner is \$475. Please note that the fee may be increased/decreased in the future to meet the demands of the program.~~

Formatted: List Paragraph, Left, No bullets or numbering

9.14. ~~The City will conduct periodic inspections; however, the City shall not be responsible for damage to banners falling off the pole due to extreme weather elements or other unforeseen events, but, however, will assist to put them back up as time permits in the case of a banner falling off the pole due to extreme elements.~~

Other Specifics and Requirements

1. Installation shall be the responsibility of the City.
2. Fabrication and design of banners is the sole responsibility of the City. Banner specifications will be provided by the City.
3. Once produced and installed, banners shall remain the property of the City until removed and presented to the family or requestor.
4. All banner requests shall be submitted by the approved application along with a picture and military branch of the officer.
5. Banner installation shall be limited to City poles with approved banner brackets.

Adopted by City Council: 7/19/2012
Amended and approved by City Council: 11/17/2015, ~~2/2/2016~~
Resolution No. R-07-16

3

6. The City reserves the right not to install a banner if the requirements of this banner program are not met.

Adopted by City Council: 7/19/2012
Amended and approved by City Council: 11/17/2015, 02/2/2016
Resolution No. R-07-16

4

THIS PAGE WAS INTENTIONALLY LEFT BLANK



STAFF REPORT

DATE: FEBRUARY 2, 2016
 TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS
 FROM: BILL SMITH, CITY MANAGER
 PREPARED BY: DEB FARRAR, COMMUNITY SERVICES DIRECTOR (ACTING)
 SUBJECT: CONTRACT AMENDMENT 01- DEPARTMENT OF EDUCATION -
 PRE SCHOOL (CSPP-5385)

RECOMMENDED ACTION

It is recommended that the City Council adopt Resolution R-08-16, approving Amendment 01 for the State of California Contract CSPP-5385 for the provision of preschool services in the Early Childhood Education Division of the Community Services Department for Fiscal Year 2015-16 and amending the budget for the current fiscal year to account for increased funding.

BACKGROUND

The City of Colton's Preschool Program is funded by a grant from the State of California, Department of Education (CDE). The current CDE Contract CSPP-5385 was approved by the City Council on July 21, 2015. CDE has initiated Amendment 01 to the existing contract for the current fiscal year, which increases the funding available to reimburse the City for preschool services provided for low-income families. The Amendment 01 will make an additional \$32,324 of funding available and will enable the Preschool program to provide services for additional families.

This contract is ongoing, but must be renewed each fiscal year or when amendments are necessary. As Executive Director of the program, the City Manager is the designated authority to sign the State contract.

ISSUES/ANALYSIS

For fiscal year 2015-16, the Preschool childcare grant will make services available for low-income families that must have a documented need, and may not otherwise be able to afford services. Amendment 01 increases the total amount of the contract from \$437,620 to \$469,944.

The state requires a designated authority to sign on behalf of the City for all childcare contracts, and as Executive Director of the program, the City Manager is currently the designated authority to sign the State contract.

FISCAL IMPACTS

There is no general fund impact as a result of the receipt of this grant. This program utilizes the childcare fund, revenue account 206-5777, and expenditure account group 206-7200-7203.

In order to account for this increased funding, the following accounts will be adjusted.

- Revenue account 206-5776-000 shall be increased by \$32,324
- Salaries/part-time account 206-7200-7203-1040 shall be increased by 20,000
- Expenditure account 206-7200-7203-2304 shall be increased by 2,500
- Expenditure account 206-7200-7203-1170 shall be increased by 1,500
- Expenditure account 206-7200-7203-2300 shall be increased by 1,000
- Expenditure account 206-7200-7203-2305 shall be increased by 3,000
- Expenditure account 206-7200-7203-2301 shall be increased by 2,324
- Expenditure account 206-7200-7203-2250 shall be increased by 2,000

ALTERNATIVES

1. Provide alternative direction to staff.

ATTACHMENTS

1. Resolution No. R-08-16
2. Department of Education Amendment 01 Contract CSPP-5385

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

RESOLUTION NO. R-08-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLTON APPROVING AMENDMENT 01 TO THE CALIFORNIA DEPARTMENT OF EDUCATION CONTRACT CSPP-5385 FOR THE PROVISION OF PRESCHOOL CHILDCARE SERVICES IN EARLY CHILDHOOD EDUCATION DIVISION OF THE COMMUNITY SERVICES DEPARTMENT FOR FISCAL YEAR 2015-2016 AND AMENDING THE 2015-16 FISCAL YEAR BUDGET TO REFLECT AN INCREASE IN FUNDING FOR THE PROVISION OF PRESCHOOL SERVICES

WHEREAS, the City of Colton entered into Contract CSPP-5385 with the California Department of Education on July 21, 2015, for the provision of preschool services by the Early Childhood Education Division of the Community Services Department; and

WHEREAS, the Department of Education has issued Amendment 01 to this Contract CSPP-5385, increasing the contract allocation of funds from \$437,620 to \$469,944.

NOW, THEREFORE, the City Council of the City of Colton does hereby resolve as follows:

Section 1: The staff report accompanying this resolution is found to be true, adopted as findings, and incorporated into this resolution.

Section 2: City approves the State of California Contract Amendment 01 to CSPP-5385, for the provision of preschool services in the Early Childhood Education Division of the Community Services Department.

Section 3: The City Manager, as Executive Director of the program, is hereby authorized to sign the applicable documents on behalf of the City to execute this agreement.

Section 4: In order to account for this increased funding, budget allocations for Fiscal Year 2015-16 are hereby amended as follows.

- Revenue Account 206-5776-000 is increased to \$469,944
- Salaries Account 206-7200-7203-1040 shall be increased by \$20,000
- Expenditure Account 206-7200-7203-2304 shall be increased by \$2,500
- Expenditure Account 206-7200-7203-1170 shall be increased by \$1,500
- Expenditure Account 206-7200-7203-2300 shall be increased by \$1,000
- Expenditure Account 206-7200-7203-2305 shall be increased by \$3,000

Expenditure Account 206-7200-7203-2301 shall be increased by \$2,324
Expenditure Account 206-7200-7203-2250 shall be increased by \$2,000

PASSED, APPROVED AND ADOPTED THIS 2ND DAY OF FEBRUARY 2016.

Richard A. DeLaRosa, Mayor

ATTEST:

Carolina R. Padilla, City Clerk

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28



CALIFORNIA DEPARTMENT OF EDUCATION

1430 N Street

Sacramento, CA 95814-5901

F.Y. 15 - 16

Amendment 01

LOCAL AGREEMENT FOR CHILD DEVELOPMENT SERVICES
Budget Act/Rate Increase

DATE: July 01, 2015

CONTRACT NUMBER: CSPP-5385

PROGRAM TYPE: CALIFORNIA STATE
PRESCHOOL PROGRAM

PROJECT NUMBER: 36-2176-00-5

CONTRACTOR'S NAME: CITY OF COLTON

This agreement with the State of California dated July 01, 2015 designated as number CSPP-5385 shall be amended in the following particulars but no others:

The Maximum Reimbursable Amount (MRA) payable pursuant to the provisions of this agreement shall be amended by deleting reference to \$437,620.00 and inserting \$469,944.00 in place thereof.

The Maximum Rate per child day of enrollment payable pursuant to the provisions of the agreement shall be amended by deleting reference to \$36.10 and inserting \$38.53 in place thereof.

SERVICE REQUIREMENTS

The minimum Child Days of Enrollment (CDE) Requirement shall be amended by deleting reference to 12,122.0 and inserting 12,197.0 in place thereof.

Minimum Days of Operation (MDO) Requirement shall be 180. (No change)

EXCEPT AS AMENDED HEREIN all terms and conditions of the original agreement shall remain unchanged and in full force and effect.

STATE OF CALIFORNIA		CONTRACTOR	
BY (AUTHORIZED SIGNATURE)		BY (AUTHORIZED SIGNATURE)	
PRINTED NAME OF PERSON SIGNING Sueshil Chandra, Manager		PRINTED NAME AND TITLE OF PERSON SIGNING William Smith, City Manager	
TITLE Contracts, Purchasing and Conference Services		ADDRESS	
AMOUNT ENCUMBERED BY THIS DOCUMENT \$ 32,324	PROGRAM/CATEGORY (CODE AND TITLE) Child Development Programs	FUND TITLE	
PRIOR AMOUNT ENCUMBERED FOR THIS CONTRACT \$ 437,620	(OPTIONAL USE) See Attached		
TOTAL AMOUNT ENCUMBERED TO DATE \$ 469,944	ITEM See Attached	CHAPTER	STATUTE
	OBJECT OF EXPENDITURE (CODE AND TITLE) 702	FISCAL YEAR	
I hereby certify upon my own personal knowledge that budgeted funds are available for the period and purpose of the expenditure stated above.		T.B.A. NO.	B.R. NO.
SIGNATURE OF CITY COUNCIL AGENDA See Attached		DATE	

Department of General Services
use only

CONTRACTOR'S NAME: CITY OF COLTON

CONTRACT NUMBER: CSPP-5385

Amendment 01

AMOUNT ENCUMBERED BY THIS DOCUMENT \$ 6,410	PROGRAM/CATEGORY (CODE AND TITLE) Child Development Programs	FUND TITLE Federal		
PRIOR AMOUNT ENCUMBERED \$ 17,193	(OPTIONAL USE)0656 13609-2176	FC# 93.596	PC# 000321	
TOTAL AMOUNT ENCUMBERED TO DATE \$ 23,603	ITEM 30.10.020.001 6100-194-0890	CHAPTER B/A	STATUTE 2015	FISCAL YEAR 2015-2016
	OBJECT OF EXPENDITURE (CODE AND TITLE) 702 SACS: Res-5025 Rev-8290			

AMOUNT ENCUMBERED BY THIS DOCUMENT \$ -1,363	PROGRAM/CATEGORY (CODE AND TITLE) Child Development Programs	FUND TITLE Federal		
PRIOR AMOUNT ENCUMBERED \$ 9,459	(OPTIONAL USE)0656 15136-2176	FC# 93.575	PC# 000324	
TOTAL AMOUNT ENCUMBERED TO DATE \$ 8,096	ITEM 30.10.020.001 6100-194-0890	CHAPTER B/A	STATUTE 2015	FISCAL YEAR 2015-2016
	OBJECT OF EXPENDITURE (CODE AND TITLE) 702 SACS: Res-5025 Rev-8290			

AMOUNT ENCUMBERED BY THIS DOCUMENT \$ 28,561	PROGRAM/CATEGORY (CODE AND TITLE) Child Development Programs	FUND TITLE General		
PRIOR AMOUNT ENCUMBERED \$ 379,388	(OPTIONAL USE)0656 23038-2176			
TOTAL AMOUNT ENCUMBERED TO DATE \$ 407,949	ITEM 30.10.010. 6100-196-0001	CHAPTER B/A	STATUTE 2015	FISCAL YEAR 2015-2016
	OBJECT OF EXPENDITURE (CODE AND TITLE) 702 SACS: Res-6105 Rev-8590			

AMOUNT ENCUMBERED BY THIS DOCUMENT \$ -1,284	PROGRAM/CATEGORY (CODE AND TITLE) Child Development Programs	FUND TITLE General		
PRIOR AMOUNT ENCUMBERED \$ 31,580	(OPTIONAL USE)0656 23254-2176			
TOTAL AMOUNT ENCUMBERED TO DATE \$ 30,296	ITEM 30.10.020.001 6100-194-0001	CHAPTER B/A	STATUTE 2015	FISCAL YEAR 2015-2016
	OBJECT OF EXPENDITURE (CODE AND TITLE) 702 SACS: Res-6105 Rev-8590			

I hereby certify upon my own personal knowledge that budgeted funds are available for the period and purpose of the expenditure stated above. SIGNATURE OF ACCOUNTING OFFICER 02/02/2016 City Council Agenda	T.B.A. NO.	B.R. NO.
	DATE	146



STAFF REPORT

DATE: FEBRUARY 2, 2016
 TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS
 FROM: BILL SMITH, CITY MANAGER
 PREPARED BY: DEB FARRAR, COMMUNITY SERVICES DIRECTOR (ACTING)
 SUBJECT: CONTRACT AMENDMENT 01- DEPARTMENT OF EDUCATION – SCHOOL AGE (CCTR-5196)

RECOMMENDED ACTION

It is recommended that the City Council adopt Resolution R-09-16, approving Amendment 01 for the State of California Contract CCTR-5196 for the provision of school age education services in the Early Childhood Education Division of the Community Services Department for Fiscal Year 2015-16 and amending the budget for the current fiscal year to account for increased funding.

BACKGROUND

The City of Colton's School Age Program is funded by a grant from the State of California, Department of Education (CDE). The current CDE Contract CCTR-5196 was approved by the City Council on July 21, 2015. CDE has initiated Amendment 01 to the existing contract for the current fiscal year, which increases the funding available to reimburse the City for school age services provided for low-income families. The Amendment 01 will make an additional \$12,116 of funding available and will enable the School Age program to provide services for additional families.

This contract is ongoing, but must be renewed each fiscal year or when amendments are necessary. As Executive Director of the program, the City Manager is the designated authority to sign the State contract.

ISSUES/ANALYSIS

For fiscal year 2015-16, the School Age childcare grant will make services available for low-income families that must have a documented need, and may not otherwise be able to afford services. Amendment 01 increases the total amount of the contract from \$187,454 to \$199,570.

The state requires a designated authority to sign on behalf of the City for all childcare contracts, and as Executive Director of the program, the City Manager is currently the designated authority to sign the State contract.

FISCAL IMPACTS

There is no general fund impact as a result of the receipt of this grant. This program utilizes the childcare fund, revenue account 206-5777, and expenditure account group 206-7200-7202.

In order to account for this increased funding, the following accounts will be adjusted.

Revenue account 206-5777-000 shall be increased by \$12,116.

Salaries/part-time account 206-7200-7202-1040 shall be increased by 7,116

Expenditure account 206-7200-7202-2304 shall be increased by 2,500

Expenditure account 206-7200-7202-1170 shall be increased by 1,500

Expenditure account 206-7200-7202-2300 shall be increased by 1,000

ALTERNATIVES

1. Provide alternative direction to staff.

ATTACHMENTS

1. Resolution No. R-09-16
2. Department of Education Amendment 01 Contract CCTR-5196

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

RESOLUTION NO. R-09-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLTON APPROVING AMENDMENT 01 TO THE CALIFORNIA DEPARTMENT OF EDUCATION CONTRACT CCTR-5196 FOR THE PROVISION OF SCHOOL AGE CHILDCARE SERVICES IN EARLY CHILDHOOD EDUCATION DIVISION OF THE COMMUNITY SERVICES DEPARTMENT FOR FISCAL YEAR 2015-2016 AND AMENDING THE 2015-16 FISCAL YEAR BUDGET TO REFLECT AN INCREASE IN FUNDING FOR THE PROVISION OF SCHOOL AGE SERVICES

WHEREAS, the City of Colton entered into Contract CCTR-5196 with the California Department of Education on July 21, 2015, for the provision of school age services by the Early Childhood Education Division of the Community Services Department; and

WHEREAS, the Department of Education has issued Amendment 01 to this Contract CCTR-5196, increasing the contract allocation of funds from \$187,454 to \$199,570.

NOW, THEREFORE, the City Council of the City of Colton does hereby resolve as follows:

Section 1: The staff report accompanying this resolution is found to be true, adopted as findings, and incorporated into this resolution.

Section 2: City approves the State of California Contract Amendment 01 to CCTR-5196, for the provision of school age services in the Early Childhood Education Division of the Community Services Department.

Section 3: The City Manager, as Executive Director of the program, is hereby authorized to sign the applicable documents on behalf of the City to execute this agreement.

Section 4: In order to account for this increased funding, budget allocations for Fiscal Year 2015-16 are hereby amended as follows.

- Revenue Account 206-5777-000 is increased to \$199,570
- Salaries Account 206-7200-7202-1040 shall be increased by \$7,116
- Expenditure Account 206-7200-7202-2304 shall be increased by \$2,500
- Expenditure Account 206-7200-7202-1170 shall be increased by \$1,500
- Expenditure Account 206-7200-7202-2300 shall be increased by \$1,000

PASSED, APPROVED AND ADOPTED THIS 2ND DAY OF FEBRUARY 2016.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Richard A. DeLaRosa, Mayor

ATTEST:

Carolina R. Padilla, City Clerk



CALIFORNIA DEPARTMENT OF EDUCATION

1430 N Street

Sacramento, CA 95814-5901

F.Y. 15 - 16

Amendment 01

LOCAL AGREEMENT FOR CHILD DEVELOPMENT SERVICES
Budget Act/Rate Increase

DATE: July 01, 2015

CONTRACT NUMBER: CCTR-5196

PROGRAM TYPE: GENERAL CHILD CARE &
DEV PROGRAMS

PROJECT NUMBER: 36-2176-00-5

CONTRACTOR'S NAME: CITY OF COLTON

This agreement with the State of California dated July 01, 2015 designated as number CCTR-5196 shall be amended in the following particulars but no others:

The Maximum Reimbursable Amount (MRA) payable pursuant to the provisions of this agreement shall be amended by deleting reference to \$187,454.00 and inserting \$199,570.00 in place thereof.

The Maximim Rate per child day of enrollment payable pursuant to the provisions of the agreement shall be amended by deleting reference to \$36.10 and inserting \$38.29 in place thereof.

SERVICE REQUIREMENTS

The minimum Child Days of Enrollment (CDE) Requirement shall be amended by deleting reference to 5,193.0 and inserting 5,212.0 in place thereof.

Minimum Days of Operation (MDO) Requirement shall be 246. (No change)

EXCEPT AS AMENDED HEREIN all terms and conditions of the original agreement shall remain unchanged and in full force and effect.

STATE OF CALIFORNIA		CONTRACTOR			
BY (AUTHORIZED SIGNATURE)		BY (AUTHORIZED SIGNATURE)			
PRINTED NAME OF PERSON SIGNING Sueshil Chandra, Manager		PRINTED NAME AND TITLE OF PERSON SIGNING William Smith, City Manager			
TITLE Contracts, Purchasing and Conference Services		ADDRESS			
AMOUNT ENCUMBERED BY THIS DOCUMENT \$ 12,116	PROGRAM/CATEGORY (CODE AND TITLE) Child Development Programs	FUND TITLE Department of General Services use only			
PRIOR AMOUNT ENCUMBERED FOR THIS CONTRACT \$ 187,454	(OPTIONAL USE) See Attached				
TOTAL AMOUNT ENCUMBERED TO DATE \$ 199,570	ITEM See Attached	CHAPTER	STATUTE	FISCAL YEAR	
	OBJECT OF EXPENDITURE (CODE AND TITLE) 702				
I hereby certify upon my own personal knowledge that budgeted funds are available for the period and purpose of the expenditure stated above.		T.B.A. NO.	B.R. NO.		
SIGNATURE OF ACCOUNTING OFFICER See Attached		DATE			

CONTRACTOR'S NAME: CITY OF COLTON

CONTRACT NUMBER: CCTR-5196

Amendment 01

AMOUNT ENCUMBERED BY THIS DOCUMENT \$ 0	PROGRAM/CATEGORY (CODE AND TITLE) Child Development Programs	FUND TITLE Federal		
PRIOR AMOUNT ENCUMBERED \$ 55,346	(OPTIONAL USE)0656 13609-276	FC# 93.596	PC# 000321	
TOTAL AMOUNT ENCUMBERED TO DATE \$ 55,346	ITEM 30.10.020.001 6100-194-0890	CHAPTER B/A	STATUTE 2015	FISCAL YEAR 2015-2016
OBJECT OF EXPENDITURE (CODE AND TITLE) 702 SACS: Res-5025 Rev-8290				

AMOUNT ENCUMBERED BY THIS DOCUMENT \$ 0	PROGRAM/CATEGORY (CODE AND TITLE) Child Development Programs	FUND TITLE Federal		
PRIOR AMOUNT ENCUMBERED \$ 30,450	(OPTIONAL USE)0656 15136-2176	FC# 93.575	PC# 000324	
TOTAL AMOUNT ENCUMBERED TO DATE \$ 30,450	ITEM 30.10.020.001 6100-194-0890	CHAPTER B/A	STATUTE 2015	FISCAL YEAR 2015-2016
OBJECT OF EXPENDITURE (CODE AND TITLE) 702 SACS: Res-5025 Rev-8290				

AMOUNT ENCUMBERED BY THIS DOCUMENT \$ 12,116	PROGRAM/CATEGORY (CODE AND TITLE) Child Development Programs	FUND TITLE General		
PRIOR AMOUNT ENCUMBERED \$ 101,658	(OPTIONAL USE)0656 23254-2176			
TOTAL AMOUNT ENCUMBERED TO DATE \$ 113,774	ITEM 30.10.020.001 6100-194-0001	CHAPTER B/A	STATUTE 2015	FISCAL YEAR 2015-2016
OBJECT OF EXPENDITURE (CODE AND TITLE) 702 SACS: Res-6105 Rev-8590				

I hereby certify upon my own personal knowledge that budgeted funds are available for the period and purpose of the expenditure stated above.	T.B.A. NO.	B.R. NO.
	SIGNATURE OF ACCOUNTING OFFICER 02/02/2016 City Council Agenda	



STAFF REPORT

DATE: FEBRUARY 2, 2016
 TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS
 FROM: BILL SMITH, CITY MANAGER *BS*
 PREPARED BY: DAVID X. KOLK, Ph.D., UTILITY DIRECTOR *DK*
 SUBJECT: PURCHASE OF 69 KV CIRCUIT BREAKERS FOR THE HUB SUBSTATION

RECOMMENDED ACTION

It is recommended that the Colton City Council waive the formal bidding process and authorize the Colton Electric Department (CED) to piggyback on the City of Riverside's bid award for the purchase of five (5) 69 KV circuit breakers for the Hub Substation from Alstom Grid Inc, C/O McAvoy & Markham Engineering and Sales Co, Inc. in the total amount of \$213,813.00 in accordance with Colton Municipal Code 3.08.140(c).

BACKGROUND

The CED's Hub Substation serves load in the southern and central areas of the City of Colton. The Hub Substation has five (5) high voltage oil-filled circuit breakers that are approximately 45 years old and are near end of life. There is also one newer generation gas-filled circuit breaker. Recently one of the oil-filled circuit breakers tripped offline due to equipment failure.

Since the time that the oil-filled circuit breakers were originally installed, environmental regulations have been enacted requiring that spill containment measures be put in place for any oil-filled equipment to prevent soil contamination in the event a catastrophic failure occurs. The replacement of the oil-filled breakers with the gas-filled breakers was approved in CED's Capital Improvement Projects for FY15/16, to reduce safety and environmental risks, reduce maintenance costs, and to ensure reliability of the electric system.

ISSUES/ANALYSIS

The CED has become aware of the opportunity to piggyback on the competitive bids received by Riverside Public Utilities (RPU). In October, 2014, the City of Riverside approved a bid award to Alstom Grid Inc, C/O McAvoy & Markham Engineering and Sales Co., Inc for the purchase of 69

KV circuit breakers at the unit price of \$39,595.00 each, plus applicable sales tax. These circuit breakers are the same equipment that CED has installed in the North and West substations. Additionally, the purchase price of this bid award is lower than the price we paid in 2015 for the purchase of the equipment for North Substation.

Colton Municipal Code, Title 3, Chapter 3.08.140, Section (c), *Competitive Bidding Already Completed*: allows the competitive bidding requirements to be waived when the authorized contracting party determines that a competitive bid procedure has been conducted by another public agency and the price to the City is equal or better than the price to that public agency. Since the above bid award was competitively bid and awarded by another public agency and since the price is equal to or better than the price offered to the general public, the criteria in Title 3, Chapter 1.08.140 (c) of the Colton Municipal Code has been satisfied.

FISCAL IMPACT

Sufficient funds have been approved by City Council for this purchase and are available in the Substation, Capital Improvement expense budget, Account Number 520-8000-8003-3890-0107-000

ALTERNATIVES

1. The City Council can provide alternative direction to staff.



STAFF REPORT

DATE: FEBRUARY 2, 2016
 TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS
 FROM: BILL SMITH, CITY MANAGER *BS*
 PREPARED BY: DAVID X. KOLK, Ph.D., UTILITY DIRECTOR *DK*
 SUBJECT: CONTRACT AWARD FOR THE FY 15-16 SEWER LINING PROJECT

RECOMMENDED ACTION

Authorize the award of construction contract for the FY 15-16 Sewer Lining Project to Insituform Technologies, LLC. as the lowest responsive and responsible bidder in the amount of \$148,450; Authorize the City Manager or his designee to approve Change Orders not to exceed 10% of the awarded contract.

BACKGROUND

Wastewater Division is responsible for operating and maintaining roughly 170 miles of gravity collection system pipelines ranging in size from 6 to 30-inches in diameter. Of these 170 miles, approximately 129 miles are owned by the City, and 41 miles are owned by the City of Grand Terrace.

As a result of the ongoing sewer line cleaning and maintenance program, City crews have identified segments of sewer mains in northwest area of the City that are in need of rehabilitation. This project will rehabilitate sixteen (16) sewer pipeline segments totaling approximately 4,718 linear feet of sewer pipe 8-inches in diameter.

ISSUES/ANALYSIS

These 8-inch sewer mains were built in 1950's and are located approximately 7 feet deep below the ground, collapse of these sewer lines are costly. There are two options to rehabilitate the sewer mains; 1) replacement of the sewer mains altogether, or 2) repair the pipe using this trenchless method. Upon analysis, staff determined that using cured in-place pipe (CIPP) lining technology is the most economical way to rehabilitate these sewer mains. The replacement option is very costly and may take a long time to implement. Likewise, the life expectancy of the CIPP lining technology is from 50 to 100 years, which is more than the replacement option.

In accordance with the Colton Municipal Code Section 3.08.120, a request for Notice Inviting Formal Bids was sent for publication on December 4, 2015, and the pre-bid meeting and job-walk was conducted on December 10, 2015. The bids were opened on December 21, 2015 and the City received the following bids:

<u>Contractor's Name</u>		<u>Bid Amount</u>
1. Insituform Technologies, LLC.	-	\$148,450.00
2. Burtech Pipeline, Inc	-	\$181,548.00

Staff has evaluated and reviewed each submitted bid. Staff recommends award of a construction contract to Insituform Technologies, LLC. as the lowest responsive and responsible bidder in the amount of \$148,450.00.

This project includes full-length lining of 16 sewer pipeline segments from manhole to manhole, rehabilitating approximately 4,718 linear feet of pipeline. Before lining the contractor will use mechanical cleaning equipment to remove deposits inside the sewer pipeline and clean the sewer main with a high velocity jetter to allow free and clear insertion of the cured-in-place pipe (CIPP) liner. Prior to beginning the lining process, the contractor will video inspect the sewer main to confirm that the pipe is acceptably clean. A final video inspection of each pipeline segment will be completed after installing the lining.

FISCAL IMPACTS

Sufficient funds are available in the following Capital Improvement Account #522-8200-8206-3890.

ALTERNATIVES

1. Provide alternative direction to staff.

ATTACHMENTS

1. Exhibit A – Location Maps
2. Exhibit B – Construction Contract

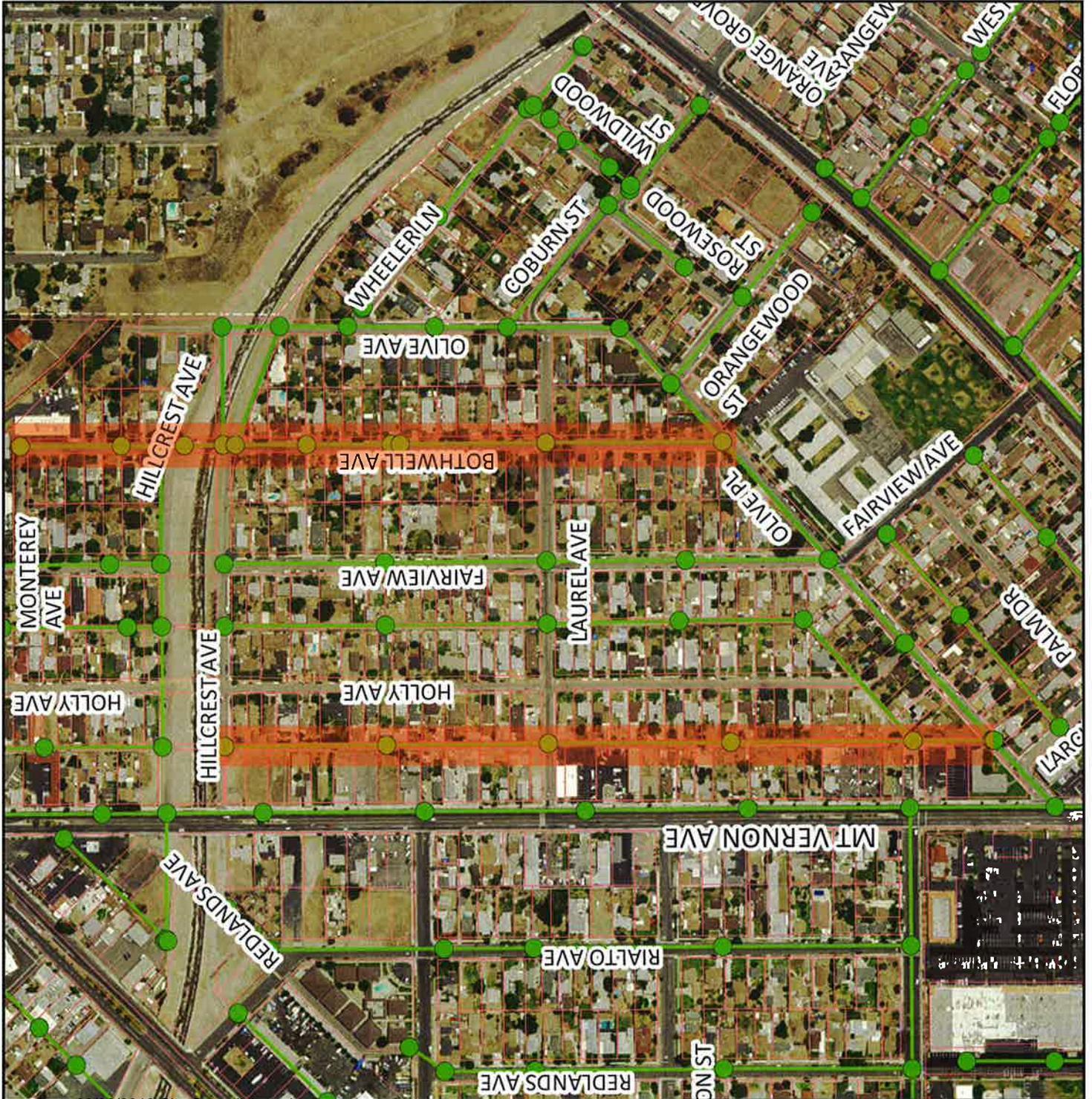
Exhibit A
Location Map



City of Colton
 FY 15-16 Sewer Lining Project

Legend

-  Sewer Manholes
-  Sewerlines
-  CIPP Lining





City of Colton
FY 15-16 Sewer Lining Project

Legend

- Sewer Manholes
- Sewerlines
- CIPP Lining



Exhibit B

Contract

CONTRACT

THIS CONTRACT is made this 2nd day of February, 2016, in the County of San Bernardino, State of California, by and between the City of Colton, hereinafter called City, and Insituform Technologies, LLC, hereinafter called Contractor. The City and the Contractor for the considerations stated herein agree as follows:

ARTICLE 1. SCOPE OF WORK. The Contractor shall perform all Work within the time stipulated the Contract and shall provide all labor, materials, equipment, tools, utility services, and transportation to complete all of the Work required in strict compliance with the Contract Documents as specified in Article 5 below for the following Project:

FY 15-16 SEWER LINING PROJECT

The Contractor and its surety shall be liable to the City for any damages arising as a result of the Contractor's failure to comply with this obligation.

ARTICLE 2. TIME FOR COMPLETION. The Work shall be commenced on the date stated in the City's Notice to Proceed. The Contractor shall complete all Work required by the Contract Documents within **SEVENTY FIVE (75)** calendar days from the commencement date stated in the Notice to Proceed. By its signature hereunder, Contractor agrees the time for completion set forth above is adequate and reasonable to complete the Work.

ARTICLE 3. CONTRACT PRICE. The City shall pay to the Contractor as full compensation for the performance of the Contract, subject to any additions or deductions as provided in the Contract Documents, and including all applicable taxes and costs, the sum of **One Hundred Forty Eight Thousand Four Hundred Fifty and Zero Cents (\$148,450.00)**. Payment shall be made as set forth in the General Conditions.

ARTICLE 4. LIQUIDATED DAMAGES. In accordance with Government Code section 53069.85, it is agreed that the Contractor will pay the City the sum of **\$500.00** for each and every calendar day of delay beyond the time prescribed in the Contract Documents for finishing the Work, as Liquidated Damages and not as a penalty or forfeiture. In the event this is not paid, the Contractor agrees the City may deduct that amount from any money due or that may become due the Contractor under the Contract. This Article does not exclude recovery of other damages specified in the Contract Documents.

ARTICLE 5. COMPONENT PARTS OF THE CONTRACT. The "Contract Documents" include the following:

- Notice Inviting Bids
- Instructions to Bidders
- Contractor's Bid Forms
- Contractor's Certificate Regarding Workers' Compensation
- Bid Bond
- Designation of Subcontractors
- Information Required of Bidders

Non-Collusion Affidavit form
Contract
Performance Bond
Payment (Labor and Materials) Bond
General Conditions
Technical Specifications
Greenbook Standard Specifications (Sections 1-9 Excluded)
Addenda
Plans and Contract Drawings
Any other documents contained in or incorporated into the Contract

The Contactor shall complete the Work in strict accordance with all of the Contract Documents.

All of the Contract Documents are intended to be complementary. Work required by one of the Contract Documents and not by others shall be done as if required by all. This Contract shall supersede any prior agreement of the parties.

ARTICLE 6. PROVISIONS REQUIRED BY LAW. Each and every provision of law required to be included in these Contract Documents shall be deemed to be included in these Contract Documents. The Contractor shall comply with all requirements of applicable federal, state and local laws, rules and regulations, including, but not limited to, the provisions of the California Labor Code and California Public Contract Code which are applicable to this Project.

ARTICLE 7. INDEMNIFICATION. Contractor shall provide indemnification as set forth in the General Conditions.

ARTICLE 8. PREVAILING WAGES. Contractor shall be required to pay the prevailing rate of wages in accordance with the Labor Code which such rates shall be made available at Public Works Department or may be obtained online at <http://www.dir.ca.gov/dlsr>. and which must be posted at the job site. If the Work involves federal funds or otherwise requires compliance with the Davis-Bacon Fair Labor Standards Act, the Contractor and all its subcontractors shall comply with the higher of the state or federal prevailing wage rates.

IN WITNESS WHEREOF, this Contract has been duly executed by the above-named parties, on the day and year above written.

CITY OF COLTON

By:

Signature

Name

Title

Attest:

City Clerk

Approved as to form:

Signature

Name

Title

INSITUFORM TECHNOLOGIES, LLC

By:

Signature

Name

Title

License Number

BID FORM

NAME OF BIDDER: INSITUFORM TECHNOLOGIES, LLC.

The undersigned, hereby declare that we have carefully examined the location of the proposed Work, and have read and examined the Contract Documents, including all plans, specifications, and all addenda, if any, for the following Project:

FY 15-16 SEWER LINING PROJECT

We hereby propose to furnish all labor, materials, equipment, tools, transportation, and services, and to discharge all duties and obligations necessary and required to perform and complete the Project for the following TOTAL BID PRICE:

BASE BID	BASE BID PRICE (IN WRITTEN FORM)	BID PRICE (IN NUMBERS)
TOTAL BID PRICE	ONE HUNDRED) FORTY EIGHT THOUSAND FOUR HUNDRED FIFTY DOLLARS AND ZERO CENTS.	\$148,450.00

In case of discrepancy between the written price and the numerical price, the written price shall prevail.

BID SCHEDULE

BID SCHEDULE

FY 15-16 SEWER LINING PROJECT

TIME OF COMPLETION: 75 CALENDAR DAYS

No.	Item Description	Qty	Unit	Unit Price	Amount
1	Mobilization	1	LS	\$11,200.00	\$11,200.00
2	Traffic Control	1	LS	\$3,900.00	\$3,900.00
3	8" x 6.0mm trenchless rehabilitation by CIPP of existing sewer pipe mainlines, complete in place	4718	LF	\$25.00	\$117,950.00
4	Internal reinstatement of Service Laterals	140	EA	\$110.00	\$15,400.00

Total Bid Price=

\$148,450

Total Bid Price in Numbers

ONE HUNDRED FORTY EIGHT THOUSAND FOUR HUNDRED FIFTY DOLLARS AND ZERO CENTS.

Total Bid Price in Written Form

In case of discrepancy between the unit price and the item cost set forth for a unit basis item, the unit price shall prevail and, shall be utilized as the basis for determining the lowest responsive, responsible bidder. However, if the amount set forth as a unit price is ambiguous, unintelligible or uncertain for any cause, or is omitted, or is the same amount as the entry in the "Item Cost" column, then the amount set forth in the "Item Cost" column for the item shall prevail and shall be divided by the estimated quantity for the item and the price thus obtained shall be the unit price. Final payment shall be determined by the Engineer from measured quantities of work performed based upon the unit price. In case of discrepancy between the written price and the numerical price, the written price shall prevail.

The undersigned agrees that this Bid Form constitutes a firm offer to the City which cannot be withdrawn for the number of calendar days indicated in the Notice Inviting Bids from and after the bid opening, or until a Contract for the Work is fully executed by the City and a third party, whichever is earlier.

BID SCHEDULE

The Contract duration shall commence on the date stated in the City's Notice to Proceed, and shall be completed by the Contractor in the time specified in the Contract Documents. In no case shall the Contractor commence construction prior to the date stated in the City's Notice to Proceed.

Bidder certifies that it is licensed in accordance with the law providing for the registration of Contractors, License No. 758411, Expiration Date 07/31/16, class of license A. If the bidder is a joint venture, each member of the joint venture must include the above information.

The undersigned acknowledges receipt, understanding and full consideration of the following addenda to the Contract Documents.

1. Addenda No. NONE thru _____
2. Attached is the required bid security in the amount of not less than 10% of the Total Bid Price.
3. Attached is the fully executed Non-Collusion Affidavit form.
4. Attached is the completed Designation of Subcontractors form.
5. Attached is the completed Bidder Information Form.
6. Attached is the completed Contractor's Certificate Regarding Workers' Compensation form.
7. Bidder acknowledges and understands that, pursuant to Public Contract Code Section 20676, sellers of "mined material" must be on an approved list of sellers published pursuant to Public Resources Code Section 2717(b) in order to supply mined material for this Contract.

I hereby certify under penalty of perjury under the laws of the State of California, that all of the information submitted in connection with this Bid and all of the representations made herein are true and correct.

Name of Bidder INSITUFORM TECHNOLOGIES, LLC.

Signature Ursula J. Youngblood.

Name and Title Ursula J. Youngblood, Contracting & Attesting Officer

Dated 21 December 2015

BID SCHEDULE

INSITUFORM TECHNOLOGIES, LLC
Assistant Secretary's Certificate

The undersigned, being the Assistant Secretary of Insituform Technologies, LLC, a Delaware limited liability company (the "Company"), hereby certifies that:

1. The following is a true and correct excerpt from the Limited Liability Company Agreement of the Company:

Appointment by the President. The president of the Company may from time to time appoint officers of the Company's operating divisions, and such contracting and attesting officers of the Company as the President may deem proper, who shall have such authority, subject to the control of the Board of Managers, as the President may from time to time prescribe.

2. The President of the Company has, pursuant to the above authority, duly appointed Debra Jasper, Jana Lause, Ursula Youngblood, Diane Partridge, Laura M. Andreski and Whitney Schulte as Contracting and Attesting Officers of the Company. Each of the foregoing have been fully authorized and empowered by the President of the Company (i) to certify and to attest the signature of any officer of the Company, (ii) to enter into and to bind the Company to perform pipeline rehabilitation activities of the Company and all matters related thereto, including the maintenance of one or more offices and facilities of the Company, (iii) to execute and to deliver documents on behalf of the Company, and (iv) to take such other action as is or may be necessary and appropriate to carry out the project, activities and work of the Company.

IN WITNESS WHEREOF, I have hereunto affixed my name as Assistant Secretary this 23rd day of October, 2015.

INSITUFORM TECHNOLOGIES, LLC

By 

Daniel P. Schoenekase
Assistant Secretary



**INSITUFORM TECHNOLOGIES, LLC
BOARD OF MANAGERS AND OFFICERS
Current as of October 1, 2015**

<u>Board of Managers</u>
<i>Charles R. Gordon</i> Member, Board of Managers
<i>David A. Martin</i> Member, Board of Managers
<i>David F. Morris</i> Member, Board of Managers

<u>OFFICERS</u>
<i>Thomas E. Vossman</i> President
<i>David F. Morris</i> Executive Vice President, Chief Administrative Officer and Secretary
<i>David A. Martin</i> Executive Vice President
<i>Kenneth L. Young</i> Senior Vice President and Treasurer
<i>Daniel P. Schoenekase</i> Vice President, General Counsel and Assistant Secretary
<i>Heidi Wilkinson</i> Vice President- Human Resources
<i>Dennis Pivin</i> Vice President - Safety
<i>Dawn Landmann</i> Vice President – Taxation
<i>Larry Mangels</i> Vice President and Chief Financial Officer
<i>Kent Bartholomew</i> Assistant Secretary

Business Address for Officers and Board of Managers:
17988 Edison Avenue
Chesterfield, MO 63005

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of ~~California~~ ^{Missouri}

County of St. Louis

On 21 December 2015 before me, Whitney S. Schulte, Notary Public
(Here insert name and title of the officer)

personally appeared Ursula J. Youngblood, Contracting & Attesting Officer

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(ies), and that by his/~~her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Whitney S. Schulte
Signature of Notary Public



(Notary Seal)

WHITNEY SCHULTE
My Commission Expires
October 16, 2017
St. Louis County
Commission #13538104

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

Bid Form

(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages _____ Document Date 12/21/15

Insituform Technologies, LLC

(Additional information)

CAPACITY CLAIMED BY THE SIGNER

- Individual (s)
 Corporate Officer
Contracting and Attesting Officer
 (Title)
 Partner(s)
 Attorney-in-Fact
 Trustee(s)
 Other _____

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is to be recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he /she/they; is/are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
 - ❖ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
 - ❖ Indicate title or type of attached document, number of pages and date.
 - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document



State Of California
CONTRACTORS STATE LICENSE BOARD
ACTIVE LICENSE



License Number **758411** Entity **LLC**

Business Name **INSITUFORM TECHNOLOGIES LLC**

Classification **A**

Expiration Date **07/31/2016**

www.csib.ca.gov



**CONTRACTOR'S CERTIFICATE REGARDING
WORKERS' COMPENSATION**

I am aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this Contract.

Name of Bidder INSITUFORM TECHNOLOGIES, LLC.

Signature *Ursula J. Youngblood*

Name Ursula J. Youngblood

Title Contracting & Attesting Officer

Dated 21 December 2015

**CONTRACTOR'S CERTIFICATE REGARDING
WORKERS' COMPENSATION**

BID BOND

The makers of this bond are, Insituform Technologies, LLC, as Principal, and Travelers Casualty and Surety Company of America, as Surety and are held and firmly bound unto the City of Colton, hereinafter called the City, in the penal sum of TEN PERCENT (10%) OF THE TOTAL BID PRICE of the Principal submitted to CITY for the work described below, for the payment of which sum in lawful money of the United States, well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH that whereas the Principal has submitted the accompanying bid dated December 21, 20 15, for the **FY 15-16 SEWER LINING PROJECT**.

If the Principal does not withdraw its bid within the time specified in the Contract Documents; and if the Principal is awarded the Contract and provides all documents to the City as required by the Contract Documents; then this obligation shall be null and void. Otherwise, this bond will remain in full force and effect.

Surety, for value received, hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the Contract Documents shall in affect its obligation under this bond, and Surety does hereby waive notice of any such changes.

In the event a lawsuit is brought upon this bond by the City and judgment is recovered, the Surety shall pay all litigation expenses incurred by the City in such suit, including reasonable attorneys' fees, court costs, expert witness fees and expenses.

IN WITNESS WHEREOF, the above-bound parties have executed this instrument under their several seals this 21 day of December, 20 15, the name and corporate seal of each corporation.

(Corporate Seal)

Insituform Technologies, LLC
17988 Edison Avenue, Chesterfield, MO 63005
Principal
By Ursula J. Youngblood
Title Ursula Youngblood, Contracting & Attesting Officer

(Corporate Seal)

Travelers Casualty and Surety Company of America
Surety One Tower Square, Hartford, CT 06183
By Barbara Buchhold
Attorney-in-Fact

(Attach Attorney-in-Fact Certificate)

Title Barbara Buchhold, Attorney-in-Fact

BID BOND

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of Missouri ^{ew}
California

County of St. Louis

On December 21, 2015 before me, Crystal Weston, Notary Public
(Here insert name and title of the officer)

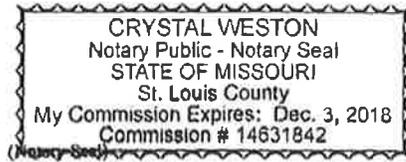
personally appeared Barbara Buchhold, Attorney-In-Fact

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Crystal Weston
Signature of Notary Public **Crystal Weston, Notary Public**



ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

Bid Bond
(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages 2 Document Date 12/21/15

Travelers Casualty and Surety Company of America
(Additional information)

CAPACITY CLAIMED BY THE SIGNER

Individual (s)
 Corporate Officer

(Title)

Partner(s)
 Attorney-in-Fact
 Trustee(s)
 Other _____

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is to be recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. ~~he/she/they~~, is /are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
 - ❖ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
 - ❖ Indicate title or type of attached document, number of pages and date.
 - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of ~~California~~ ^{Missouri}

County of St. Louis

On 21 December 2015 before me, Whittney S. Schulte, Notary Public
(Here insert name and title of the officer)

personally appeared Ursula J. Youngblood, Contracting & Attesting Officer,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(ies), and that by his/~~her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.
Whittney Schulte
Signature of Notary Public



WHITTNEY SCHULTE
My Commission Expires
October 16, 2017
St. Louis County
Commission #13538104

ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

Bid Bond
(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages 2 Document Date 12/21/15

Insituform Technologies, LLC
(Additional information)

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is to be recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he /she/they, is/are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
 - ❖ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
 - ❖ Indicate title or type of attached document, number of pages and date.
 - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document

CAPACITY CLAIMED BY THE SIGNER

Individual (s)

Corporate Officer
Contracting and Attesting Officer
(Title)

Partner(s)

Attorney-in-Fact

Trustee(s)

Other _____

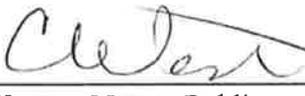
State of Missouri
County of St. Louis

On 12/21/2015, before me, a Notary Public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared Barbara Buchhold known to me to be Attorney-in-Fact of

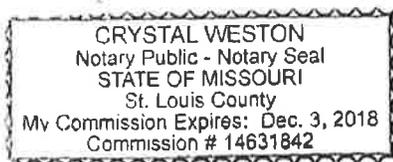
TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA

the corporation described in and that executed the within and foregoing instrument, and known to me to be the person who executed the said instrument in behalf of said corporation, and he duly acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year stated in this certificate above.



Crystal Weston, Notary Public



My Commission Expires: _____



POWER OF ATTORNEY

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Attorney-In Fact No. 229369

Certificate No. 006277088

KNOW ALL MEN BY THESE PRESENTS: That Farmington Casualty Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company are corporations duly organized under the laws of the State of Connecticut, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc., is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Andrew P. Thome, Dana A. Dragoy, Peter J. Mohs, Debra A. Woodard, Barbara Buchhold, Michael D. Wiedemeier, and Amanda L. Williams

of the City of Chesterfield, State of Missouri, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 29th day of July, 2015.

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company



State of Connecticut
City of Hartford ss.

By: [Signature]
Robert L. Rancy, Senior Vice President

On this the 29th day of July, 2015, before me personally appeared Robert L. Rancy, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.
My Commission expires the 30th day of June, 2016.



[Signature]
Marie C. Tetreault, Notary Public

DESIGNATION OF SUBCONTRACTORS

In compliance with the Subletting and Subcontracting Fair Practices Act of the Public Contract Code of the State of California, each bidder shall set forth below: (a) the name and the location of the place of business and (b) the portion of the work which will be done by each subcontractor who will perform work or labor or render service to the Contractor in or about the construction of the work in an amount in excess of one-half of one percent (1/2%) of the Contractor's Total Bid Price. Notwithstanding the foregoing, if the work involves streets and highways, then the Contractor shall list each subcontractor who will perform work or labor or render service to Contractor in or about the work in an amount in excess of one-half of one percent (1/2%) of the Contractor's Total Bid Price or \$10,000, whichever is greater. No additional time shall be granted to provide the below requested information.

If no subcontractor is specified, for a portion of the work, or if more than one subcontractor is specified for the same portion of Work, to be performed under the Contract in excess of one-half of one percent (1/2%) of the Contractor's Total Bid Price or \$10,000, whichever is greater if the work involves streets or highways, then the Contractor shall be deemed to have agreed that it is fully qualified to perform that Work, and that it shall perform that portion itself.

Portion of the Work	Subcontractor	Location of Business	% of the Work
CLEAN & CCTV	TUNNELWORKS SERVICES, INC.	13502 H - WHITTIER BLVD. #105 WHITTIER, CA 90605	0.5%

DESIGNATION OF SUBCONTRACTORS

Portion of the Work	Subcontractor	Location of Business	% of the Work

Name of Bidder INSITUFORM TECHNOLOGIES, LLC.

Signature *Ursula J. Youngblood.*

Name and Title Ursula J. Youngblood, Contracting & Attesting Officer

Dated 21 December 2015

DESIGNATION OF SUBCONTRACTORS
18

INFORMATION REQUIRED OF BIDDERS

A. INFORMATION ABOUT BIDDER

[**Indicate not applicable (“N/A”) where appropriate.**]

NOTE: Where Bidder is a joint venture, pages shall be duplicated and information provided for all parties to the joint venture.

- 1.0 Name of Bidder: INSITUFORM TECHNOLOGIES, LLC.
- 2.0 Type, if Entity: Limited Liability Company
- 3.0 Bidder Address: 17988 Edison Avenue
Chesterfield, MO 63005
- Facsimile Number: 636/530-8701
- Telephone Number: 636/530-8000
- 4.0 How many years has Bidder’s organization been in business as a Contractor?
36
- 5.0 How many years has Bidder’s organization been in business under its present name? 4
- 5.1 Under what other or former names has Bidder’s organization operated?: Insituform Technologies, Inc. - 20 years.
Insituform of North America, Inc. - 12 years
- 6.0 If Bidder’s organization is a corporation, answer the following: N/A
 - 6.1 Date of Incorporation: _____
 - 6.2 State of Incorporation: _____
 - 6.3 President’s Name: _____
 - 6.4 Vice-President’s Name(s): _____
 - 6.5 Secretary’s Name: _____
 - 6.6 Treasurer’s Name: _____

INFORMATION REQUIRED OF BIDDERS

- 7.0 If an individual or a partnership, answer the following: N/A
- 7.1 Date of Organization: _____
- 7.2 Name and address of all partners (state whether general or limited partnership):

- 8.0 If other than a corporation or partnership, describe organization and name principals:
 Thomas E. Vossman - President
 David F. Morris, Executive Vice President, Chief Administrative Officer & Secretary
 Kenneth L. Young, Senior Vice President and Treasurer
- 9.0 List other states in which Bidder's organization is legally qualified to do business.
 All states in the USA and Canada.

- 10.0 What type of work does the Bidder normally perform with its own forces?
 CIPP rehabilitation

- 11.0 Has Bidder ever failed to complete any work awarded to it? If so, note when, where, and why:
 N/A

- 12.0 Within the last five years, has any officer or partner of Bidder's organization ever been an officer or partner of another organization when it failed to complete a contract? If so, attach a separate sheet of explanation:
 N/A

INFORMATION REQUIRED OF BIDDERS

14.0 List Trade References:

NA

15.0 List Bank References (Bank and Branch Address):

see attached

16.0 Name of Bonding Company and Name and Address of Agent:

Traveler's Casualty & Surety Company of America

Contact Person: Dana Dragoy, JW Terrill;

Attorney in Fact: Barbara Buchhold with JW Terrill

825 Maryville Center Drive

Chesterfield, MO 63005

INFORMATION REQUIRED OF BIDDERS

INSITUFORM TECHNOLOGIES, LLC

FINANCIAL INFORMATION

Bonding Company: Travelers Casualty & Surety Company of America
One Tower Square, 13CZ
Hartford, CT 06183
Diane Deidrick (314) 579-8302

Agent: JW Terrill
825 Maryville Centre Drive, Suite 200
Chesterfield, MO 63017
Dana Dragoy (314) 594-2700
Bonding Capacity: \$500,000,000

Insurance Company: Liberty Insurance Corporation / Liberty Mutual
12250 Weber Hill Road, Suite 300
St. Louis, MO 63126
Denise Lampen, (314) 843-0600 x260

Agent: Lockton Companies / St. Louis
#1 Cityplace Drive, Suite 160
St. Louis, MO 63141
Carol Henzler, (314) 432-0500 x3285

Banking: Bank of America
Attn: Kevin Knopf
800 Market St.
St. Louis, MO 63101
314-466-7726

Trade Reference: **AOC**
19991 Seaton Avenue
Perris, CA 92570
Joe Simpson
901-854-2846
Email jsimpson@aoc-resins.com

Ashland
Todd Hritz
614-790-4631
tshritz@ashland.com

Interplastic Corp
Steve Wetzel
651-481-6582
e-mail swetzel@interplastic.com

D. EXPERIENCE AND TECHNICAL QUALIFICATIONS QUESTIONNAIRE

Personnel:

The Bidder shall identify the key personnel to be assigned to this project in a management, construction supervision or engineering capacity.

1. List each person's job title, name and percent of time to be allocated to this project:

SEE ATTACHED RESUMES

2. Summarize each person's specialized education:

3. List each person's years of construction experience relevant to the project:

4. Summarize such experience:

Bidder agrees that personnel named in this Bid will remain on this Project until completion of all relevant Work, unless substituted by personnel of equivalent experience and qualifications approved in advance by the City.

Additional Bidder's Statements:

If the Bidder feels that there is additional information which has not been included in the questionnaire above, and which would contribute to the qualification review, it may add that information in a statement here or on an attached sheet, appropriately marked:

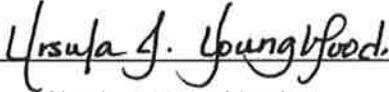
NA

E. VERIFICATION AND EXECUTION

These Bid Forms shall be executed only by a duly authorized official of the Bidder:

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

Name of Bidder INSITUFORM TECHNOLOGIES, LLC.

Signature 

Name Ursula J. Youngblood

Title Contracting & Attesting Officer

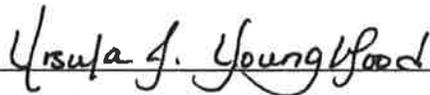
Dated 21 December 2015

NON-COLLUSION AFFIDAVIT

I, Ursula J. Youngblood, being first duly sworn, deposes and says that he is Contracting & Attesting Officer of Insituform Technologies, LLC, the party making the attached bid; that the bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or sham; that the bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or that anyone shall refrain from bidding; that the bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract; that all statements contained in the bid are true; and, further, that the bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid.

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

Name of Bidder INSITUFORM TECHNOLOGIES, LLC.

Signature 

Name Ursula J. Youngblood

Title Contracting & Attesting Officer

Dated 21 December 2015

NON-COLLUSION AFFIDAVIT



STAFF REPORT

DATE: FEBRUARY 2, 2016
TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS
FROM: BILL SMITH, CITY MANAGER *BS*
PREPARED BY: DAVID X. KOLK, Ph.D., UTILITY DIRECTOR *DK*
SUBJECT: INCREDIBLE EDIBLE COMMUNITY GARDEN MEMORIAL GROVE

RECOMMENDED ACTION

It is recommended that the Colton City Council approve Resolution No R-10-16 authorizing the Incredible Edible Community Garden to donate the following goods and services for a memorial grove in honor of the victims of the San Bernardino County shooting which occurred on December 2, 2015:

- 1) Landscape Design
- 2) Labor
- 3) Materials (including plaque)
- 4) Community Outreach
- 5) Maintenance

BACKGROUND

The Incredible Edible Community Garden is a nonprofit 501c3 dedicated to enriching communities by providing plots in central gathering places for members of a community to plant vegetables, herbs, edible flowers, and shade trees. Their mission is to foster “green” programs, environmental awareness, healthy organic living and a sense of community.

The Incredible Edible Community Garden has a portfolio of successfully completed projects in other city jurisdictions proving experience and professionalism in the execution and follow through of these types of partnerships. Projects the Incredible Edible Community Garden has successfully completed in other cities are as follows:

The Garden in Upland, Montclair Community Fruit Park, Nicholson Park Community Garden, San Bernardino County Museum Aquaponics Exhibit, Orenda House Project, The Garden on the

Farm in Ontario, the Guardian Project for veterans, and most recently the Colton High School “Curiosity Quest” Problem Solvers courtyard tree planting.

ISSUES/ANALYSIS

The Incredible Edible Community Garden reached out to the City of Colton after the San Bernardino County shooting and wanted to offer a gift of trees in the form of a living memorial grove because one of the victims resided in the City of Colton.

The Incredible Edible Community Garden has secured funding from the USDA Forest Service and CalFire to fund the ancillary costs in support of the cities and counties not being burdened to fundraise.

The process they are proposing is as follows:

- Meet with appropriate City officials to discuss the overall plan;
- Conduct two design charrettes with the community: first, to discuss the project and get input on design, tree types, and naming the grove, and the second, to present the community with a professional design draft of their input;
- Inform the community when the site preparation for the planting day is, and welcome them to join in to prepare the area;
- Schedule the planting day to plant the trees with the community;
- Schedule a ceremony dedicating the site;
- Provide ongoing care and maintenance of the grove as needed.

The City of Colton would be responsible for providing land with an area of about 15,000 square feet to accommodate up to 25 shade trees for the grove, and access to water. Potential locations for the memorial grove are: the pocket park at M Street and Mt Vernon, or the N Street mini park located on 5th Street, or Fire Station Number 1 located at 330 East “E” Street. Site preparation, drip irrigation, tree planting materials, trees, weed mat and mulch will be included in the donation from the Incredible Edible Community Garden, along with the five items stated in the Recommended Action above.

FISCAL IMPACT

There may be some fiscal impact to staff time to coordinate community events, negotiate the enabling agreements, and for initial site preparation.

ALTERNATIVES

1. The City Council can provide alternative direction to staff.

ATTACHMENTS

1. Resolution No R-10-16

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

RESOLUTION NO. R-10-16

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF COLTON AUTHORIZING THE
INCREDIBLE EDIBLE COMMUNITY GARDEN
TO DONATE GOOD AND SERVICES FOR A
MEMORIAL GROVE**

WHEREAS, the Incredible Edible Community Garden is a nonprofit 501c3 dedicated to enrich communities by providing plots in a central gathering place for members of a community to plant vegetables, herbs, edible flowers, and shade trees; and

WHEREAS, the Incredible Edible Community Garden has a portfolio of successfully completed projects in other city jurisdictions proving experience and professionalism in the execution and follow through of these types of partnerships; and

WHEREAS, the Incredible Edible Community Garden reached out to the City of Colton after the San Bernardino County shooting and wanted to offer a gift of trees in the form of a living memorial grove because one of the victims resided in the City of Colton; and

WHEREAS, the Incredible Edible Community Garden has secured funding from the USDA Forest Service and CalFire to fund the ancillary costs in support of the cities and counties not being burdened to fundraise; and

WHEREAS, the process they are proposing is as follows:

- Meet with appropriate City officials to discuss the overall plan;
- Conduct two design charrettes with the community- first, to discuss the project and get input on design, tree types, and naming the grove, and the second, to present the community with a professional design draft of their input;
- Inform the community when the site preparation for the planting day will be, and welcome them to join in to prepare the area;
- Schedule the planting day to plant the trees with the community;
- Schedule a ceremony dedicating the site;
- Provide ongoing care and maintenance of the grove as needed; and

WHEREAS, the City of Colton would be responsible for providing land with an area of about 15,000 square feet to accommodate up to 25 shade trees for the grove and access to water; and



STAFF REPORT

DATE: FEBRUARY 2, 2016
 TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS
 FROM: BILL SMITH, CITY MANAGER *BS*
 PREPARED BY: MARK TOMICH, DEVELOPMENT SERVICES DIRECTOR *MT*
 SUBJECT: ZONE TEXT AMENDMENT AMENDING AND RESTATING
 CHAPTER 18.49 OF THE COLTON MUNICIPAL CODE RELATING
 TO ADULT BUSINESS REGULATIONS: FILE INDEX NO. DAP-
 001-248 (continued from January 5, 2016, City Council Meeting)

RECOMMENDED ACTION

It is recommended that the City Council accept all public testimony at the duly noticed public hearing, waive further reading, read by title only and introduce Ordinance No. O-02-16 amending and restating Chapter 18.49 of the Colton Municipal Code relating to Adult Business Regulations (File Index No. DAP-001-248).

BACKGROUND & ANALYSIS

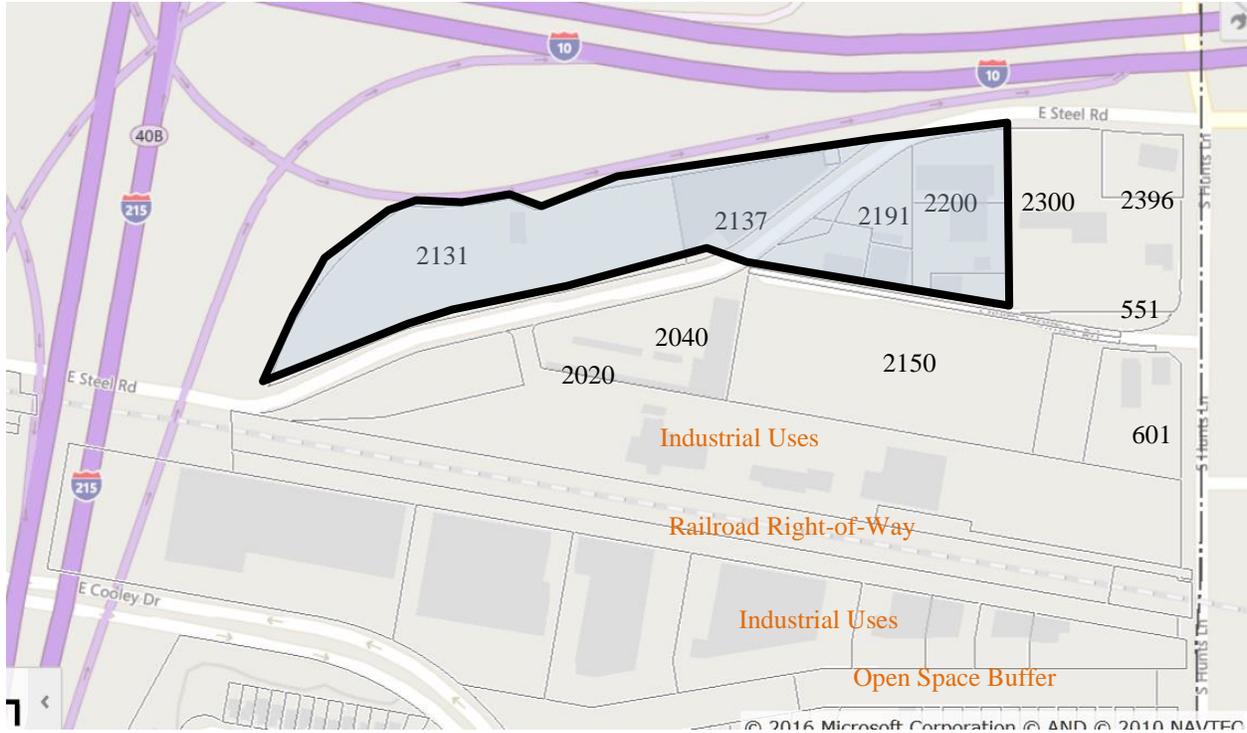
This matter was continued from the City Council meeting of January 5, 2016. At that meeting, the City Council opened the public hearing and considered an ordinance revising the City's adult business regulations and zoning location standards. The City Council was presented with diagrams showing the new areas of the City where an adult business could locate, as a result of the changes to the zoning location criteria proposed in the ordinance. At the conclusion of the public testimony portion of the hearing, the City Council determined that certain boundaries should be amended. Specifically, the Council was concerned that Location 1 was too close to nearby existing residences and portions of Location 1 included a gateway to the City at Hunts Lane and Steel Road. As a result, the City Council kept the hearing open and directed staff to re-draft the Location 1 boundaries to:

1. Eliminate properties that would be considered "gateway" properties near Hunt Lane and Steel Road; and
2. Reduce the total area to create a larger buffer from existing residential properties to the south of Location 1.

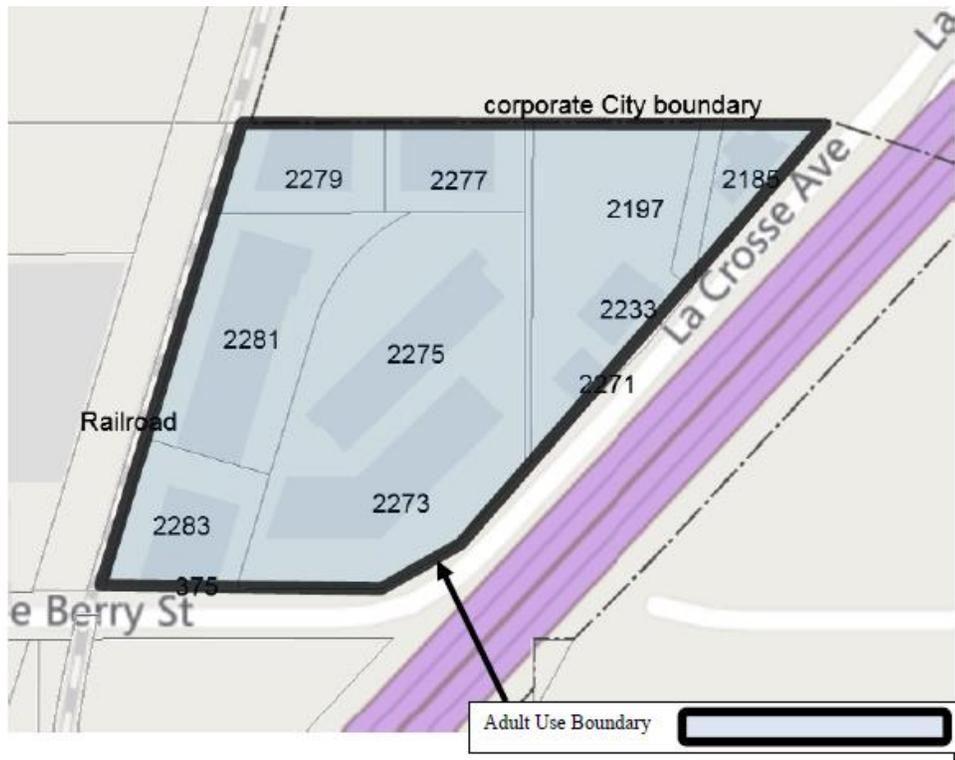
Staff has revised the ordinance to include the new Location 1 boundaries to reflect the Council's direction. The maps below reflect the revised boundaries of Location 1 and the proposed boundaries of Location 2:

The maps below depict the location of the areas in within the text of the ordinance.

Location 1 – Map (Updated):



Location 2 – Map (no change):



ENVIRONMENTAL DETERMINATION

Based on the entire record before it and all written and oral evidence presented, the City Council finds that pursuant to the California Environmental Quality Act (CEQA), the attached Initial Study was prepared of the potential environmental effects of the project. Based on the findings contained in that Initial Study, City staff determined that there is no substantial evidence that the project would have a significant effect on the environment. Based on that determination, the proposed project will not have a significant effect on the environment, and a Negative Declaration has been prepared. The Negative Declaration was advertised and posted for public review and comment period starting on November 16, 2015. The public review period for comments on the proposed adoption of the Negative Declaration closed December 7, 2015. No comments were received on the proposed text amendment. (Attachment 2)

FISCAL IMPACT

None.

ALTERNATIVES

1. Provide alternative direction to staff.

ATTACHMENTS

1. Updated Draft City Council Ordinance No. 0-02-16 and Exhibit-A (Secondary effect studies and other reference materials)
2. Initial Study for DAP-001-248 – Adult Use Regulations Update
3. Updated Redlined Version of Draft Ordinance – Page 6 updated
4. Location 1 – Proposed Changes – Comparison from January 5 boundary proposal
5. January 5, 2016, Staff Report with attachments
6. Approved City Council Minutes excerpts from January 5, 2016 Meeting

ATTACHMENT 1

Draft Ordinance No. O-02-16 and Exhibit-A

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COLTON AMENDING AND RESTATING CHAPTER 18.49 OF THE COLTON MUNICIPAL CODE RELATING TO ADULT BUSINESS REGULATIONS (FILE INDEX NO. DAP-001-248)

WHEREAS, the purpose of these amended and restated adult business regulations are to promote the health, safety and general welfare of the citizens of the City of Colton. The provisions of this chapter have neither the purpose nor effect of imposing a limitation or restriction on the content of any communicative materials, including sexually oriented materials. It is recognized that adult-oriented businesses have a serious deleterious effect upon adjacent areas, as well as the areas in which they are located. It is therefore the purpose of this chapter to establish standards for the conduct of adult-oriented businesses which will protect the public health, safety and welfare, preserve locally recognized values of community appearance, minimize the potential for nuisances related to the operation of adult-oriented businesses, and maintain local property values.

WHEREAS, in approving the regulations contained in this chapter, the city council has reviewed detailed studies, reports and letters prepared by other jurisdictions and its own staff with respect to the detrimental social, health and economic effects on persons and properties surrounding adult businesses. These studies included Upland, California (1992); Garden Grove, California (1991); Tucson, Arizona (1990); Seattle, Washington (1989); Austin, Texas (1986); Oklahoma City, Oklahoma (1986); Indianapolis, Indiana (1984); Houston, Texas (1983); Beaumont, Texas (1982); Minneapolis, Minnesota (1980); Phoenix, Arizona (1979); Whittier, California (1978); Amarillo, Texas (1977); Cleveland, Ohio (1977); Los Angeles, California (1977); State of Minnesota, Attorney General Report (1989); Newport news, Virginia (1996); St. Paul, Minnesota (1987); Corpus Christi, Texas (1995); National Law Center (1995); and Azusa (2003) (collectively "Studies"). The Studies, a summary of which is attached hereto as Exhibit "A," substantiate the adverse, secondary effects of adult-oriented businesses.

WHEREAS, Based on the foregoing Studies and the other evidence presented, the city council finds that:

1. Adult-oriented businesses are linked to increases in the crime rates of those areas in which they are located and that surround them; and
2. Both the proximity of adult-oriented businesses to sensitive land uses and the concentration of adult-oriented businesses tend to result in the blighting and downgrading of the areas in which they are located.
3. Unregulated adult-oriented businesses create serious public health concerns and hazards since the Studies and cases demonstrate that such businesses have been linked to the spread of communicable and sexually-transmitted diseases.

1
2 4. Special regulation of adult-oriented businesses is necessary to ensure that their
3 adverse secondary effects will not contribute to an increase in the crime rates or the blighting or
4 downgrading of the areas in which they are located or surrounding areas. The need for special
5 regulation is based on the recognition that adult-oriented businesses have serious objectionable
6 operational characteristics, particularly when several of them are concentrated under certain
7 circumstances or located in direct proximity to sensitive uses such as residential zones and uses,
8 parks, schools, churches or day care centers.

9
10 5. It is the purpose and intent of these special regulations to prevent the establishment
11 and operation of adult-oriented businesses in a manner that would create such adverse secondary
12 effects. Thus, in order to protect and preserve the public health, safety, and welfare of the
13 citizenry, especially minors, special regulations are necessary.

14
15 6. The protection and preservation of the public health, safety and welfare require
16 that certain operational, zoning and distance requirements for adult-oriented businesses also be
17 imposed.

18
19 **WHEREAS**, in adopting these regulations, the city council is mindful of legal principles
20 relating to regulation of adult businesses and does not intend to suppress or infringe upon any
21 expressive activities protected by the First Amendments of the United States and California
22 Constitutions, but instead desires to enact reasonable time, place, and manner regulations that
23 address the adverse secondary effects of adult businesses. The city council has considered
24 decisions of the United States Supreme Court regarding adverse secondary effects and the local
25 regulation of adult businesses, including but not limited to: *Young v. American Mini Theaters*.
26 *Inc.*, 427 U.S. 50 (1976) (Reh. denied 429 U.S. 873); *Renton v. Playtime Theaters*, 475 U.S. 41
27 (1986) (Reh. denied 475 U.S. 1132); *FW/PBS. Inc. v. Dallas*, 493 U.S. 215 (1990); *Barnes v.*
28 *Glenn Theater*, 501 U.S. 560 (1991), and *City of Erie v. Paps A.M.* (2000) 529 U.S. (2000
Daily Journal DAR 3255), United States Court of Appeals 9th Circuit decisions, including but not
limited to: *Topanga Press, et al. v. City of Los Angeles*, 989 F.2d 1524 (1993); *Kev. Inc. v.*
Kitsap County, 793 F.2d 1053 (9th Cir. 1986); *Colacurcio v. City of Kent*, 163 F.3d 545 (9th Cir.
1998), pet. For cert. Filed (1999); several California cases including but not limited to: *Tily B. v.*
City of Newport Beach, 69 Cal.App.4th 1 (1998); *City of National City v. Wiener*, 3 Cal.4th 832
(1993); *People v. Superior Court (Lucero)* 49 Cal.3d 14 (1989); and *City of Vallejo v. Adult*
Books, et al., 167 Cal.App.3d 1169 (1985); and other federal cases including *Lakeland Lounge v.*
City of Jacksonville (5th Cir. 1992) 973 F.2d 1255, *Hang On, Inc. v. Arlington* (5th Cir. 1995) 65
F.3d 1248, *Mitchell v. Commission on Adult Entertainment* (3rd Cir. 1993) 10 F.3d 123,
International Eateries v. Broward County (11th Cir. 1991) 941 F.2d 1157, and *Star Satellite v.*
City of Biloxi (5th Cir. 1986) 779 F.2d 1074.

29
30 **WHEREAS**, the Planning Commission considered DAP-001-248 on December 8, 2015.
31 The Planning Commission, by vote of 6 to 0 voted to recommend approval of DAP-001-248 to
32 the Colton City Council.

1 **18.49.020 - Definitions.**

2 In addition to the definitions contained in the Municipal Code, the following words and phrases
3 shall, for the purposes of this chapter, be defined as follows, unless it is clearly apparent from the
4 context that another meaning is intended. Should any of the definitions be in conflict with the
5 current provisions of the Municipal Code, these definitions shall prevail:

6 "Adult Arcade" means any business establishment or concern to which the public is permitted or
7 invited and where coin or slug operated or electronically, electrically or mechanically controlled
8 amusement devices, still or motion picture machines, projectors, videos or other image-producing
9 devices are maintained to show images on a regular or substantial basis, where the images so
10 displayed are distinguished or characterized by an emphasis on matter depicting or describing
11 "Specified Sexual Activities" or "Specified Anatomical Areas."

12 "Adult Bookstore" means any business establishment or concern having as a regular and
13 substantial portion of its stock in trade, "Material" (as defined below) which is distinguished or
14 characterized by its emphasis on matter depicting, describing or relating to "Specified Sexual
15 Activities" or "Specified Anatomical Areas."

16 "Adult Business" or "Adult Use" means:

17 1. Any business establishment or concern which as a regular and substantial course of
18 conduct operates as an Adult Bookstore, Adult Theater, Adult Arcade, Adult Cabaret, Adult
19 Figure Modeling Studio, Adult Motel or Hotel; or

20 2. Any business establishment or concern which as a regular and substantial course of
21 conduct offers, sells or distributes Adult Oriented Merchandise or sexually oriented merchandise,
22 or which offers to its patrons materials, products, merchandise, services or entertainment
23 characterized by an emphasis on matters depicting, describing or relating to "Specified Sexual
24 Activities" or "Specified Anatomical Parts," but not including those uses or activities which are
25 preempted by state law.

26 "Adult Cabaret" or "Adult Nightclub" means a business establishment or concern (whether or not
27 serving Alcoholic Beverages) which features live performances by topless and/or bottomless
28 dancers, go-go dancers, exotic dancers, strippers or similar entertainers, and where such
performances are distinguished or characterized by their emphasis on matter depicting, describing
or relating to "Specified Sexual Activities" or "Specified Anatomical Areas."

"Adult Dance Studio" means any business establishment or concern which provides for members
of the public a partner for dance where the partner, or the dance, is distinguished or characterized
by the emphasis on matter depicting, or describing or relating to "Specified Sexual Activities" or
"Specified Anatomical Areas."

"Adult Oriented Merchandise" (or sexually oriented merchandise) means sexually oriented
implements, paraphernalia or novelty items, such as, but not limited to: dildos, auto sucks,
sexually oriented vibrators, benwa balls, inflatable orifices, anatomical balloons with orifices,

1 simulated and battery operated vaginas, and similar sexually oriented devices which are designed
2 or marketed primarily for the stimulation of human genital organs or sado-masochistic activity or
3 distinguished or characterized by their emphasis on matter depicting, describing or relating to
"Specified Sexual Activities" or "Specified Anatomical Areas."

4 "Adult Theater" means a theater or other commercial establishment with or without a stage or
5 proscenium which is used for presenting, on a regular and substantial basis, "Material" which is
6 distinguished or characterized by an emphasis on matter depicting, or describing, or relating to
"Specified Sexual Activities" or "Specified Anatomical Areas."

7 "Arcade Booth" means any enclosed or partially enclosed portion of an establishment in which an
8 Adult Arcade is located, or where a live performance is presented, on a regular or substantial
9 basis, where the material presented is distinguished or characterized by an emphasis on matter
10 depicting, or describing, or relating to "Specified Sexual Activities" or "Specified Anatomical
11 Areas."

12 "M-1 Light Industrial Zone" means any property within the City which is zoned M-1 Light
13 Industrial Zone on the City's Official Zoning Map adopted by Ordinance No. 0-14-92, effective
14 August 21, 1992, as may be amended from time to time.

15 "M-2 Heavy Industrial Zone" means any Property within the City which is zoned M-2 Heavy
16 Industrial Zone on the City's Official Zoning Map adopted by Ordinance No. 0-14-92, effective
17 August 21, 1992, as may be amended from time to time.

18 "Material" relative to Adult Businesses, means and includes, but is not limited to, accessories,
19 books, magazines, photographs, prints, drawings, paintings, motion pictures, pamphlets, videos,
20 slides, tapes or electronically generated images or devices including computer software, or any
21 combination thereof.

22 "Park" means any property within the City which is zoned "Public Park" on the City's Official
23 Zoning Map adopted by Ordinance No. 0-14-92, effective August 21, 1992, as may be amended
24 from time to time.

25 "Performer" means any person who is an employee or independent contractor of the Adult
26 Business, or any person who, with or without any compensation or other form of consideration,
27 performs live entertainment for patrons of an Adult Business.

28 "Religious Institution" means a facility used primarily for religious assembly or worship and
related religious activities.

"Residential Zone" means any property within the City which is zoned "Residential," including
R-E (Residential Estate Zone), R-1 (Low Density Residential Zone), R-2 (Medium Density
Residential Zone) and R-3 (High Density Residential Zone) as set forth on the City Zoning Map,
adopted by Ordinance No. 0-14-92 on August 21, 1992 and fully incorporated by this reference,
and as may be amended from time to time. "Residential Zone" also includes residential zones

1 contained within Specific Plan areas and the Planned Community Development Overlay Zone as
2 set forth on the City Zoning Map.

3 "School" means any institution of learning for minors whether public or private, which offers
4 instruction in those courses of study required by the California Education Code or which is
5 maintained pursuant to standards set by the State Board of Education and has an approved use
6 permit, if required, under the applicable jurisdiction. This definition includes a nursery school,
kindergarten, elementary school, junior high school, senior high school. The definition of School
does not include a community or junior college, college or university, or a vocational institution.

7 "Specified Anatomical Areas" means:

- 8 1. Less than completely and opaquely covered:
- 9 a. Human genitals, pubic region,
 - 10 b. Buttock, or
 - 11 c. Female breast below a point immediately above the top of the areola; or
- 12 2. Any device or covering, when exposed to view, which simulates the female breast below a
point immediately above the top of the areola, human genitals, pubic region or buttock; or
- 13 3. Human or simulated male genitals in a discernible turgid state, even if completely and
opaquely covered.

14 "Specified Sexual Activities" means:

- 15 1. Human genitals in a state of sexual stimulation or arousal; and/or
- 16 2. Acts of human masturbation, sexual stimulation or arousal; and/or
- 17 3. Use of human or animal ejaculation, sodomy, oral copulation, coitus or masturbation;
and/or
- 18 4. Masochism, erotic or sexually-oriented torture, beating or the infliction of pain; and/or
- 19 5. Human excretion, urination, menstruation, vaginal or anal irrigation; and/or
- 20 6. Fondling or other erotic touching of human genitals, pubic region, buttock or female
breast.

21 **18.49.030 - Locational Limitations.**

22 A. Subject to the limitations of this chapter, Adult Businesses or Adult Use may be located in
23 the M-2 (Heavy Industrial Zone) or M-1 (Light Industrial Zone) of the City, subject to the
following:.

- 24 1. Within a one thousand foot radius of a Residential Zone. The distance between a proposed
25 use and a Residential Zone shall be measured from the nearest exterior wall of the facility
26 housing the Adult Business or proposed Adult Use to the nearest property line included within the
Residential Zone, measured along a straight line extended between the two points.

1 2. Within a one thousand-foot radius of a school or park. The distance between the proposed
2 Adult Business or Adult Use and a school or park shall be measured from the nearest exterior
3 wall of the facility housing the Adult Business or Adult Use to the nearest property line of the
school or park site, along a straight line extended between the two points.

4 3. Within a one thousand foot radius of a religious institution. The distance between the
5 Adult Business or proposed Adult Use and a religious institution shall be measured from the
6 nearest exterior wall housing the Adult Business or proposed Adult Use along a straight line
extended to the nearest exterior wall of the facility housing the religious institution.

7 4. For properties located in the M-1 (Light Industrial Zone), it is unlawful to establish any
8 adult business, except as specified in the following locations:

9 Location 1: Properties south of 1-10 Freeway and west of intersection of Hunts Lane and Steel
10 Road, eastern boundary is to include 2200 East Steel Road (APN: 0164-27-106) to
11 western boundary to include 2131 East Steel Road (APN: 0164-311-29), southern
12 boundary is north of 2150 Oliver Holmes Road (APN: 0164-311-02) and
13 southeastern boundary is west of 551 South Hunts Lane (APN: 0164-27-103).

14 Location 2: Properties west of 215 Freeway, from 2185 (APN: 1167-131-14) to 2283 La Crosse
15 Avenue (APN: 1167-131-09) east of the Southern Pacific Railroad property (APN:
16 1167-131-11).

17 B. The Establishment of any Adult Business or Adult Use shall include the opening of such a
18 business as a new business, the relocation of the business, or the conversion of an existing
19 business, or an increase of more than fifty percent of the square footage of an existing business,
20 or of an existing Adult Business or Adult Use to a different type of Adult Business or Adult Use.

21 **18.49.040 - Development and Operating Standards.**

22 A. Hours of Operation. It is unlawful for any operator or employee of an Adult Business to
23 allow such Adult Business to remain open for business, or to permit any employee to engage in a
24 performance, solicit a performance, make a sale, solicit a sale, provide a service or solicit a
25 service, between the hours of 12:00 a.m. and 8:00 a.m. of any day.

26 B. Lighting Requirements. All exterior areas of the Adult Business shall be illuminated at a
27 minimum of one footcandle throughout the premises, minimally maintained and evenly
28 distributed at ground level.

29 C. Access Provision. The operator shall not permit any doors on the premises to be locked
30 during business hours and, in addition, the operator shall be responsible to see that any room or
31 area on the premises shall be readily accessible at all times and shall be open to view in its
32 entirety for inspection by any Law Enforcement Officer.

33 D. Minors' Access.

1 1. X-Rated Movies. X-rated movies or video tapes shall be restricted to persons over
2 eighteen years of age. If an establishment that is not otherwise prohibited from providing access
3 to persons under eighteen years of age sells, rents or displays videos that have been rated "X" or
4 rated "NC-17" by the Motion Picture Rating Industry (MPAA), or which have not been submitted
5 to the MPAA for a rating, and which consist of images which are distinguished or characterized
6 by an emphasis on depicting or describing "Specified Sexual Activities" or "Specified Anatomical
7 Areas," such videos shall be located in a specific section of the establishment where persons
8 under the age of eighteen shall be prohibited and shall not be visible from outside the premises.

9 2. Other Adult Materials. Access to adult materials shall be restricted to persons over
10 eighteen years of age.

11 E. Regulation of Closed Booths. No one shall maintain any Arcade Booth or individual
12 viewing area unless the entire interior of such premises wherein the picture or entertainment that
13 is viewed is visible upon entering into such premises; and further, that the entire body of any
14 viewing person is also visible immediately upon entrance to the premises without the assistance
15 of mirrors or other viewing aids. No partially or fully enclosed booths/individual viewing area or
16 partially or fully concealed booths/individual viewing area shall be maintained. No Arcade Booth
17 shall be occupied by more than one patron at a time. No holes shall be permitted between Arcade
18 Booths or individual viewing area.

19 F. Regulation of Viewing Areas. All viewing areas within the Adult Business shall be visible
20 from a continuous and accessible main aisle in a public portion of the establishment, and not
21 obscured in any manner by any door, curtain, wall, two-way mirror or other device which would
22 prohibit a person from seeing into the viewing area from the main aisle. A manager shall be
23 stationed in the main aisle or video monitoring shall be established at a location from which the
24 inside of all of the viewing areas are visible at all times in order to enforce all rules and
25 regulations. All viewing areas shall be designed or operated to permit occupancy of either one
26 person only, or more than ten persons. "Viewing area" means any area in which a person views
27 performances, pictures, movies, videos or other presentations.

28 G. Business License. A person shall not own, operate, manage, conduct or maintain an Adult
Business without first having obtained a Business License from the Development Services
Director pursuant to Chapter 5.02 of the Colton Municipal Code. The issuance or denial of the
Business License shall be made within fifteen days of the applicant's submitted application.

H. On-Site Manager—Security Measures. All Adult Businesses shall have a person who shall
be at least eighteen years of age and shall be on the premises to act as manager at all times during
which the business is open. Any and all individual(s) designated as the on-site manager shall be
registered with the City's Development Services Director by the owner to receive all complaints
and be responsible for all violations taking place on the premises.

The Adult Business shall provide a security system that visually records and monitors all parking
lot areas, or in the alternative, uniformed security guards to patrol and monitor the parking lot
areas during all business hours. A sign indicating compliance with this provision shall be posted

1 on the premises. The sign shall not exceed two by three feet and shall at a minimum be one foot
2 by one and a half feet.

3 I. Adult Business—Operating Requirements. No person, association, partnership or
4 corporation shall engage in, conduct or carry on, or permit to be engaged in, conducted or carried
5 on the operation of an Adult Business unless each and all of the following requirements are met:

6 1. No Employee, Owner, Operator, responsible managing employee, manager or permittee
7 of an Adult Business shall allow any person below the age of eighteen years upon the premises or
8 within the confines of any Adult Business if no liquor is served, or under the age of twenty-one if
9 liquor is served.

10 2. All Employees of Adult Businesses, other than performers while performing, shall, at a
11 minimum while on or about the licensed premises, wear an opaque covering which covers their
12 Specified Anatomical Areas.

13 3. No person shall perform live entertainment for patrons of an Adult Business except upon a
14 permanently fixed stage which is at least eighteen inches above the level of the floor, separated by
15 a distance of at least six feet from the nearest area occupied by patrons and surrounded with a
16 three-foot-high permanent barrier.. No patron shall be permitted within six feet of the stage while
17 the stage is occupied by a performer.

18 When patrons are present at the establishment, they shall not be allowed to directly touch, fondle
19 or caress, as those terms are defined in *Kev, Inc. v. Kitsap County*, 793 F.2d 1053 (9th Cir. 1986),
20 the performers while they are performing. This prohibition does not extend to incidental touching.
21 Patrons shall be advised of the separation and no touching requirements by signs placed on the
22 barrier and if necessary by employees of the establishment.

23 4. If patrons wish to tip performers, receptacles shall be at least six feet from the
24 permanently fixed stage. Patrons shall not throw tips to performers, hand tips directly to
25 performers or place tips in the performers' costumes.

26 **18.49.050 - Adult Use Development Permit— Requirements.**

27 A. No Adult Business may be established or operate within the City by right—all persons
28 wishing to establish an Adult Business or Adult Use within the City must apply for and receive an
Adult Use Development Permit under this chapter.

B. It is the burden of the applicant to supply evidence to justify the grant of an Adult Use
Development Permit. Such evidence shall include information, maps and/or exhibits that shows
compliance with the provision of section 18.49.030 of this chapter.

C. Any Person desiring to establish or operate an Adult Business or Adult Use within the
City shall file with the Development Services Director an Adult Use Development Permit
application on a standard application form supplied by the Development Services Department.

18.49.060 - Permit—Contents of Application.

1
2 A. The application must be signed by the owner or lessee of the property where the Adult
3 Business or Adult Use will take place. If the application is signed by a lessee, a notarized
statement signed by the owner shall accompany the application. Proof of status is required.

4 B. The Development Services Department \shall set forth the contents required for such
5 applications for an Adult Use Development Permit.

6 C. All applicants for an Adult Use Development Permit must also fill out the City's
7 environmental package for purposes of complying with the California Environmental Quality Act
(CEQA).

8 **18.49.070 - Permit—Application Fee.**

9 The City Council, by resolution, shall set a reasonable nonrefundable application fee for persons
10 applying for an Adult Use Development Permit. The fee shall not exceed the reasonable
11 estimated costs of the City expended in processing the application.

12 **18.49.080 - Permit—Decision to Grant or Deny.**

13 A. The Planning Commission (the Commission) shall grant, conditionally grant or deny an
14 application for an Adult Use Development Permit in accordance with the approval criteria
15 contained in section 18.49.120 of this chapter. Any conditions imposed upon the permit shall be
16 in keeping with the objective development standards of this chapter and the underlying zoning
district in which the property is located.

17 B. The completeness of the application shall be determined by the Development Services
18 Director within fifteen (15) calendar days of its submittal to the Development Services Director.

19 C. Upon the filing of a completed application, the Commission shall cause to be made by its
20 own members, or members of its staff, an appropriate investigation, including consultation with
21 the Building, Police, Fire and Health Departments and inspection of the premises as needed.
Consultation is not grounds for the City to unilaterally delay in reviewing a completed
application.

22 D. In reaching a decision, the Commission shall not be bound by the formal rules of
23 evidence.

24 E. After the investigation has been completed within ten days or a specified time period that
25 falls within subsection (G) of this section, the Commission shall conduct a noticed public hearing
on the application for an Adult Use Development Permit.

26 F. Notice of the time and place of the hearing shall be given by notice through the U.S. Mail,
27 with postage prepaid, to all persons shown on the last equalized assessment roll of the County, as
28 owning property within a distance of three hundred feet from the external boundaries of the

1 property described in the application. Further notice shall be given by publication in a newspaper
2 of general circulation within the City at least ten days before the scheduled hearing.

3 G. The Planning Commission shall render a written decision on the application for an Adult
4 Use Development Permit within thirty days of receiving a completed application. The
5 Commission is authorized to impose conditions reasonably related to the impacts generated by
6 the proposed Adult Business or Adult Use. However, in the event a negative declaration,
7 mitigated negative declaration or any type of Environmental Impact Report needs to be prepared
8 for the Project pursuant to the California Environmental Quality Act (CEQA, Public Resources
Code Section 21000, et seq.) and the companion guidelines (CEQA guidelines, Title 14
California Code of Regulation Section 15000, et seq.), then those timeframes set forth in CEQA
and the CEQA guidelines shall apply.

9 H. The failure of the Commission to render such a decision within the time frames set forth
above shall be deemed to constitute an approval.

10 I. Written Notice of the Commission's decision shall be hand delivered or mailed to the
11 applicant within forty-eight hours.

12 **18.49.090 - Permit—Appeal.**

13 A. Any interested person may appeal the decision of the Commission to the City Council in
14 writing within ten days after the Commission's written decision. The City Council within the
15 same ten days may also initiate such an appeal.

16 B. Consideration of an appeal of the Commission's decision shall be at a public hearing
17 which shall be noticed as provided in Section 18.49.080(F) above and shall occur within thirty
days of the filing or initiation of the appeal.

18 C. The City Council action on the appeal of the Commission's decision shall be by a majority
19 vote of the quorum and upon the conclusion of the de novo public hearing. The City Council shall
20 grant, conditionally grant or deny the application in accordance with the approval criteria
21 contained in section 18.49.120 of this chapter. The City Council's decision shall be final and
conclusive.

22 D. In reaching its decision, the City Council shall not be bound by the formal rules of
23 evidence.

24 **18.49.100 - Permit—Judicial Review of Decision to Grant or Deny.**

25 A. The time for court challenge to a final decision by the Commission or City Council is
26 governed by California Code of Civil Procedure Section 1094.6.

27
28

1 B. Notice of the Commission's or City Council's decision and its findings shall be mailed to
2 the applicant within forty-eight hours and shall include citation to California Code of Civil
3 Procedure Section 1094.6.

4 **18.49.110 - Permit—Expiration.**

5 Any Adult Use Development Permit approved pursuant to this chapter shall become null and void
6 if not exercised within one year from the date of the approval. If an Adult Business ceases to
7 operate for a period of six months, the Adult Use Development Permit shall become null and
8 void. A permit extension shall be granted if prior to the expiration date the permittee
9 demonstrates to the satisfaction of the City's Planning Commission that it has a good faith intent
10 to presently commence the proposed use. Such extensions shall not exceed a total of two six-
11 month extensions.

12 **18.49.120 - Permit—Approval Criteria.**

13 A. The Commission or City Council shall approve or conditionally approve an application
14 for an Adult Use Development Permit where the information submitted by the applicant
15 substantiates the following findings:

16 1. That the proposed use complies with the objective development and design requirements
17 of zone in which it is located and with the applicable standards of this chapter;

18 2. That the proposed site is not located within a one thousand foot radius of a Residential
19 Zone. The distance between a proposed use and a Residential Zone Shall be measured from the
20 nearest exterior wall of the facility housing the Adult Business or proposed Adult Use, to the
21 nearest property line included within the Residential Zone, along a straight line extended between
22 the two points;

23 3. That the proposed site is not located within a one thousand-foot radius of a school or park.
24 The distance between the proposed use and a School or park shall be measured from the nearest
25 exterior wall of the facility housing the Adult Business or proposed Adult Use to the property line
26 of the nearest school or park site, along a straight line extended between the two points;

27 4. That the proposed site is not located within a one thousand foot radius of a religious
28 institution. The distance between the Adult Business or proposed Adult Use and a religious
institution shall be measured from the nearest exterior wall housing the Adult Business or
proposed Adult Use along a straight line extended to the nearest exterior wall of the facility
housing the religious institution;

5. That neither the applicant, if an individual, or any of the officers or general partners, if a
corporation or partnership, have been found guilty or pleaded nolo contendere within the past
four years of a misdemeanor or a felony classified by the state as a sex or sex-related offense.

18.49.130 - Permit—Revocation.

1 A. Any permit issued pursuant to the provisions of this chapter may be revoked by the City
2 on the basis of any of the following:

3 1. That the business or use has been conducted in a manner which violates one or more of
4 the conditions imposed upon the issuance of the permit or which fails to conform to the plans and
5 procedures described in the application, or which violates the occupant load limits set by the Fire
6 Marshal;

7 2. That the permittee has failed to obtain or maintain all required City, County and State
8 licenses and permits;

9 3. That the permit is being used to conduct a use different from that for which it was issued;

10 4. That the permittee has misrepresented a material fact in the application for Adult Use
11 Development Permit or has not answered each question therein truthfully;

12 5. That the building or structure in which the Adult Business is to be conducted is hazardous
13 to the health or safety of the employees or patrons of the business or of the general public under
14 the standards set forth in the City's Building, Electrical, Plumbing or Fire Code;

15 6. That the permittee, if an individual, or any of the officers or general partners, if a
16 corporation or partnership is found guilty or pleaded nolo contendere to a misdemeanor or felony
17 classified by the state as a sex or sex-related offense during the period of the Adult Business'
18 operation; or

19 7. That the use for which the approval was granted has ceased to exist or has been suspended
20 for six months or more.

21 B. Written notice of hearing on the proposed permit revocation, together with written
22 notification of the specific grounds of complaint against the permittee shall be personally
23 delivered or sent by certified mail to the permittee at least ten days prior to the hearing.

24 C. The Commission shall provide notice and conduct a public hearing on the proposed
25 permit revocation. Written notice shall be provided within at least ten days prior to the hearing to
26 all parties who have expressed their interest in writing. The notice shall inform the permittee of
27 the reasons for revocation.

28 D. The revocation hearing shall be heard by the Commission. The Commission shall not be
bound by the formal rules of evidence at the hearing.

E. The Commission shall revoke, not revoke, or not revoke but add additional conditions to,
the permittee's Adult Use Development Permit. Any additional conditions imposed upon the
permit shall be in keeping with the objective development standards of this chapter as set forth in
Sections 18.49.020 and 18.49.120 above, and the underlying zoning district in which the property
is located.

1
2 F. The Commission shall make its decision within thirty days of the conclusion of the public
hearing.

3
4 G. The Commission's decision shall be by resolution, and shall be hand delivered or mailed
5 to the applicant within forty-eight hours and mailed to all property owners within three hundred
feet of the use.

6
7 H. Any interested person may appeal the decision of the Commission to the City Council in
writing within ten days after the written decision of the Commission in accordance with the
provisions of Section 18.58.070 of this chapter.

8
9 I. In the event a permit is revoked pursuant to this chapter, another Adult Use Development
10 Permit to operate an Adult Business shall not be granted to the permittee within twelve months
after the date of such revocation.

11 **18.49.140 - Violation—Penalty.**

12 Any person who violates any section of this chapter shall be guilty of a misdemeanor and subject
13 to a fine of one thousand dollars and/or imprisonment in the County jail for a period of up to six
months or any other legal remedy available pursuant to the Colton Municipal Code.

14 **18.49.150 - Applicability to other regulations.**

15 The provisions of this chapter are not intended to provide exclusive regulation of the regulated
16 adult uses. Such uses must comply with any and all applicable regulations imposed in other
17 chapters of the zoning code, other City ordinances and state and federal law.

18 **18.49.160 - Conduct constituting a Public Nuisance.**

19 The conduct of any business within the City in violation of any of the terms of this chapter is
20 found and declared to be a public nuisance, and the City Attorney or the District Attorney may, in
21 addition or in lieu of prosecuting a criminal action hereunder, commence an action or proceeding
22 for the abatement, removal and enjoinder thereof, in the manner provided by law; and shall take
23 other steps and shall apply to such courts as may have jurisdiction to grant such relief as will
abate or remove such Adult Business or Adult Use and restrain and enjoin any person from
conducting, operating or maintaining an Adult Business or Adult Use contrary to the provisions
of this chapter. “

24 **SECTION 5:** If any provision or clause of this ordinance or any application of it
25 to any person, firm, organization, partnership or corporation is held invalid, such invalidity shall
26 not affect other provisions of this ordinance which can be given effect without the invalid
27 provision or application. To this end, the provisions of this ordinance are declared to be
severable.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

SECTION 6. Based on the entire record before it and all written and oral evidence presented, the Planning Commission finds that pursuant to the California Environmental Quality Act (CEQA), the attached Initial Study was prepared of the potential environmental effects of the project. Based on the findings contained in that Initial Study, City staff determined that, there would be no substantial evidence that the project would have a significant effect on the environment. Based on that determination, proposed project could not have a significant effect on the environment, and a Negative Declaration has been prepared. The Negative Declaration was advertised and posted for public review and comment period starting on November 16, 2015. The public review period for comments on the proposed adoption of the Negative Declaration closed December 7, 2015. Staff is directed to file a Notice of Determination with the San Bernardino County Clerk's Office within five (5) working days. The Secretary shall certify to the adoption of this resolution.

SECTION 7. Effective Date. This ordinance shall become effective thirty (30) days after its adoption.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2015.

Richard De La Rosa, Mayor

ATTEST:

Carolina R. Padilla, City Clerk

APPROVED AS TO FORM:

Best Best & Krieger LLP
City Attorney

EXHIBIT "A"

SUMMARY OF ADULT BUSINESS ADVERSE SECONDARY EFFECT STUDIES AND LETTERS

1. Environmental Research Group - 1996
(Report: The American Center for Law and Justice on the Secondary Impacts of Sex-Oriented Businesses)

This report provides evidence showing that crime rates are significantly higher in areas with one or more sex-oriented business than in comparable areas without these businesses within the same municipality. More specifically, sex-oriented businesses lead to significantly increased property and personal crimes within a 1000 foot radius of the sites. Sex-related crimes occur more frequently in residential neighborhoods containing a sex-oriented business than in commercial areas containing a sex-oriented business.

In addition, the presence of sex-oriented businesses is consistently and strongly associated with perceived decreases in value of both residential and commercial properties in the opinion of real estate appraisers and lenders. The presence of sex-oriented businesses in small towns is likely to be magnified beyond that which would be expected in larger cities because of the more compact nature of downtowns and their relationship to surrounding neighborhoods.

2. Phoenix, AZ - 1979
(Study by: Planning Department of the City of Phoenix)

Crime statistics in Phoenix show that all types of crimes, especially sex-related crimes (mainly indecent exposure), occur with more frequency in neighborhoods where sexually-oriented businesses are located.

3. Adams County, CO - 1991
(Adams County Sheriff Department)

Adult establishments attract transients, as well as patrons from outside the county in which the businesses are located. Crime statistics also showed that all types of crimes, especially sex-related crimes, occur with more frequency in neighborhoods where sexually-oriented businesses are located. Perpetrators of criminal activities at or near adult establishments often have records for prior arrests for moral turpitude crimes, sexual assaults, alcohol-related arrests, and crimes of violence.

4. Manatee County, FL - 1987
(Adult Entertainment Business Study for Manatee County, Florida)

This study reports on previous studies from Austin, Indianapolis, and Los Angeles to support the theory that higher crime rates exist, particularly for sex-related crimes, in areas located near adult businesses. Further, the study reports that adult entertainment establishments have a negative effect upon property values and perceptions in a neighborhood. Furthermore, adult entertainment businesses tend to locate in areas with poorer residential conditions. Residential conditions thereafter tend to worsen. Concentrations of adult entertainment businesses tend to have higher crime rates.

5. An Analysis of Adult Business Studies in Indianapolis and Los Angeles
1984/1977

This analysis indicates that crime statistics for all types of crimes, especially sex-related crimes, occur with more frequency in neighborhoods where sexually-oriented businesses are located. Sex-related crimes occur more frequently in predominantly residential areas than in areas that are substantially commercial in nature. The presence of sex-oriented businesses is consistently and strongly associated with perceived decreases in the value of both residential and commercial properties. The negative impacts are greater for residential properties than for commercial properties.

Property owners and businessmen surveyed in the Los Angeles study area cited the following adverse effects resulting from adult entertainment establishments locating near their properties or businesses: difficulty in renting office space, difficulty in keeping desirable tenants, difficulty in recruiting employees, limitations on hours of operation, decrease in the patronage of women and families, and generally reduced business patronage.

6. New Hanover County, NC - 1989
(Regulation of Adult Entertainment Establishments in New Hanover County)

This study cites to studies from Detroit, Los Angeles, Beaumont (TX), and Indianapolis to support the theory that a concentration of adult businesses results in deteriorating property values and depressed neighborhood conditions, particularly residential neighborhoods. In addition, this study cites studies from Phoenix (AZ), Detroit, Los Angeles, and Beaumont (TX) to support the theory that concentrations of

adult business often result in an increase in crime, particularly prostitution, drugs, assault, and sex crimes.

The New Hanover County Planning Department also provided recommendations to address impacts created by adult business establishments in light of the information obtained from the studies. Recommendations included: enforcing proper zoning, licensing, active law enforcement, sign regulations, and nuisance provisions.

7. Las Vegas, NV - 1978

(A Report Prepared by Las Vegas, NV - City Commission Minutes for Regular Meeting on 3/15/78)

This study includes:

(1) A transcript from the City Commission Meeting on 3/15/78;

- 3 individuals commented for the record:

1. A physician whose practice was located near an adult business commented on how the business had an adverse impact on his property and that he had seen multiple business owners in the area move their businesses elsewhere because of the presence of the adult business in that particular area. The physician also commented on how the business had adversely affected his practice because people had commented to him that having his practice near a pornographic business is not appealing;

2. The Executive Director of Christian Coalition did not believe a 1,000 ft. separation restriction was stringent enough; and

3. The City Attorney replied to the physician and Director by explaining that you can't get rid of adult businesses completely; can only regulate them and that the most important thing is that an ordinance uphold a constitutional challenge.

(2) Testimony in the form of sworn affidavits from a city planner (recommending a dispersal ordinance), police officer (concentrations of adult businesses have adverse effects on the surrounding areas), and a sociologist (recommended a dispersal ordinance); and

(3) Questionnaires that were distributed to 4 categories of persons: brokers and Realtors in the area, owners and residents (who lived in neighborhoods located

near adult entertainment businesses), business owners and proprietors (who owned businesses located near adult entertainment businesses); and a cross-section of people (who lived in neighborhoods not located near adult entertainment businesses).

- The questionnaires tended to show that adult entertainment businesses had a deteriorating effect on surrounding neighborhoods.

8. Cattaraugus County, NY - 1998

(Adult Business Study: Town and Village of Ellicottville Cattaraugus County, New York, January 1998)

There were no adult businesses in the Town and Village of Ellicottville at the time of the study nor did the Town's existing land use regulations address adult uses, however the Town Board wished to enact certain preemptive steps, including: (1) enacting temporary moratoriums on establishing adult uses while, (2) preparing a joint Town and Village study investigating the possible effects on the community from adult entertainment businesses, and (3) preparing zoning text amendments to regulate where and how adult uses could be allowed in Ellicottville in the future. Ellicottville's economic health was partially dependant upon recreational tourism and the Town feared that the uncontrolled establishment of adult entertainment businesses would conflict with Ellicottville's efforts to remain a family oriented, tourist community.

The Board came to the conclusion that the best land use control would be a zoning law, but in order for it to be affective, adult uses needed to be defined in a manner that differentiated them from traditional bookstores and bars (one method: to use their exclusion of minors as part of the definition).

9. Islip, NY - 1980

(Study & Recommendations for Adult Entertainment in the Town of Islip)

The Town of Islip wished to create a dispersal ordinance similar to that enacted by Detroit (commonly referred to as the "Detroit model"). This study analyzed the Detroit ordinance and the Supreme Court's ruling in favor of Detroit in 1976 to support its own proposed ordinance which prohibited any adult uses within a 500 ft. radius of residential areas and a 2 mile radius of another adult use.

10. New York City - 1994

(Adult Entertainment Study by Department of City and Planning for City of N.Y.)

This study shows that adult entertainment is more readily accessible than it was ten years ago. Adult videos are produced in greater numbers and at lower costs. They are often available in general interest video stores as well as those devoted exclusively to adult entertainment. Cable television has significantly increased the availability of adult viewing material. Adult material is also available at newsstands and book stores.

The study also shows that adult entertainment uses tend to concentrate near each other. Studies of adult entertainment uses in areas where they are highly concentrated, such as Times Square and Chelsea, identified a number of significant negative secondary impacts. In the Times Square area, property owners, theater operators and other business people overwhelmingly believed that their businesses were adversely affected. An analysis of criminal complaints indicated a substantially higher incidence of criminal activity in the Times Square area where adult uses are most concentrated. In addition, the study found that the rate of increase in assessed property values for study blocks with adult uses grew at a slower rate than control blocks without adult uses.

The strongest negative reactions to adult entertainment uses came from residents living near them. Furthermore, most real estate brokers reported that adult entertainment establishments were perceived to negatively affect nearby property values and decrease market values. In addition, adult use accessory business signs are generally larger, more often illuminated, and graphic (sexually-oriented) compared with signs of other nearby commercial uses. Community residents view this signage as out of keeping with neighborhood character and were concerned about the exposure of minors to sexual images.

11. New York Times Square - 1994

(Report on the secondary effects of the Concentration of Adult Use Establishments in the Times Square Area)

The survey respondents in this study felt that some adult establishments could exist in the area, but their growing number and their concentration would constitute a threat to the commercial prosperity and residential stability of the area. The study did reveal a reduction in criminal complaints the further one went from the major concentration of adult establishments. Furthermore, many property owners, businesses, experts and officials provided anecdotal evidence that proximity (defined in various degrees) to adult establishments hurts businesses and property values.

12. Oklahoma City, OK - 1989 Report On Sexually-Oriented Business Abatement

[Quality of Life: A Look at Successful Abatement of Adult Oriented Business Nuisances in Oklahoma City, Oklahoma (1984-1989)]

This study shows that aggressive law enforcement is one means of addressing negative secondary effects of adult businesses. From 1984 to 1989, the police department in Oklahoma City cracked down on the+ adult businesses in the City. Priorities were established in a plan of attack. The police began by cracking down on street prostitution, then brothels, then adult book stores with peep shows, followed by nude and semi-nude bars, and lastly, escort services.

At adult book stores, police mainly arrested male customers offering to engage in sex acts with undercover officers, sale of and possession of pornography, display of pornography, and various health department violations (as a result of officers swabbing the walls and floors of peep show booths securing samples of seminal fluids). At nude and semi-nude bars, most arrests were for prostitution, drink hustling with promises of sexual favors, and fondling in corners of bars. Escort services were particularly difficult to crack down on because most customers were transients and even a 100% arrest rate lead to little deterrence for future offenders. The police therefore, focused their efforts on disconnecting phone services to escort services who used their phone numbers "in furtherance of criminal conduct."

As a result of the police crack down, very few adult businesses remained operating by 1990. Incidents of reported rapes during the period of the crack down (1984-1989) decreased in Oklahoma City while rising in the rest of the state and nation.

13. Cleburne, TX: Why and How to Organize a County-Wide Sex business Task Force - 1997

This study stresses the importance of a county-wide effort to address the problems created by sexually oriented businesses ("SOBs"). The City Attorney for Cleburne, Texas, emphasized the point that even if Cleburne itself enacted a strong SOB ordinance, SOBs would simply locate just outside Cleburne in adjacent cities. Thus, it was important to get the participation of as many cities in the county as possible to support Cleburne's efforts to effectively regulate adult businesses.

The county-wide task force held public hearings where experts testified as a precursor to each city planning and zoning commission and council later holding their own separate, individual hearings to discuss adoption of SOB regulations in their individual jurisdictions.

Task force findings included the following: major and sex-related crime rates are substantially higher in areas within the vicinity of an SOB; property values for areas surrounding SOBs seriously depreciate when an SOB opens; the spread of communicable diseases (including HIV and STDs) is higher in SOBs. The study then suggested ways to protect health, welfare, and public safety of cities and counties from SOBs, including: enforcement of public nuisance laws and diligent prosecution of any obscenity or sexual offense cases that may be filed in the county/district courts.

14. Dallas, TX - 1997

(An Analysis of Effects of SOBs on the Surrounding Neighborhoods in Dallas, TX)

This study presented evidence concerning the high rates of police calls from SOBs. Research also showed a higher number of crime arrests (including rape, prostitution/commercial vice, and other sex offenses) where SOBs were concentrated versus areas where SOBs were spaced more than a half mile apart. Such findings lead to the theory that there are increased crime arrests and disturbances requiring police presence around SOBs and significantly more crime when there is a concentration of SOBs in one area.

Real estate brokers active in Dallas areas reported that SOBs "are perceived to negatively affect nearby property values and decrease market values." In addition, interviews with real estate professionals revealed that the location of multiple SOBs in one neighborhood can have a major impact on the neighborhood by contributing to crime, driving away family-oriented businesses, and impacting the nearby residential neighborhoods. When concentrated, SOBs typically compete with one another for customers through larger, more visible signs, and graphic advertising. Investors and lenders are unwilling to invest in new improvements in areas near SOBs. Thus, vacant land often sits idle for years. Single-family homes in areas near SOBs frequently end up as rentals because the families move away from the SOB-dominated area and it becomes exceedingly difficult to sell such houses.

15. El Paso, TX - 1986

(Effects of Adult Entertainment Businesses on Residential Neighborhoods)

Surveys of the real estate appraisal community as well as businesses and residents, and data from the Data Processing Unit of the El Paso Police Department led to the preparation of the following findings:

Real Estate

The housing base within a study area decreases substantially with the concentration of adult business uses. Properties located within a one-block radius of an adult entertainment business realize a decrease in property value (affecting both residential and commercial properties). Properties located near adult entertainment businesses experience an increase in listings on the real estate market.

Crime

A statistically significant increase in crime is found in areas where adult entertainment businesses are located. The average crime rate in the study areas was 72% higher than the rate for control areas. Sex-related crimes occurred more frequently within neighborhoods having at least one adult entertainment business than in those neighborhoods with no adult business. The neighborhood residents within the study areas also perceived far greater neighborhood problems than residents of the control areas.

16. Houston, TX - 1997

(Houston City Council: Sexually Oriented Business Ordinance Revision Committee Legislative Report)

Because of the criminal activities that are associated with SOBs, the City Council Committee determined the necessity of licensing all SOB entertainers and managers. Testimony presented to the Committee also requested that notice be given of any pending SOB permits to surrounding neighbors of proposed sites. Amortization provisions were also found preferable to grandfathering sexually oriented businesses.

Vice officers testified that sexually oriented businesses that don't have clear regulations encourage lewd sexual behavior or sexual contact. Many businesses are designed with internal areas that are out of the view of managers and are conducive to illegal behavior. Inadequate lighting prevents managers and police officers from monitoring illegal activities. Enterprises that had locked rooms were often used as fronts for prostitution.

17. Newport News, VA - 1996

(Adult Use Study: Newport News Department of Planning and Development)

Adult entertainment establishments in Newport News had higher rates of police calls compared to nearby restaurants (adult entertainment establishments accounted for 65% of the area's calls). Realtors who were knowledgeable of local market conditions indicated that having adult uses nearby can reduce the number of people interested in occupying a property by 20% to 30%, and will hurt property values and resales of

property in adjacent residential neighborhoods. Those who thought commercial property values would decline cited concerns for personal safety, increased crime, noise, strangers in the neighborhood, and parking problems:

This study also cited to studies from Indianapolis, Los Angeles, St. Paul, and Austin to support the conclusions that adult businesses result in higher crime rates and lower property values in the areas in which they are located.

18. Bellevue, WA - 1988
(City of Bellevue - Background Material from Planning Director to City Council)

This study discussed telephone surveys of real estate appraisers conducted by the Kent Planning Department. The appraisers cautioned that each case must be evaluated individually and according to its particular circumstances, however most agreed that the impact of adult uses on residential property values is probably negative. The total impact on property values depends on several factors including: proximity to the adult use, exterior building appearance and condition of the adult business and neighborhood characteristics. As for commercial properties, most appraisers felt that there would be little to no adverse impacts to surrounding businesses or property values. The conclusion therefore, was that in order to protect property values, adult uses should be located in commercial areas not adjacent to any residential uses.

In Bellevue, there existed three adult uses. An analysis of police reports for these areas showed no higher incidence of crime than in adjacent areas without adult uses. However, all properties were located in established commercial areas and all structures in which these uses were located were in excellent condition.

19. Des Moines, IA - 1984

This study analyzed cases from Detroit, Boston, New Orleans, and Los Angeles to support the conclusion that a dispersal model ordinance would be the most effective means for regulating adult business uses in Des Moines. The study further concluded that the area most appropriate in Des Moines for adult uses was not the City's revitalization area (or business district) because of its close proximity to schools, residential areas, parks, playfields, etc., but rather that such uses would be more appropriately located near the City's main highway. This conclusion was supported by the fact that children had limited access ways to schools and a location near the highway would make it easier for potential customers of the adult businesses to patronize the facilities.

20. St. Croix County, WI - 1993
(Regulation of Adult Entertainment Establishments in St. Croix County, WI)

St. Croix County had not experienced any major problems with its two adult entertainment establishments. However, the County wished to implement new regulatory measures as a prophylactic measure. This study analyzed the Detroit case and ordinance to support the theory that a dispersal model like Detroit's would best suit St. Croix County's goals. The study also discussed various regulatory techniques utilized by other jurisdictions such as traditional law enforcement and licensing.

21. Report of the Minnesota Attorney General's Working Group on the Regulation of Sexually Oriented Businesses (June 6, 1989)

This report found that sexually-oriented businesses in Minneapolis are associated with higher crime rates and depression of property values. Data also indicates that the addition of one sexually-oriented business to a census tract increases the overall crime rate index in that area by 9.15 crimes per thousand people per year even if all other social factors remained unchanged. In St. Paul, there was a significantly higher crime rate associated with two adult businesses in an area than an area with only one adult business. Housing values were also significantly lower in an area where there were three adult businesses compared to an area with only one adult business.

Individuals who lived near adult businesses testified concerning the following: pornographic materials were left in adjacent lots; prostitution resulted in harassment of neighborhood residents; adult businesses contributed to infiltration of organized crime in those areas.

22. Saint Paul, Minnesota: Adult Entertainment Study (1983)

In Saint Paul, in 1983, adult business were relatively innocuous. However, there were some exceptions and the City Council recognized that inadequate regulations of these adult uses could result in adverse impacts. The report was restricted to the sex-related adult industry and excluded alcohol-related adult businesses. The report looked at three ways to protect neighborhoods in the City. These included: (1) existing regulations; (2) incompatible uses; and (3) concentrations of uses.

23. City of Garden Grove, California: The Relationship Between Crime and Adult Business Operations on Garden Grove Blvd (1991)

This study was commissioned by the City of Garden Grove to research the secondary effects of adult businesses in the City. It summarizes an exhaustive series of statistical analyses conducted over a 10-month period. The report provides an analysis incorporating data most relevant for the legal requirements for implementing zoning restrictions on adult businesses.

This is a thorough study that reviews all the criminal activity that took place within the proximity of adult businesses for a nine-year period. The researchers found that "crime rises whenever an adult business opens or expands its operation and the change is statistically significant." Increases result in the most serious crime categories, especially assaults, robberies, burglaries, and thefts. The rise in "victimless" crimes (drug and alcohol use, sex offenses, etc.) is also significant, though less consistent and interpretable. This report is widely used to justify regulations addressing the secondary effects of adult businesses.

24. City of Austin, Texas: Report on Adult Oriented businesses in Austin (1986)

This report provides an analysis of crime rates by comparing areas with adult businesses (study areas) and areas without adult businesses (control areas) within the City of Austin. Both control and study areas were circular in shape with a radius of 1,000 feet. These areas contained similar land uses and were in close proximity to one another. Four study areas were defined: two with single businesses and two with more than one business.

Within the study areas, sex-related crimes rates were two to nearly five times the city-wide average. Also, sex-related crime rates were found to be 66% higher in study areas with two adult businesses compared to study areas with one adult business.

25. City of Amarillo, Texas: A Report on Zoning and Other Methods of Regulating Adult Entertainment in Amarillo (1977)

This report presents the findings of the Amarillo Planning Department regarding the adult entertainment industry within the confines of the City of Amarillo. These findings analyze the land use effects of adult entertainment businesses and alternatives for regulation. This report provides a general overview of the secondary effects caused by adult businesses and includes suggestions for ways to address the impacts. The report found that adult businesses tend to increase crime rates.

26. Police Reports and Letters. The following police department reports are also available:

a. Anaheim, CA Letter in Response to NFLF 1998: From 1/1/95 to 12/31/97, the Anaheim Police Department responded to calls for service at nude theaters and topless bars in excess of 500 times.

b. Los Angeles, CA Statement of LAPD Detective: from 1969-1975, SOBs in Hollywood increased from 11 to 88; crime rates increased as a result; virtually every adult bookstore requires police attention resulting in the drain of extensive police resources.

c. Los Angeles, CA Letter re Harmful Effects 1998: commented on the significant increase of nude juice bars from 1996-1998; although the juice bars comply with L.A.'s zoning ordinances, citizens from the surrounding areas protested the businesses (prostitution and lewd conduct arrests had been made in and around many of the juice bars).

d. Cleveland, OH Letter re Harmful Effects 1977: Lists crimes which have occurred in or near adult businesses in the City of Cleveland such as murder, rapes, and other sex offenses, and robberies.

e. Bellevue, WA Detective's Report 1994: Details an undercover police officer's experience at a Dance Club where customers paid women employees to dance with them while performing certain lewd acts.

f. Seattle, WA Police Report 1996: Complainant reported experience working as a dancer at a club where dancers and customers engaged in lewd acts, heavy drinking, and drug use; statistics regarding criminal violations committed by club dancers from 1994-1996.

g. Seattle, WA Letter re Effects 1998: Details a vice detective's experience with Seattle's nude dance or strip clubs such as "sting" operations, number of arrests made, and observation of drugs and alcohol in such clubs; also mentions Seattle's draft amendments which would put more liabilities on the managers to control illegal activities in their clubs, prohibit table and couch dances, and require brighter interior club lighting.

EXHIBIT A¹

Los Alamitos
Police Department

Memo

To: Chief McCrary
From: Sergeant Arnold
Date: 8/27/2003
Re: Sexually Oriented Businesses

Over the past two weeks I have solicited information from various police agencies in Orange County regarding police responses to Sexually Oriented Businesses, specifically adult clubs with nude or partially nude entertainment. All of the agencies that responded with information agree that much of the criminal or illicit activity which take place at these types of establishments goes unreported to the police. They also stated that clubs, which hosted different theme nights, attracted different types of clientele depending on the theme, and amateur nights were typically the busiest nights with regards to incidents to which they were called. All cities cited a six-foot barrier between dancers and patrons, written into the municipal code, as being extremely important in helping to control illicit activity. I was not able to obtain exact statistics from all agencies contacted. The following is a compilation of information provided to us.

Santa Ana Police Department

The City of Santa Ana currently has three adult clubs. One is a partially nude strip bar with an ABC license to sell alcohol, one is a totally nude juice bar with no ABC license, and the other is a bikini bar with an ABC license. Since January 1, 2003, SAPD has responded to 171 calls for service at these three establishments. The calls included robberies, disturbances of the peace, assaults, thefts, prostitution, criminal threats, stolen vehicles, intoxicated drivers, vehicle burglaries, suspicious subjects or circumstances, reckless driving, hit and run traffic collisions, kidnapping, and burglary alarms. The police department also provided us with a copy of their municipal code and study on sexually oriented businesses including negative secondary side effects of adult entertainment businesses (attached).

Orange County Sheriffs Department

The Sheriffs Department reported a total of four establishments located in contract cities under their jurisdiction. Two are located in the city of Lake Forrest in south Orange County. One started out as a bar which featured clad dancers but has since become a topless bar. The other has nude dancers and caters to different clientele depending on the night. Twenty reports have been taken since 1990 regarding the second bar and 75% of the reports list the bar or employee as the victim. One aggravated assault was reported there in 1993. Both establishments hold ABC licenses. The City of Stanton also has two clubs. One of the clubs is under investigation for allegations the bouncers muscle some of the customers as the customers leave the bar. This usually revolves around customers who allegedly did not pay the girls for lap dances or other special dances they received. The bouncers detain the customers and money is physically taken from them for services rendered, which if true would amount to a strong-arm robbery. The other club is under investigation by ABC for allegations of prostitution. Customers receive a lap dance and then for an extra fee, are taken into the back room where they receive oral sex. Both of these clubs also have ABC licenses.

Anaheim Police Department

The City of Anaheim has five establishments located throughout their city, ranging from full nude juice bars to topless bars. From January 1, 2003 to the present, patrol has responded to 94 calls for service at these clubs. Most of the calls for service involved disturbances of the peace, assaults, suspicious circumstances, unknown trouble reported, burglar alarms, trespassing, stolen vehicles, and others.

Garden Grove Police Department

The City of Garden Grove reports no adult clubs within their city. They do however, have several adult bookstores. The most common crimes associated with these businesses are public masturbation and narcotics related offenses.

La Habra Police Department

The City of La Habra has one nude theater. Nude dancing is performed on stage as well as special dances for individual customers. The establishment has its own security team and the police department reports no calls for service at this club.

Huntington Beach Police Department

The City of Huntington Beach had one adult club which has since gone out of business. The Vice Unit states there were few calls for service when the club was open. They believe the strength of the Municipal Code regarding Sexually Oriented Businesses was paramount to keeping illicit activities under control. The Code has been challenged several times and was upheld on appeal to the Ninth Circuit Court, recently. A copy of their municipal code is attached.

San Diego Police Department

The City of San Diego reported problems with organized crime and biker gangs associated with adult clubs. Specifically, Mafia and Hells Angels. They also reported narcotics activity associated with these establishments, including at least one incident where a customer repeatedly drugged dancers with GHB and then sexually assaulted them.

Irvine Police Department

The City of Irvine has no adult clubs.

La Palma Police Department

The City of La Palma has no adult clubs.

Orange Police Department

The City of Orange has no adult clubs.

Tustin Police Department

The City of Tustin has no adult clubs.

Brea Police Department

Brea has no adult clubs.

Cypress Police Department

Cypress has no adult clubs.

ATTACHMENT 2
Exhibit A - Initial Study

CITY OF COLTON
INITIAL STUDY FOR:

Adult Use Regulations Update

DATE:
November 16, 2015

PREPARED FOR:

City of Colton

PREPARED BY:

City of Colton

EXHIBIT _ OF PLANNING COMMISSION RESOLUTION NO. R-_-15

INITIAL STUDY

NOTE: The following is a sample form and may be tailored to satisfy project circumstances. It may be used to meet the requirements for an initial study when the criteria set forth in the State and Local CEQA Guidelines have been met. Substantial evidence of potential impacts that are not listed on this form must also be considered. The sample questions in this form are intended to encourage thoughtful assessment of impacts, and do not necessarily represent thresholds of significance.

1. Project Title: Adult Use Regulations Update

2. Lead Agency Name and Address:
City of Colton – Development Services Department
659 N. La Cadena Dr.
Colton, CA 92324

3. Contact Person and Phone Number: Mario Suarez, AICP, 909-370-5523

4. Project Location: Citywide

5. Project Sponsor's Name and Address:
Same as Lead Agency.

6. General Plan Designation: Light & Heavy Industrial 7. Zoning: M-1 (Light Industrial) and M-2 (Heavy Industrial)

8. Description of Project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheet(s) if necessary.) The proposed text amendment makes certain changes to the areas in which an adult business may locate in the City of Colton. Currently, such areas are allowed to locate within the M-2 (Heavy Industrial) zone designation, subject to meeting certain separation distances from sensitive uses (residentially-zoned property, schools, churches, etc). The proposed ordinance would authorize adult uses to be located in certain M-1 (Light Industrial) zoned areas of the City as well, subject to meeting the same separation criteria from sensitive uses. The proposed ordinance also restates the existing provisions of Chapter 18.49 in order to clean-up typographical and formatting errors. The proposed ordinance complies with federal and state laws requiring cities to zone for adult uses.

9. Surrounding Land Uses and Setting: (Briefly describe the project's surroundings.) The text amendment include multiple existing land uses and different adjacent land uses. However, the locational requirements in identifying areas for adult uses were instituted as part of this text amendment. In brief, the draft regulations include: the locational restrictions, restrict adult businesses to certain to M-1 and any M-2 Zones; separated by no less than 500 feet from any school or park, church and/or residential zone.

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):
Recommendation by the Planning Commission and Approval by the City Council

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|---|--|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology / Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality |
| <input type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation / Traffic | <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION (To be completed by the Lead Agency):

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Mario Suarez
Signature

November 11, 2015
Date

Mario Suarez
Printed Name

For

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a Lead Agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the Lead Agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect is significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The Lead Agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).

- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
- a) Earlier Analyses Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources. A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
- a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance.

QUESTIONS

I. AESTHETICS. Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

1.a) The proposed ordinance related to adult use would have a less than significant impact on scenic vistas because any new signs or buildings related to new adult-oriented uses would be located in certain M-1 (Light Industrial) Zone and any M-2 (Heavy Industrial) Zone (compliance with *Locational Limitations*) and would be subject to current zoning development and sign standards that would reduce potential impacts on scenic vistas.

In addition, an Adult Use Development Permit is required for comprehensive review by the City to which a public hearing is scheduled for the Planning Commission to take final action. There are no designated scenic vistas at this time in the City of Colton.

1.b) Currently, the City of Colton has no designated State Scenic Highway. The proposed ordinance related to adult use would not substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway because any new project would be subject to regulations of the City's sign and various Title 18 (Zoning Code) requirements. Compliance with Standards detailed in Chapters 18.26 (M-1, Light Industrial) or 18.28 (M-2, Heavy Industrial) requirements of the Development Code and Operating Standards detailed in Chapter 18.49 (Adult Use Regulations) of the Development Code will be confirmed in the application process, in accordance with the Adult Use Development Permit application procedures.

1.c) As described in responses a) and b), the proposed ordinance would require adult use development permit to be developed and operated consistent with the regulations of the M-1 and M-2 zoning standards, and other requirements of the Title 18 (Zoning Code) and other applicable City Municipal Codes such as building and fire codes. In addition, the ordinance requires *Locational Limitations* between proposed adult use and sensitive uses. The intent of the proposed ordinance includes prevention of blight and protection of the quality of neighborhoods. As a result, implementation of the proposed ordinance would not visually degrade the character or quality of the City, and impacts are less than significant.

1.d) Updating the existing Adult Use Regulation would not create a new source of light or glare that would adversely affect day or nighttime views because any new signs or buildings within certain M-1 and any M-2 zones would be subject to the City's Code standards (i.e., *Locational Limitations*). Furthermore, compliance with the Development Standards of Title 18 (Zoning Code) and other municipal code requirements would need to be met during initial review of the project and upon final permit approval. In addition, compliance with any conditions of approval stipulated within an Adult Use Development Permit, which requires the City Planning Commission approval, will provide for compatible lighting and reduce glare from any new development. As a result, the proposed project would have a less than significant impact related to light and glare.

II. AGRICULTURE AND FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest protocols adopted by the California Air Resources Board. Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

II.a) The proposed ordinance related to adult uses would have no impact on Prime Farmland, Unique Farmland, and Farmland of Statewide Importance because the adult uses are restricted to certain M-1 (Light Industrial) or any M-2 (Heavy Industrial) Zones, which are unlikely to contain important farmland. In addition, the *Locational Limitations* requirements included in the existing Adult Use Regulations would need to be met. No Unique, or Important Farmland, including an Agricultural Preserve Overlay are located within the City Corporate limits. As

a result, implementation of the proposed project would not result in impacts to Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.

II. b) As described in response a), the proposed adult use regulations amendments would not impact agricultural zoning or areas under a Williamson Act contract because adult uses are restricted to certain M-1 (Light Industrial) Zone or any M-2 (Heavy Industrial) Zone and go through the Adult Use Development Permit process, which will require a comprehensive review of the proposal by Fire, Police, Public Works, Building, Planning, Economic Development and Electric Departments/Divisions of the City of Colton. As a result, impacts to agricultural zoning or Williamson Act contracts would not occur.

II.c) As described in responses a) and b), adult uses are restricted to certain M-1 (Light Industrial) or any M-2 (Heavy Industrial) Zones subject to standards/requirements of the City of Colton Municipal Code. Thus, implementation of the proposed ordinance would not impact areas zoned for forest land or timberland.

II. d) As described in response c), adult uses are restricted to certain M-1 (Light Industrial) or any M-2 (Heavy Industrial) Zones, which are urban areas in the City that do not contain forest resources. Implementation of the proposed ordinance amendment and existing City regulations related to development areas would provide that the project does not result in impacts related to conversion of forest resources. No specific forest resources have been identified within the M-1 or M-2 Industrial Zones of the City.

II.e) The proposed ordinance would not involve changes that could result in the conversion of farmland or forest because adult uses are restricted to certain M-1 Zone or any M-2 Zone that are urban areas or areas planned for urban development.

III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- e) Create objectionable odors affecting a substantial number of people?

III.a) The City is largely located within the South Coast Air Basin (Basin) and is within the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The Basin is bounded by the Pacific Ocean to the west and the San Gabriel, San Bernardino, and San Jacinto Mountains to the north and east. It includes all of Orange County, the non-Antelope Valley portions of Los Angeles County, and the non-desert portions of Riverside and San Bernardino Counties.

The current regional air quality plan is the 2012 Air Quality Management Plan (AQMP) adopted by the SCAQMD on December 7, 2012. The 2007 AQMP proposes attainment demonstration of the federal PM_{2.5} standards through a more focused control of sulfur oxides (SO_x), directly emitted PM_{2.5}, and nitrogen oxides (NO_x) supplemented with volatile organic compounds (VOC) by 2015. The 8-hour ozone control strategy builds upon the PM_{2.5} strategy, augmented with additional NO_x and VOC reductions, to meet the standard by 2024 assuming a bump-up is obtained.³ Bump up means a change in classification. The South Coast Air Management District has requested that California Air Resources Board (CARB) formally submit a request to EPA for voluntary re-designation (bump-up) of the South Coast Air Basin from a designation of “severe-17” to “extreme” for 8-hour average ozone and modify the attainment date to June 15, 2024. The Basin is currently a federal and state non-attainment area for PM₁₀ and ozone.

The AQMP incorporates local General Plan land use assumptions and regional growth projections developed by the Southern California Association of Governments (SCAG) to estimate stationary and mobile source emissions associated with projected population and planned land uses. If a new land use is consistent with the local General Plan and the regional growth projections adopted in the AQMP, then the added emissions generated by the new project has been evaluated and contained in AQMP and would not conflict with or obstruct implementation of the regional AQMP. The proposed project would not conflict with or obstruct implementation of any of the control measures in the AQMP. No impact related to this issue would occur; therefore, no mitigation is required. As a result, the proposed ordinance would not result in conflicts with or obstructions to the adopted air quality plans.

III. b) As described in response a), the proposed ordinance amendments would apply to uses that are consistent with the adopted air quality plans for the City of Colton and its basin. In addition, compliance with the City Development Standards and Adult Use Development Permit process review, air quality impacts will be confirmed in the application process.

Therefore, any potential impacts on air quality will be avoided or minimized to insignificant levels. As a result, implementation of the proposed ordinance amendment would not violate any air quality standards or contribute substantially to an existing or projected air quality violation.

III. c) The current South Coast Air Basin is currently in federal nonattainment for ozone and PM₁₀ and state nonattainment for ozone, PM₁₀, and PM_{2.5}. The South Coast Air Basin is in federal nonattainment for Oz one, PM₁₀, and PM_{2.5} and state nonattainment for ozone, NO₂, PM₁₀, and PM_{2.5}. Implementation of the proposed ordinance would not result in a cumulatively considerable net increase in any criteria pollutant because any adult uses would be constructed and operated in compliance with City standards and other standards of the M-1 and M-2 Zones.

III. d) The proposed adult use regulations text amendment ordinance would not expose sensitive receptors to substantial pollutant concentrations because the ordinance would regulate the location of adult uses to specific areas within the M-1 (Light Industrial) and any area within the M-2 (Heavy Industrial) Zones (compliance with *Locational Limitations*). In addition, the existing ordinance locational requirements would require a 500-foot separation from sensitive uses (including residential zones, school and parks, and religious institutions), which would not result in exposure of sensitive receptors to substantial pollutants concentrations in the area.

Therefore, adult-business locations would be separated from sensitive receptors, such that, air quality impacts to sensitive receptors would not occur.

III. e) The proposed ordinance amendment would not create objectionable odors affecting a substantial number of people because any adult use would be required to comply with zoning setback requirements and building design setbacks. Sites in industrial zones are generally away from substantial numbers of people and the proposed amendment would change the 1000 feet separation distance to 500 feet separation from sensitive uses (including residential zones, school and parks, and religious institutions). The reduced locational limitations will continue to provide an adequate buffer between uses and implementation of the ordinance would not result in odor impacts.

IV.	BIOLOGICAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

Discussion:

IV.a Sensitive biological resources are those defined as (1) habitat area or vegetation communities that are unique, are of relatively limited distribution, or are of particular value to wildlife; and (2) species that have been given special recognition by federal, state, or local government agencies and organizations because of limited, declining, or threatened populations. The subject property is unimproved vacant land that does not contain any unique vegetation except for a few non-native trees. No impact related to this issue would occur; therefore, no mitigation is required.

IV.b Habitats considered sensitive by federal or state resource agencies and other groups are those that have been depleted, are naturally uncommon, or support sensitive species. No riparian habitat is located within the proposed amendment added certain M-1 (Light Industrial) areas. No impact related to this issue would occur; therefore, no mitigation is required.

IV.c There are no drainages located within the project limits. During the construction of the proposed project, as previously stated, no federally protected wetlands or biotic resources that are located within the project limits. No impact related to this issue would occur; therefore, no mitigation is required.

IV.d The proposal restricts adult uses to certain M-1 Zone areas located in an urbanized areas of the City. The sites are generally bordered by commercial, freeways, railroad and industrial buildings. Due to its predominantly urban developed condition, the project site is not conducive for foraging ground and localized movement for wildlife.

Indirect impacts (e.g., noise, fugitive dust, lighting, and water quality) to on-site biological resources is not a factor. In light of the existing development in the project vicinity, impacts to regional wildlife movement associated with this project is not a factor. No impact related to this issue would occur; therefore, no mitigation is required.

IV.e The City of Colton does not have an adopted ordinance protecting biological resources. Implementation of the proposed project would have no impact.

IV.f The project sites are located within a Habitat Conservation Plan or Natural Community Conservation Plan. Implementation of the proposed project would have no impact.

V. CULTURAL RESOURCES. Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- | | | | | | |
|----|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| c) | Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) | Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion:

V.a-b) The existing and proposed amendment to the Adult Use Regulations ordinance provides zoning regulations related to the location of adult uses. In addition, the Adult Use Development Permit process provides a manner to review specific locations to conduct cultural resources analysis if determined to be needed for proposed adult uses within specified M-1 and M-2 Zones (compliance with *Locational Limitations*). As a result, implementation of the proposed ordinance would not result in impacts related to a substantial adverse change in the significance of a historical or archaeological resource.

V. c) As described in response a), the proposed ordinance amendments provides zoning regulations related to the location of adult uses. In addition, the Adult Use Development Permit process provides a manner to review specific locations to conduct cultural resources analysis if determined to be needed for proposed adult uses within specified M-1 Zone areas and any M-2 Zone areas (compliance with *Locational Limitations*). The development standards and adult use are provided to protect paleontological resources. As a result, implementation of the proposed ordinance would not result in destruction of a unique paleontological resource or site or unique geologic feature.

V. d) The proposed ordinance amendments provides zoning regulations related to the location of adult uses, and requires adult uses to be restricted to certain M-1 Zones and any M-2 zones (compliance with *Locational Limitations*). Although these areas are not anticipated to include human remains, adult-oriented business uses would be required to comply with local, regional, state, and federal regulations related to human remains, should any be found during construction of an adult use. As a result, impacts would be less than significant.

VI. GEOLOGY AND SOILS. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- | | | | | | |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) | Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) | Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) | Be located on expansive soil, as defined in Table 18 1 B of the Uniform Building Code (1994), creating substantial risks to life or property? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) | Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

VII. a) The proposed ordinance amendments provides zoning regulations related to the location of adult uses restricted to certain M-1 zone properties and any M-2 Zones (compliance with *Locational Limitations*). As such, a proposed adult use located within a Geological Hazards Overlay shall require Professional Reports and need to comply with City Development Standards as provided in the City’s Municipal Code. In addition, any construction related to new adult uses would be required to comply with the Uniform Building Code and Fire Code and other code requirements related to seismic hazards. Therefore, the proposed ordinance would not result in impacts related to the exposure of people or structures to potential substantial adverse effects of fault ruptures, strong seismic ground shaking, liquefaction, landslides or other seismic related effects.

VI. b) Refer to the response above, the proposed ordinance amendments would provide regulations related to adult uses. These regulations are in addition to existing regional and local regulations related to soil erosion and loss of soils. The proposed ordinance amendment would not result in impacts related to construction activities of potential new commercial uses, and would not result in substantial soil erosion or the loss of topsoil.

VI. c-d) Refer to the response above, the proposed ordinance would provide regulations related to adult uses. These regulations are in addition to existing regional and local building regulations. Furthermore, an Adult Use Development Permit is required which include analysis of geologic hazards, as applicable to site specific projects. Therefore, the City’s review process includes safeguards to ensure that projects avoid impacts related to unstable soils, expansive soils or unstable geologic units.

VI. e) The proposed ordinance does not involve or regulate the use of septic tanks. Any adult uses would be required to comply with the existing wastewater requirements of commercial uses within certain M-1 and any M-2 Zones (compliance with *Locational Limitations*). As a result, implementation of the proposed ordinance would not result in impacts related to septic tanks or other wastewater disposal systems.

VIII. GREENHOUSE GAS EMISSIONS. Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

VII a-b) The proposed ordinance amendments provides regulations related to the location and operation of adult uses, and general text clean-up. The proposed ordinance amendment would not generate direct or indirect greenhouse gas emissions, and it would not conflict with a plan, policy, or regulation related to greenhouse gas emissions; however, adult uses approved pursuant to the provisions of the proposed ordinance amendment would generate emissions in a manner consistent with the provisions of the City of Colton’s Climate Action Plan (Greenhouse Gas Emissions Reduction Plan Implementation Policies adopted by the City Council on November 3, 2015). Therefore, implementation of the proposed ordinance would result in less than significant impacts related to greenhouse gasses.

IX. HAZARDS AND HAZARDOUS MATERIALS. Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- | | | | | | |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) | For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) | For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) | Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) | Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

IX a-b) The proposed ordinance amendments would regulate the location and operation of adult uses. Adult uses are restricted to certain M-1 and any M-2 (compliance with *Locational Limitations*), and do not generally involve the use, routine transport, or disposal of hazardous materials beyond the use of cleaning and painting type products that are used and stored in small quantities that would not result in a hazardous condition. In addition, the Adult Use Development Permit process provides a manner to review specific locations to conduct Phase I and Phase II analysis if determined to be needed for proposed adult uses within specified M-1 and any M-2 Zones. Therefore, the proposed ordinance would not result in significant impacts related to hazards or accident conditions related to the use, transport, or storage of hazardous materials.

IX. c) The proposed ordinance amendments would regulate the location and operation of adult uses to certain areas zoned M-1 or any M-2 Zone, and to be located a minimum of 500 feet from residential zone, school, park or religious institution. As described in response a-b), adult use may include a limited amount of hazardous materials that include painting and cleaning products that would not result in a hazard. As a result, the proposed ordinance amendments would not result in hazardous impacts to schools that may exist 500 feet away from an adult use.

IX. d) The proposed ordinance amendments would regulate the location and operation of adult uses to certain areas zoned as M-1 or any area zoned M-2 (compliance with *Locational Limitations*). In addition, the Adult Use Development Permit process provides a manner to review specific locations to conduct Phase I and Phase II analysis if determined to be needed for proposed adult uses within specified M-1 and any M-2 Zones. As a result, the City's review process includes safeguards to ensure that projects avoid impacts from implementation of the proposed ordinance amendments.

IX. e-f) The proposed ordinance amendments would regulate the location and operation of adult uses restricted to certain M-1 or any M-2 Zones (compliance with *Locational Limitations*). In addition, proposed adult uses are farther than two miles from any airports. As such, a proposed adult uses is subject to an Adult Use Development Permit and review of potential airports may be reviewed in detail, if necessary, during this discretionary process. Therefore, the proposed ordinance would not result in significant impacts related to an airport land use plan, a public airport, or a private airstrip.

IX. g) The proposed ordinance amendments would regulate the location and operation of adult uses restricted to certain M-1 Zones or any M-2 Zone (with compliance of *Locational Limitations*). In addition, proposed adult uses would be subject to the City’s Municipal Code, which includes the Uniform Building Code, and reviews from the City’s Fire Department. Furthermore, a proposed adult use is subject to an Adult Use Development Permit, which will require full review of all City, State and Federal laws related to emergency services. Therefore, the proposed ordinance would not result in significant impacts related to impairment or interference with an adopted emergency response plan or emergency evacuation plan.

IX. h) The proposed ordinance amendments would regulate the location and operation of adult uses restricted to certain M-1 or any M-2 Zones (compliance with *Locational Limitations*), which are not wildland fire locations. In addition, proposed adult uses would be subject to the City’s municipal code requirements, which includes the Uniform Building Code, and reviews from the City’s Fire Department. Furthermore, a proposed adult use is subject to an Adult Use Development Permit, which will require full review of all City, State and Federal laws related to emergency services. Therefore, the proposed ordinance would not result in impacts related to wildland fires.

X. HYDROLOGY AND WATER QUALITY. Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- | | | | | | |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| f) | Otherwise substantially degrade water quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) | Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) | Place within a 100-year flood hazard area structures which would impede or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| i) | Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| j) | Expose people or structures to inundation by seiche, tsunami, or mudflow? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

X. a) The proposed ordinance provides regulations related to the location and operation of adult uses, which are limited to certain M-1 and any M-2 Zones (compliance with *Locational Limitations*) and an Adult Use Development Permit which will require submission of Water Quality Management Plans, as required, and compliance with the Pollutant Discharge Elimination System Regulations. The City's Planning and Building Plan Check Review processes includes safeguards to ensure that projects will not result in violation of any water quality standards or waste discharge requirements.

X. b) The proposed ordinance provides regulations related to the location and operation of adult uses, which are limited to certain M-1 and any M-2 Zones (compliance with *Locational Limitations*). Under the proposed ordinance amendments, adult uses would continue to be regulated by the other provisions in the City Code, including Title 12 (Streets and other Public Places), Title 13 (Utilities), Title 14 (Storm Drains and Floodplain Management), Title 15 (Building and Construction) and Title 16 (Division of Land), that requires M-1 and M-2 uses be served by water purveyors and not well water. In addition, adult uses would continue to be regulated by local, state, and federal regulations related to groundwater supplies and recharge. Therefore, implementation of the proposed ordinance would not substantially deplete groundwater supplies or interfere with groundwater recharge, and groundwater related impacts would not occur.

X. c) As described in response b), the proposed ordinance amendments provides regulations related to the location and operation of adult uses, which are limited to certain M-1 and any M-2 Zones (compliance with *Locational Limitations*). Under the proposed ordinance amendments, adult uses would continue to be regulated by the other provisions in the City Code related to erosion and drainage, including the drainage improvement requirements provided in Title 14 (Storm Drains and Floodplain Management), Title 15 (Building and Construction) and Title 16 (Division of Land). In addition, other local and regional requirements related to Storm Water Pollution Prevention Plans (SWPPP) and Water Quality Management Plans (WQMP) would continue to apply, as appropriate, to adult-oriented business uses. Furthermore, an Adult Use Development Permit will require development review of proposed adult uses prior to development of any construction plans. Therefore, the proposed ordinance would not result in impacts related to alteration of an existing drainage pattern through the alteration of the course of a stream or river, or by other means, in a manner that would result in substantial erosion or siltation on- or off-site.

X. d) Refer to responses b) and c) above. Under the proposed ordinance amendments, adult uses would continue to be regulated by provisions in the City Code related to drainage, including the drainage improvement

requirements provided in Title 13 (Utilities), Title 14 (Storm Drains and Floodplain Management), Title 15 (Building and Construction) and Title 16 (Division of Land). In addition, other local and regional requirements related to SWPPPs and WQMPs would continue to apply, as appropriate, to adult-oriented business uses. As a result, implementation of the proposed ordinance amendments would not substantially alter existing drainage patterns through alteration of a course of a stream or river, or by other means, substantially increase the rate or amount of surface runoff in a manner that would result in flooding. The City’s review process includes safeguards to ensure that projects avoid impacts to water quantity and quality.

X. e-f) As described in responses a) through d) above, implementation of the proposed adult use ordinance amendments would not change requirements related to infrastructure, retention of stormwater or water quality. Existing local, Regional Water Quality Control Board (RWQCB), and federal regulations would continue to apply to adult uses. As a result, the City’s review process includes safeguards to ensure that projects will not create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff, or otherwise substantially degrade water quality.

X. g) The proposed ordinance amendments provides regulations related to the location and operation of adult-uses in certain M-1 and any M-2 Zones (compliance with *Locational Limitations*). The ordinance does not involve development of housing and would not place housing within a 100-year flood hazard area. No impacts would occur.

X. h) The proposed ordinance amendments provides regulations related to the location and operation of adult uses in certain M-1 or any M-2 Zone (compliance with *Locational Limitations*). Under the proposed ordinance amendments, adult uses would continue to be regulated by the other provisions in the City Code, including those related to development within a flood zone. As such, a proposed adult uses located within a Floodplain Safety Overlay zone or otherwise within a flood zone shall comply with regulations in Title 14 (Storm Drains and Floodplain Management). Therefore, the proposed ordinance would not result in impacts related to development of structures within a 100-year flood hazard area that would impede or redirect flood flows.

X. i-j) As described in responses a) through d) above, the proposed ordinance amendments provides regulations related to the location and operation of adult uses in certain M-1 or any M-2 Zones (compliance with *Locational Limitations*), and proposed adult uses would continue to require compliance with City Code, regional, and state requirements related to flooding. As such, a proposed adult use located within a Floodplain Safety Overlay or otherwise within a flood zone shall comply with regulations in Title 14 (Storm Drains and Floodplain Management). Thus, implementation of the proposed ordinance amendments would not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam; or inundation by seiche or mudflow. The City of Colton is located a substantial distance from the Pacific Ocean and is not at risk of tsunamis.

XI.	LAND USE AND PLANNING. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?
- c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

Discussion:

XI. a) The proposed ordinance amendments regulates the location and operation of adult uses within certain M-1 and any M-2 zones (compliance with *Locational Limitations*). In addition, the ordinance amendments require separation distances from sensitive uses such as school/park, residential zones and religious institutions. The intent of the proposed ordinance amendments is to provide appropriate locations for adult uses that would not conflict with the existing community. As a result, implementation of the proposed ordinance amendments would not physically divide an established community.

XI. b) The intent of the proposed ordinance amendments are to provide land use and operating regulations that would mitigate potential adverse secondary effects of adult uses and protect the quality of life and neighborhoods in the City. The proposed ordinance amendments specify location and operating requirements, and the application requirements for an Adult Use Development Permit, all designed to avoid or minimize potential nuisances and impacts to the environment. Adult use would continue to be regulated by the City’s Code and other regional and state regulations, as appropriate. The proposed ordinance would be adopted for the purpose of providing adequate sites to establish an adult use, and would not conflict with existing land use plan policies, or regulations related to the environment. Therefore, the proposed ordinance amendments would not result in land use and planning impacts.

XI. c) The proposed ordinance amendments requires adult uses to be located in certain M-1 or any M-2 Zones (compliance with *Locational Limitations*) that would generally not be included in a habitat conservation plan or natural community conservation plan. The Adult Use Development Permit review and approval process will allow property analysis and findings in establishing an adult use within the City Corporate boundaries. Therefore, conflicts with an applicable habitat conservation plan or natural community conservation plan would not result from implementation of the proposed ordinance.

XII.	MINERAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

XII a-b) The proposed ordinance amendments would regulate the location and operation of adult uses to certain M-1 or any M-2 Zones (compliance with *Locational Limitations*), which may be mineral resource locations. An Adult Use Development Permit will require specific site analysis in potential loss of mineral resources via appropriate environmental review, if needed. Therefore, the City’s review process includes safeguards to ensure that projects will not result in impacts related to loss of availability of a known or locally important mineral resource. As such, the proposed ordinance amendments will have no impact on loss of mineral resources as the expanded areas are appropriately addressed by current city code and 2015 adopted CEQA policy requirements

XIII. NOISE. Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

XIII. a) The proposed ordinance amendments provides regulations related to the location and operation of adult uses that are limited to certain M-1 and any M-2 Zones (compliance with *Locational Limitations*). Compliance with City Codes detailed in Title 18 (Zoning Code) and Operating Standards detailed in Chapter 18.49 (Adult Use Regulations) of the Development Code, as well as all other provisions of the Development Code will be confirmed in the application process, in accordance with the Adult Use Development Permit application procedures. Therefore any potential impacts relative to noise will be avoided.

XIII. b) The proposed ordinance amendments provides regulations related to the location and operation of adult uses that are limited to certain M-1 and any M-2 Zones (compliance with *Locational Limitations*). Under the

proposed ordinance, adult uses would continue to be required to comply with the City’s adopted noise standards, including City Code Section 18.42.050 (Vibration), which provides standards for groundborne vibration during construction periods. In addition, application of an adult use is required to be reviewed comprehensively through the Adult Use Development Permit, which may include specific conditions of approval related to noise and vibration. Therefore, implementation of the proposed ordinance would not result in the exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels, and impacts would not occur.

XIII. c-d) As described in response a), the proposed ordinance amendments provides regulations related to the location and operation of adult uses that are limited to certain M-1 and any M-2 Zones (compliance with *Locational Limitations*), and the review of a project through the Adult Use Development Permit, which includes review of potential noise impacts. As such, noise levels generated by adult use will not exceed any adopted standards. Therefore, implementation of the proposed ordinance would not result in either permanent or temporary substantial increases in ambient noise levels, and impacts related to noise would not occur.

XIII. e-f) The proposed ordinance amendments would regulate the location and operation of adult use to areas zoned as M-1 or M-2 Zones (with compliance of *Locational Limitations*). In addition, proposed adult uses would be subject to guidelines of applicable airport land use plans, where applicable. In the case of Colton, there are no airports within two miles of M-1 or M-2 properties. Furthermore, review of potential impacts of the project will be thoroughly reviewed via Adult Use Development Permit process. Therefore, the proposed ordinance would not result in impacts related to exposure of people residing or working near an airport or airstrip to excessive noise levels.

XIV.	POPULATION AND HOUSING. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of road or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

XIV.a) The proposed ordinance amendments regulates the location and operation of adult uses within certain M-1 and any M-2 Zones (compliance with *Locational Limitations*). The proposed ordinance does not propose new homes, businesses, roads, or infrastructure; and would not induce substantial population growth. Conversely, the ordinance includes distance requirements from sensitive uses that would limit the areas where new adult could be located, and may act as a constraint to growth of adult uses. As a result, implementation of the proposed ordinance would not result in impacts related to growth.

XIV. b-c) The proposed ordinance regulates the location and operation of adult uses within certain M-1 Zones and any M-2 Zones (compliance with *Locational Limitations*), and would require adult uses to be separated from residential uses. The proposed ordinance would not displace housing units or people, and would not necessitate the construction of housing. Impacts related to population and housing would not occur from implementation of the proposed ordinance.

XV.	PUBLIC SERVICES. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	i. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	ii. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	iii. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	iv. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	v. Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

XV. a.i) The proposed ordinance amendments would regulate the location and operation of adult uses restricted to certain M-1 or any M-2 Zones (compliance with *Locational Limitations*). Adult uses are also subject to the City’s development requirements, which include the Uniform Building Code and reviews from the City’s Fire Department. Furthermore, an Adult Use Development Permit is required where full review of environmental impacts and analysis is completed for Planning Commission consideration in approving such projects. As such, a proposed adult uses will be reviewed by Police, Fire, Electric and Public Works for the provision of adequate public services to serve a specific proposal. Therefore, the City’s review process includes safeguards to ensure that projects will not result in impacts related to the need for fire protection services, which would cause a need for new, or physically altered, fire and other public services protection facilities.

XV. a.ii) The proposed ordinance amendments would regulate the location and operation of adult uses, and includes requirements for security lighting and security systems that records identification of persons entering and exiting the facility and parking lot activities. In addition, permits for adult use facilities would be reviewed and by the City’s Police Department prior to approval to ensure compliance with the City’s Code requirements related to crime prevention. Therefore, the proposed ordinance would not result in impacts related to the need for Police Department and other public services, which would cause a need for new, or physically altered facilities.

XV. a.iii) The proposed ordinance amendments regulates the location and operation of adult uses within the M-1 and M-2 Zones. The proposed ordinance amendments do not propose new homes, businesses, or other uses that would induce population growth. The proposed ordinance would not result in an increase in the student population of the County, or otherwise involve school facilities. As a result, impacts related to the need for new, or physically altered, schools would not occur.

XV. a.iv) The proposed ordinance amendments would regulate the location and operation of adult uses. Adult uses would be limited to areas zoned as M-1 or M-2, and would require a setback from park or community center

uses. The proposed ordinance does not otherwise involve park facilities and would not result in an increase in the use of existing facilities, such that a need for new, or physically altered, parks would occur.

XV. a.v) As described in responses a.i) through a.iv), the proposed ordinance amendments regulates the location and operation of adult uses within certain M-1 and any M-2 Zones (compliance with *Locational Limitations*). The proposed ordinance does not propose new homes, businesses, or other uses that would induce population growth. The proposed ordinance would not result in a population increase that would require public facilities. As a result, impacts related to the need for new, or physically altered, public facilities would not occur.

XVI. RECREATION. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

XVI a-b) The proposed ordinance amendments would regulate the location and operation of adult uses. Adult-uses are restricted to certain M-1 or any M-2 (compliance with *Locational Limitations*), and would require a minimum of 500-foot setback from park or community center uses, and residential zones. The proposed ordinance does not otherwise involve recreation facilities and would not result in an increase in the use of existing facilities, such that substantial physical deterioration would occur. In addition, the proposed ordinance does not require the construction or expansion of recreation facilities. Therefore, implementation of the proposed ordinance would not result in impacts related to recreation facilities, or related to construction of recreation facilities.

XVII. TRANSPORTATION / TRAFFIC. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- | | | | | | |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) | Conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) | Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) | Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) | Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) | Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

XVII. a-b) The proposed ordinance amends the location and operation of adult uses restricted to certain M-1 and any M-2 Zones (compliance with *Locational Limitations*). The proposed ordinance does not propose new uses that would induce population growth or result in substantial traffic volumes, or otherwise conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system. In addition, an Adult Use Development Permit is required at which time compliance with county congestion management program, off street parking and circulation patterns are reviewed, and the Installation of Street Improvement requirements pursuant to the Title 12 (Streets and other Public Places), Title 13 (Utilities), Title 14 (Storm Drains and Floodplain Management), Title 15 (Building and Construction) and Title 16 (Division of Land). The City Contract Traffic Engineer review and conditions would also be provided during the Adult Use Development Permit process. Therefore, implementation of the proposed ordinance would not result in impacts related to traffic congestion, conflict with traffic programs, or City performance standards.

XVII. c) The proposed ordinance amendment would regulate the location and operation of adult uses to specific areas within M-1 or any M-2 (compliance with *Locational Limitations*). In addition, proposed adult uses would be subject to guidelines of applicable airport land use plans, where applicable. Furthermore, an Adult Use Development Permit is required at which time compliance with county congestion management program, off street parking and circulation patterns are reviewed, and the Installation of Street Improvement requirements pursuant to the Title 12 (Streets and other Public Places), Title 13 (Utilities), Title 14 (Storm Drains and Floodplain Management), Title 15 (Building and Construction), Title 16 (Division of Land) and Title 18 (Zoning Code). Therefore, the proposed ordinance would not result in impacts related to a change in air traffic patterns that results in a substantial safety risk.

XVII. d) The proposed ordinance would regulate the location and operation of adult uses restricted to areas within M-1 or M-2, subject to *Locational Limitations* requirements of the Zoning Code. The proposed ordinance amends does not propose new uses or hazardous design features that could result in traffic impacts. In addition, the ordinance requires separation distances from sensitive to ensure that incompatible uses would not occur. The intent of the proposed ordinance amends is to provide appropriate locations for adult uses that would not conflict with the existing community. Therefore, the proposed ordinance would not result in an increase in hazards due to design features or incompatible uses.

XVII. e) The proposed ordinance amendments would regulate the location and operation of adult uses restricted to certain M-1 or any M-2 (compliance with *Locational Limitations*). In addition, proposed adult uses would be subject to the City's development requirements, which includes the Uniform Building Code, and reviews from the City's Fire Department to ensure emergency access. Furthermore, an Adult Use Development Permit is required which would initiate review of any future adult use with compliance of City building codes, fire codes, and other municipal codes related to development standards for project developments. Therefore, the proposed ordinance amendments would not result in impacts related to inadequate emergency access.

XVII. f) The proposed ordinance amendments would regulate the location and operation of adult uses. Adult uses would be limited to areas zoned M-1 or M-2 and would be required to comply with other portions of the City's Code related to transit, bicycle, and pedestrian facilities, as applicable. The proposed ordinance does not otherwise involve alternative transportation and would not result in a conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities.

XVIII.	UTILITIES AND SERVICE SYSTEMS. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? In making this determination, the Lead Agency shall consider whether the project is subject to the water supply assessment requirements of Water Code Section 10910, et. seq. (SB 610), and the requirements of Government Code Section 664737 (SB 221).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- | | | | | | |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| f) | Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) | Comply with federal, state, and local statutes and regulations related to solid waste? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

XVIII. a) The proposed ordinance amendments provides regulations related to the location and operation of adult uses restricted in certain M-1 or certain M-2 Zones (compliance with *Locational Limitations*) and an Adult Use Development Permit is required which would initiate review of any future adult use with compliance of City building codes, fire codes, and other municipal codes related to development standards for project developments. Project implementation will not violate any water quality standards or waste discharge requirements. The applicant is required to comply with requirements of the City Public Works Department and ensure that Best Management Practices (BMPs) are followed during construction. Under Section 402 of the Clean Water Act (CWA), the Regional Water Quality Control Board (RWQCB) issues National Pollutant Discharge Elimination System (NPDES) permits to regulate waste discharges to waters of the U.S. Waters of the U.S. including rivers, lakes, and their tributary waters. Waste discharges include discharges of stormwater and construction project discharges. The City has a permit from the RWQCB for all wastewater generated within its boundaries. Because the project proponent would be required to adhere to wastewater discharge requirements found within the NPDES permit process as well as provisions required by the City of Colton, no impacts would be generated to this issue would result from implementation of the proposed ordinance amendments project. Therefore, the proposed ordinance would not result in conflicts with requirements of the RWQCB (Regional Water Quality Control Board).

XVIII. b) The proposed ordinance amendments provides regulations related to the location and operation of adult uses restricted to certain M-1 or any M-2 Zones (compliance with *Locational Limitations*). In addition, adult uses would continue to be regulated by the other provisions in the City Municipal Code, including Title 13 (Utilities), that requires M-1 and M-2 uses be served by Colton wastewater. Because the proposed ordinance amendments would not induce growth and would require compliance with existing regulations related to water use and wastewater services, impacts related to wastewater treatment facilities would not occur.

XVIII. c) The proposed ordinance amendments provides regulations related to the location and operation of adult uses, which are limited to certain M-1 and certain M-2 Zones. Under the proposed ordinance, adult uses would continue to be regulated by the other provisions in the City Municipal Code, including Title 13 (Utilities) and Title 14 (Storm Drains and Floodplain Management). In addition, adult uses would continue to be required to control stormwater consistent with the existing requirements of the RWQCB. Therefore, implementation of the proposed ordinance would not result in impacts related to construction of new storm water drainage facilities.

XVIII. d) The proposed ordinance amendments provides regulations related to the location and operation of adult uses, which are limited to certain M-1 or any M-2 Zones. Under the proposed ordinance amendments, adult uses would continue to be regulated by the other provisions in the City Code, including Title 13 (Utilities) and Title 14 (Storm Drains and Floodplain Management), that requires M-1 and M-2 uses be served by water purveyors. In addition, adult-oriented uses would continue to be regulated by local and regional regulations related to water use. Also, the Adult Use Development Permit will require review by the City's Engineering staff for provision of adequate water supplies and compliance with groundwater management and public water supply systems. Therefore, implementation of the proposed ordinance amendments would not result in impacts related to water supplies, and would not require expanded water entitlements.

XVIII. e) Refer to response b). The proposed ordinance provides regulations related to the location and operation of adult uses restricted in certain M-1 and any M-2 Zones, and implementation of the proposed ordinance would not induce substantial population growth. In addition, adult uses would continue to be regulated by the City Code. Because the proposed ordinance amendments would not induce growth and would require compliance

with existing regulations related to wastewater, impacts related to wastewater treatment facilities would not occur.

XVIII. f-g) The proposed ordinance amendments provides regulations related to the location and operation of adult uses restricted in certain M-1 or any M-2 Zones. Adult uses do not generate large volumes of solid waste. In addition, the application for an Adult Use Development Permit is required, which initiates project review and compliance with all city, state and federal laws related to a development project or adult use project. Therefore, the proposed ordinance amendments would not result in impacts related to landfill capacity and compliance with solid waste regulations.

XIX.	MANDATORY FINDINGS OF SIGNIFICANCE	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current project, and the effects of probable future projects.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

XVIII. a) The proposed ordinance amendments would regulate the location and operation of adult uses restricted to certain M-1 and any M-2 Zones (compliance with *Locational Limitations*). The proposed adult uses ordinance amendments would not have the potential to reduce the habitat of a fish or wildlife species, cause a fish or

wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animals. Generally, the M-1 (Light Industrial) and M-2 (Heavy Industrial) Zones in the City generally do not contain areas of sensitive habitat or where sensitive species may be found. In addition, an Adult Use Development Permit is required to establish an adult use establishment in the City of Colton at which time compliance with all City codes and California Environmental Review Act (CEQA) would be reviewed and analyzed. Therefore, any potential impacts on biological resources will be avoided. Additionally, an adult uses shall be constructed and operated in compliance to the standards in Chapter 18.49 (Adult Use Regulations) and other applicable municipal codes. This includes a requirement to process an Adult Use Development Permit which would require review of an adult use project for compliance with all City development standards and CEQA. As a result, the proposed ordinance amendments would not result in impacts these biological resources. These standards are provided to protect important examples of California's history and prehistory. As a result, implementation of the proposed ordinance would not result in impacts related to cultural or paleontologic resources.

XVIII. b) The proposed ordinance amendments would regulate the location and operation of adult uses restricted to certain M-1 or any M-2 Zones (compliance with *Locational Limitations*).to mitigate potential adverse secondary effects of these uses and protect the quality of life and neighborhoods in the City. As described throughout this Initial Study, implementation of the proposed ordinance amendments would not result in environmental impacts and includes certain requirements to obtain an Adult Use Development Permit which is required to be approved by the City Planning Commission by holding a noticed public hearing. In addition, adult uses are required to comply with the City's Code, regional, state and federal regulations. Implementation of the proposed ordinance would not impacts that are individually limited, but could be incrementally considerable. There are no other past, current, or probable future projects or proposed ordinances that would combine with the proposed ordinance to result in a cumulatively adverse impact. Therefore, cumulative impacts related to the proposed ordinance would not occur.

XVIII. c) The intent of the proposed ordinance amendments is to provide land use and operating regulations that would mitigate potential adverse secondary effects of adult-oriented businesses and protect the quality of life and neighborhoods in the City. The proposed ordinance provides location standards and design standards, and the application packet includes performance standards to minimize potential nuisances and both direct and indirect impacts to human beings. In addition to the proposed ordinance, adult use would continue to be regulated by the City's Code and other regional, state and federal regulations, as appropriate. The proposed ordinance would be adopted for the purpose of avoiding or mitigating an environmental effect, and would not cause substantial adverse effects on human beings.

Note: Authority cited: Sections 21083, 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080, 21083.05, 21095, Pub. Resources Code; *Eureka Citizens for Responsible Govt. v. City of Eureka* (2007) 147 Cal.App.4th 357; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th at 1109; *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656.

Revised 2009

REFERENCES. The following references cited in the Initial Study are on file and/or information pertaining to this subject can be inquired in the Development Services Department.

1. City of Colton General Plan
2. City of Colton General Plan Land Use Plan/Zoning Districts Map
3. City of Colton Development Code (Title 18 of the Colton Municipal Code)
4. City of Colton Municipal Code (Titles 12-16)
5. South Coast Air Quality Management District, CEQA Air Quality Handbook
6. Federal Emergency Management Agency, Flood Insurance Rate Maps
7. Santa Ana Regional Water Quality Control Board
8. California Department of Conservation, Farmland Mapping and Monitoring Program, 2004.8
9. Preliminary Traffic Assessment to Identify and Evaluate any Potential Traffic Impacts.
10. State of California Public Resource Code
11. California Integrated Waste Management Board, Solid Waste Information System, www.ciwmb.ca.gov/swis
12. Southern California Association of Governments (SCAG) http://www.scag.ca.gov/forecast/downloads/excel/RTP07_CityLevel.xls
13. Hazardous Waste Substance and Sites List.

ATTACHMENT 3

Updated Redlined version of the Draft – Page 6
Updated only

Draft

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COLTON TO ADD AND MODIFY VARIOUS PROVISIONS OF TITLE 18, CHAPTER 18.49 OF THE ADULT USE REGULATIONS OF THE COLTON MUNICIPAL CODE TO (FILE INDEX NO. DAP-001-248).

WHEREAS, on ____, 2015, the City Council of the City of Colton ("City Council") adopted Ordinance No. ____ approving the amendment of the Adult Use Regulations; and

WHEREAS, on ____ 2015, the Planning Commission of the City of Colton ("Planning Commission") conducted a duly noticed public hearing pertaining to the Adult Use Regulations. The Adult Use Regulations are intended to implement General Plan Policies and City Council _____. The Adult Use Regulations are intended to protect the health, safety, and general welfare of the people of Colton; and

WHEREAS, on ____, 2015 the Planning Commission conducted a duly noticed public hearing and recommended that the City Council adopt Zone Text Amendment (File Case No. DAP-001-248) pertaining to Adult Use Regulations; and

WHEREAS, Land Use Element includes Goal LU-1.3 requires that the City "*Ensure that new development projects are compatible with permitted, well maintained uses and buildings in the surrounding neighborhood or district.*" The code amendment proposed addresses general text clean-up and updates locational requirements ensuring land use compatibility; and

WHEREAS, Land Use Element includes Goal LU-1.6 requires that the City "*Ensure that the zoning map, Zoning Code, Specific Plans, and other applicable development-related ordinances are brought into conformance with the Land Use Element as soon as practical following adopted or amendment*" as it pertains to updating existing sections of the Zoning Code.

WHEREAS, pursuant to CEQA 15164 Approved Negative Declaration, this activity is within the scope of the project was approved by the City Council on February 24, 2015. The Negative Declaration adequately describes the various amendments to Title 18 to ensure consistency with the adopted Land Use Element. The proposed zoning text amendments are consistent in implementing general plan policies and

WHEREAS, all other legal prerequisites to the adoption of this Ordinance have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COLTON DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Council hereby adopts the recitals and findings set forth above and in the agenda report prepared in connection with this Ordinance.

Draft

SECTION 2. General Plan Consistency. Based on the entire record before the City Council and all written and oral evidence presented, including the staff report and the findings made in this Ordinance, the City Council hereby finds and determines that the proposed Zone Text Amendment is consistent with the goals and policies of the City of Colton General Plan and is reasonably related to the public welfare of the citizens of the City and surround regions. Specifically, the provisions of this Zone Text Amendment pertain to hillside development and compact lots subdivision ordinance and updating various other sections of the Zoning Code.

SECTION **18.06.060 G.** Industrial Districts Table of Chapter 18.06 of Title 18 of the Colton Municipal Code pertaining to Uses Permitted in each Zone, is hereby amended (New Text is shown in **underline and bold** and deleted text is shown in ~~strikethrough~~):

18.06.060 - Uses Permitted in each Zone.

G. Industrial Districts Table	I-P	M-1	M-2
Adult Businesses (See Chapter 18.49 Adult Use Regulations)	N	N A	A

SECTION **18.49** Chapter 18.49 – Adult Use Regulations of Title 18 of the Colton Municipal Code pertaining to Uses Permitted in each Zone, is hereby amended (New Text is shown in **underline and bold** and deleted text is shown in ~~strikethrough~~):

Chapter 18.49 - ADULT USE REGULATIONS

Sections:

18.49.010 - Purpose.

The purpose of this chapter is to provide special Design Guidelines/~~s~~**Standards** and ~~D~~**d**development regulations which regulate the time, place and manner of the operation of ~~A~~**adult** ~~U~~**use** facilities in order to minimize the negative secondary effects associated with such facilities.

(Ord. 0-2-97 § 3 (part), 1997)

18.49.020 - Definitions.

In Addition to the definitions contained in the Municipal Code, the ~~F~~**following** words and phrases ~~S~~**shall**, for the purposes of this chapter, be defined as follows, unless it is clearly apparent from the context that another meaning is intended. Should any of the definitions be in conflict with the current provisions of the Municipal Code, these definitions ~~S~~**shall** prevail:

Draft

1 "Adult Arcade" means any **B**usiness **E**stablishment or concern to which the public is
2 **P**ermitted or invited and where coin or slug operated or electronically, electrically or
3 mechanically controlled amusement devices, still or **M**otion **P**icture machines, **P**rojectors,
4 videos or other image-producing devices are maintained to show images on a regular or
5 substantial basis, where the images so displayed are distinguished or characterized by an
emphasis on **M**atter depicting or describing "Specified Sexual Activities" or "Specified
Anatomical Areas."

6 "Adult Bookstore" means any **B**usiness **E**stablishment or concern having as a regular and
7 substantial portion of its stock in trade, "Material" (as defined below) which is distinguished or
8 characterized by its emphasis on **M**atter depicting, describing or relating to "Specified Sexual
Activities" or "Specified Anatomical Areas."

9 "Adult Business" or "Adult Use" means:

- 10
- 11 1. Any **B**usiness **E**stablishment or concern which as a regular and substantial course of
12 conduct operates as an **A**adult **B**ookstore, **A**adult **T**heater, **A**adult **A**rcade, **A**adult
Cabaret, adult figure modeling studio, adult **M**otel or **H**otel; or
 - 13 2. Any **B**usiness **E**stablishment or concern which as a regular and substantial course of
14 conduct offers, sells or distributes **A**adult **O**riented **M**erchandise or sexually oriented
15 merchandise, or which offers to its patrons **M**aterials, products, merchandise, services
16 or entertainment characterized by an emphasis on **M**atters depicting, describing or
relating to "Specified Sexual Activities" or "Specified Anatomical Parts," but not
including those Uses or activities which are preempted by state **L**aw.

17 "Adult Cabaret" or "Adult Nightclub" means a **B**usiness **E**stablishment or concern (whether or
18 not serving Alcoholic Beverages) which features live performances by topless and/or bottomless
19 dancers, go-go dancers, exotic dancers, strippers or similar entertainers, and where such
performances are distinguished or characterized by their emphasis on **M**atter depicting,
describing or relating to "Specified Sexual Activities" or "Specified Anatomical Areas."

20 "Adult Dance Studio" means any **B**usiness **E**stablishment or concern which provides for
21 members of the public a partner for dance where the partner, or the dance, is distinguished or
22 characterized by the emphasis on **M**atter depicting, or describing or relating to "Specified
Sexual Activities" or "Specified Anatomical Areas."

23 "Adult Oriented Merchandise" means sexually oriented implements, paraphernalia or novelty
24 items, such as, but not limited to: dildos, auto sucks, sexually oriented vibrators, benwa balls,
25 inflatable orifices, anatomical balloons with orifices, simulated and battery operated vaginas, and
26 similar sexually oriented devices which are designed or marketed primarily for the stimulation of
27 human genital organs or sado-masochistic activity or distinguished or characterized by their
emphasis on **M**atter depicting, describing or relating to "Specified Sexual Activities" or
"Specified Anatomical Areas."

Draft

1 "Adult Theater" means a theater or other commercial ~~E~~establishment with or without a stage or
2 proscenium which is ~~U~~used for presenting, on a regular and substantial basis, "Material" which
3 is distinguished or characterized by an emphasis on ~~M~~matter depicting, or describing, or relating
4 to "Specified Sexual Activities" or "Specified Anatomical Areas."

4 "Arcade Booth" means any enclosed or partially enclosed portion of an ~~E~~establishment in which
5 an ~~A~~adult ~~A~~arcade is located, or where a live performance is presented, on a regular or
6 substantial basis, where the ~~M~~material presented is distinguished or characterized by an
7 emphasis on ~~M~~matter depicting, or describing, or relating to "Specified Sexual Activities" or
8 "Specified Anatomical Areas."

8 "M-2 Heavy Industrial Zone" means any ~~P~~property within the City which is zoned M-2 Heavy
9 Industrial Zone on the City's Official Zoning Map adopted by Ordinance No. 0-14-92, effective
10 August 21, 1992, as ~~M~~may be amended from time to time, Attached as Exhibit A and fully
11 incorporated by this reference.

11 "Material" relative to ~~A~~adult ~~B~~businesses, means and includes, but is not limited to, accessories,
12 books, magazines, photographs, prints, drawings, paintings, ~~M~~motion ~~P~~pictures, pamphlets,
13 videos, slides, tapes or electronically generated images or devices including computer software,
14 or any combination thereof.

14 "Park" means any ~~P~~property within the City which is zoned public ~~P~~park on the City's Official
15 Zoning Map adopted by Ordinance No. 0-14-92, effective August 21, 1992, as ~~M~~may be
16 amended from time to time, Attached as Exhibit A and fully incorporated by this reference,
17 ~~including Property shown as Park within the Planned Community Overlay Zone.~~

17 "Performer" means any ~~P~~person who is an ~~E~~mployee or independent contractor of the ~~A~~adult
18 ~~B~~business, or any ~~P~~person who, with or without any compensation or other form of
19 consideration, performs live entertainment for patrons of an ~~A~~adult ~~B~~business.

19 "Religious Institution" means a ~~F~~facility ~~U~~used primarily for ~~R~~religious ~~A~~assembly or worship
20 and related religious activities.

21 "Residential Zone" means any ~~P~~property within the City which is zoned ~~R~~residential, including
22 R-E Residential Estate Zone, R-1 Low Density Residential Zone, R-2 Medium Density
23 Residential Zone and R-3 High Density Residential Zone as set forth on the City Zoning Map,
24 adopted by Ordinance No. 0-14-92 on August 21, 1992 and fully incorporated by this reference,
25 and as ~~M~~may be amended from time to time. "Residential Zone" also includes ~~R~~residential
26 ~~Z~~zones within ~~S~~specific ~~P~~plan areas ~~and the Planned Community Development Overlay Zone as~~
27 set forth on the City Zoning Map.

26 "School" means any Institution of learning for ~~M~~minors whether public or private, which offers
27 instruction in those courses of study required by the California Education Code or which is
28 maintained pursuant to standards set by the State Board of Education and has an ~~A~~approved
29 ~~U~~se ~~P~~permit, if required, under the applicable jurisdiction. This definition includes a ~~N~~nursery

Draft

1 ~~S~~school, ~~K~~kindergarten, ~~E~~elementary ~~S~~school, ~~J~~junior ~~H~~high ~~S~~school, ~~S~~senior ~~H~~high ~~S~~school.
2 The definition of ~~S~~school does not include a community or junior college, college or university,
3 or a vocational Institution.

4 "Specified Anatomical Areas" means:

- 5 1. Less than completely and opaquely covered:
 - 6 a. Human genitals, pubic region,
 - 7 b. Buttock, or
 - 8 c. Female breast below a point immediately above the top of the areola; or
- 9 2. Any device or covering, when exposed to view, which simulates the female breast below
10 a point immediately above the top of the areola, human genitals, pubic region or buttock;
11 or
- 12 3. Human or simulated male genitals in a discernible turgid state, even if completely and
opaquely covered.

13 "Specified Sexual Activities" means:

- 14 1. Human genitals in a state of sexual stimulation or arousal; and/or
- 15 2. Acts of human masturbation, sexual stimulation or arousal; and/or
- 16 3. Use of human or animal ejaculation, sodomy, oral copulation, coitus or masturbation;
and/or
- 17 4. Masochism, erotic or sexually-oriented torture, beating or the infliction of pain; and/or
- 18 5. Human excretion, urination, menstruation, vaginal or anal irrigation; and/or
- 19 6. Fondling or other erotic touching of human genitals, pubic region, buttock or female
breast.

20 (Ord. 0-2-97 § 3 (part), 1997)

21 **18.49.030 - Locational Limitations.**

22
23 A. Subject to the limitations of this chapter, ~~A~~adult ~~B~~businesses ~~M~~may be located in the M-2
24 Heavy Industrial and designaged M-1 (Light Industrial) areas Zones of the City as
specified within this ordinance.

25 ~~B. In the M-2 Heavy Industrial Zone where ~~A~~adult ~~B~~businesses regulated by this chapter would~~
26 ~~otherwise be ~~P~~permitted ~~U~~uses, it is unlawful to establish any such ~~A~~adult ~~B~~business if the~~
~~location is:~~

- 27 1. Within a one thousand foot radius of a ~~R~~residential ~~Z~~zone. The distance between a
28 proposed Use and a ~~R~~residential ~~Z~~zone ~~S~~shall be measured from the nearest exterior
~~W~~wall of the ~~F~~facility housing the ~~A~~adult ~~U~~use or proposed ~~A~~adult ~~U~~use to the nearest

Draft

1 Pproperty line included within the Rresidential Zzone, measured along a straight line
2 extended between the two points.

3 2. Within a one thousand-foot radius of a Sschool or Ppark. The distance between the
4 proposed Uuse and a Sschool or Ppark Sshall be measured from the nearest exterior
5 Wwall of the Ffacility housing the Aadult Uuse or proposed Aadult Uuse to the nearest
6 Pproperty line of the Sschool or Ppark site, along a straight line extended between the
7 two points.

8 3. Within a one thousand foot radius of a Rreligious Hinstitution. The distance between the
9 Aadult Uuse or proposed Aadult Uuse and a Rreligious Hinstitution Sshall be measured
10 from the nearest exterior Wwall housing the Aadult Uuse or proposed Aadult Uuse along
11 a straight line extended to the nearest exterior Wwall of the Ffacility housing the
12 Rreligious Hinstitution.

13 **4. For properties located in the M-1 (Light Industrial Zone), it is unlawful to establish**
14 **any adult business, except as specified in the following locations:**

15 **Location 1: Properties south of 1-10 Freeway and west of intersection of Hunts Lane and**
16 **Steel Road, eastern boundary is to include 2200 East Steel Road (APN: 0164-27-**
17 **106) to western boundary to include 2131 East Steel Road (APN: 0164-311-29),**
18 **southern boundary is north of 2150 Oliver Holmes Road (APN: 0164-311-02)**
19 **and southeastern boundary is west of 551 South Hunts Lane (APN: 0164-27-**
20 **103).**

21 **Location 2: Properties west of 215 Freeway, from 2185 (APN: 1167-131-14) to 2283 La**
22 **Crosse Avenue (APN: 1167-131-09) east of the Southern Pacific Railroad**
23 **property (APN: 1167-131-11).**

24 **CB.** The Eestablishment of any Aadult Bbusiness Sshall include the opening of such a Bbusiness
25 as a new Bbusiness, the relocation of the Bbusiness, or the conversion of an existing
26 Bbusiness, or an increase of more than fifty percent of the square footage of an existing
27 Bbusiness, or of an existing Aadult Bbusiness to a different type of Aadult Bbusiness.

28 (Ord. 0-2-97 § 3 (part), 1997)

18.49.040 - Development and Operating Standards.

A. Hours of Operation. It is unlawful for any Ooperator or Eemployee of an Aadult Bbusiness to
allow such Aadult Bbusiness to remain open for Bbusiness, or to Ppermit any Eemployee to
engage in a performance, solicit a performance, make a Ssale, solicit a Ssale, provide a service
or solicit a service, between the hours of 12:00 a.m. and 8:00 a.m. of any Dday.

Draft

- 1 B. Lighting Requirements. All exterior areas of the Aadult Bbusiness Sshall be illuminated at a
2 minimum of one footcandle throughout the Premises, minimally maintained and evenly
3 distributed at ground level.
- 4 C. Access Provision. The Ooperator Sshall not Ppermit any doors on the Ppremises to be locked
5 during Business hours and, in addition, the Ooperator Sshall be responsible to see that any
6 room or area on the Ppremises Sshall be readily accessible at all times and Sshall be open to
7 view in its entirety for inspection by any Llaw E enforcement Oofficer.
- 8 D. Minors' Access.
- 9 1. X-Rated Movies. X-rated movies or video tapes Sshall be restricted to Ppersons over
10 eighteen Yyears of age. If an Eestablishment that is not otherwise prohibited from
11 providing Aaccess to Ppersons under eighteen Yyears of age sells, Rrents or displays
12 videos that have been rated "X" or rated "NC-17" by the Motion Picture Rating Industry
13 (MPAA), or which have not been submitted to the MPAA for a rating, and which consist
14 of images which are distinguished or characterized by an emphasis on depicting or
15 describing "Specified Sexual Activities" or "Specified Anatomical Areas," such videos
16 Sshall be located in a specific section of the Eestablishment where Ppersons under the
17 age of eighteen Sshall be prohibited and Sshall not be visible from outside the Ppremises.
- 18 2. Other Adult Materials. Access to adult Mmaterials Sshall be restricted to Ppersons over
19 eighteen Yyears of age.
- 20 E. Regulation of Closed Booths. No one Sshall maintain any Aarcade Bbooth or individual
21 Vviewing Aarea unless the entire interior of such Ppremises wherein the picture or
22 entertainment that is viewed is visible upon entering into such Ppremises; and further, that the
23 entire body of any viewing Pperson is also visible immediately upon entrance to the Ppremises
24 without the assistance of mirrors or other viewing aids. No partially or fully enclosed
25 booths/individual Vviewing Aarea or partially or fully concealed booths/individual Vviewing
26 Aarea shall be maintained. No Aarcade Bbooth Sshall be occupied by more than one patron
27 at a time. No holes Sshall be Ppermitted between Aarcade Bbooths or individual Vviewing
28 Aarea.
- F. Regulation of Viewing Areas. All Vviewing Aareas within the Aadult Bbusiness Sshall be
visible from a continuous and accessible main aisle in a public portion of the Eestablishment,
and not obscured in any manner by any door, curtain, Wwall, two-way mirror or other device
which would prohibit a Pperson from seeing into the Vviewing Aareas from the main aisle.
A manager Sshall be stationed in the main aisle or video monitoring Shall be established at a
location from which the inside of all of the Vviewing Aareas are visible at all times in order
to enforce all rules and regulations. All Vviewing Aareas Sshall be designed or operated to
Ppermit Ooccupancy of either one Pperson only, or more than ten Ppersons. "Viewing Area"
means any area in which a Pperson views performances, pictures, movies, videos or other
presentations.
- G. Business License. A Pperson Sshall not own, operate, manage, conduct or maintain an Aadult
Bbusiness without first having obtained a Bbusiness Llicense from the Community
Development Services Director pursuant to Chapter 5.02 of the Colton Municipal Code. The

Draft

1 issuance or denial of the **B**usiness **L**icense **S**hall be made within fifteen **D**ays of the
2 **A**pplicant's submitted **A**pplication.

3 H. On-Site Manager—Security Measures. All **A**adult **B**usiness **S**hall have a **P**erson who
4 **S**hall be at least eighteen **Y**ears of age and **S**hall be on the **P**remises to act as manager at
5 all times during which the **B**usiness is open. Any and all individual(s) **D**esignated as the
6 on-site manager **S**hall be registered with the City's **C**ommunity Development **S**ervices
7 Director by the **O**wner to receive all complaints and be responsible for all **V**iolations taking
8 place on the **P**remises.

9 The **A**adult **B**usiness **S**hall provide a security system that visually records and monitors all
10 **P**arking **L**ot **A**reas, or in the alternative, uniformed security guards to patrol and monitor the
11 all **P**arking **L**ot **A**reas during all **B**usiness hours. A **S**ign indicating compliance with this
12 provision **S**hall be posted on the **P**remises. The **S**ign **S**hall not exceed two by three feet and
13 **S**hall at a minimum be one foot by one and a half feet.

14 I. Adult Business—Operating Requirements. No **P**erson, association, partnership or
15 corporation **S**hall engage in, conduct or carry on, or **P**ermit to be engaged in, conducted or
16 carried on the operation of an **A**adult **B**usiness unless each and all of the **F**ollowing
17 requirements are met:

- 18 1. No **E**mployee, **O**wner, **O**perator, responsible managing **E**mployee, manager or
19 **P**ermittee of an **A**adult **B**usiness **S**hall allow any **P**erson below the age of eighteen
20 **Y**ears upon the **P**remises or within the confines of any **A**adult **B**usiness if no liquor
21 is served, or under the age of twenty-one if liquor is served.
- 22 2. All Employees of Adult Businesses, other than **P**erformers while performing, **S**hall, at
23 a minimum while on or about the licensed **P**remises, wear an opaque covering which
24 covers their **S**pecified **A**anatomical **A**reas.
- 25 3. No **P**erson **S**hall perform live entertainment for patrons of an **A**adult **B**usiness except
26 upon a permanently fixed stage which is at least eighteen inches above the level of the
27 floor, separated by a distance of at least six feet from the nearest area occupied by patrons
28 and surrounded with a three-foot-high barrier. No patron **S**hall be **P**ermitted within six
feet of the stage while the stage is occupied by a **P**erformer.

When patrons are present at the **E**stablishment, they **S**hall not be allowed to directly
touch, fondle or caress, as those terms are defined in *Kev, Inc. v. Kitsap County*, 793 F.2d
1053 (9th Cir. 1986), the **P**erformers while they are performing. This prohibition does not
extend to Incidental touching. Patrons **S**hall be advised of the separation and no touching
requirements by **S**igns placed on the barrier and if necessary by **E**mployees of the
Establishment.

4. If patrons wish to tip **P**erformers, receptacles **S**hall be at least six feet from the
permanently fixed stage. **P**atrons **S**hall not throw tips to **P**erformers, hand tips directly
to **P**erformers or place tips in the **P**erformers' costumes.

(Ord. 0-2-97 § 3 (part), 1997)

Draft

18.49.050 - Adult Use Development Permit— Requirements.

- A. No Aadult Bbusiness May be established or operate within the City by right—all Ppersons wishing to establish an Aadult Bbusiness within the City Mmust apply for and receive an Adult Use Development Permit under this chapter.
- B. It is the burden of the Aapplicant to supply evidence to justify the grant of an Adult Use Development Permit.
- C. Any Person desiring to establish or operate an Aadult Bbusiness within the City Sshall file with the ~~Community~~ Development Services Department an Adult Use Development Permit Application on a standard Application form supplied by the ~~Community~~ Development Services Department.

(Ord. 0-2-97 § 3 (part), 1997)

18.49.060 - Permit—Contents of Application.

- A. The Aapplication Mmust be signed by the Owner or lessee. If the Aapplication is signed by a lessee, a notarized statement signed by the Owner Sshall accompany the Aapplication. Proof of status is required.
- B. The City Council, by Resolution Sshall set forth the contents required for such Aapplications for an Adult Use Development Permit.
- C. All Applicants for an Adult Use Development Permit Mmust also fill out the City's environmental package for purposes of complying with the California Environmental Quality Act (CEQA).

(Ord. 0-2-97 § 3 (part), 1997)

18.49.070 - Permit—Application Fee.

The City Council, by Rresolution, Sshall set a reasonable nonrefundable Aapplication Ffee for Ppersons applying for an Adult Use Development Permit. The Ffee Sshall not exceed the reasonable estimated costs of the City expended in processing the Ppermit Aapplication.

(Ord. 0-2-97 § 3 (part), 1997)

18.49.080 - Permit—Decision to Grant or Deny.

Draft

- 1 A. The Planning Commission (the Commission) ~~S~~shall grant, conditionally grant or deny an
2 ~~A~~application for an Adult Use Development Permit. Any conditions imposed upon the
3 ~~P~~ermit ~~S~~shall be in keeping with the objective Development standards of this chapter and
4 the underlying zoning ~~D~~istrict in which the ~~P~~roperty is located.
- 5 B. The completeness of the ~~A~~application ~~S~~shall be determined by the ~~C~~ommunity Development
6 ~~S~~ervices Director within thirty calendar ~~D~~ays of its submittal to the ~~C~~ommunity
7 Development ~~S~~ervices Director.
- 8 C. Upon the filing of a completed ~~A~~application, the Commission ~~S~~shall cause to be made by its
9 own members, or members of its staff, an appropriate investigation, including consultation
10 with the Building, Police, Fire and Health Departments and inspection of the ~~P~~remises as
11 needed. Consultation is not grounds for the City to unilaterally delay in reviewing a completed
12 ~~A~~application.
- 13 D. In reaching a ~~D~~ecision, the Commission ~~S~~shall not be bound by the formal rules of evidence.
- 14 E. After the investigation has been completed within ten ~~D~~ays or a specified time period that
15 falls within subsection (G) of this section, the Commission ~~S~~shall conduct a ~~N~~oticed ~~P~~ublic
16 ~~H~~earing on the ~~A~~application for an Adult Use Development Permit.
- 17 F. Notice of the time and place of the hearing ~~S~~shall be given by ~~N~~otice through the U.S.
18 ~~M~~ail, with postage prepaid, to all ~~P~~ersons shown on the last equalized assessment roll of
19 the ~~C~~ounty, as owning ~~P~~roperty within a distance of three hundred feet from the external
20 boundaries of the ~~P~~roperty described in the ~~A~~application. Further ~~N~~otice ~~S~~shall be given
21 by publication in a newspaper of general circulation within the City at least ten ~~D~~ays before
22 the scheduled hearing.
- 23 G. The Planning Commission ~~S~~shall render a ~~W~~ritten ~~D~~ecision on the ~~A~~application for an
24 Adult Use Development Permit within thirty ~~D~~ays of receiving a completed ~~A~~application.
25 However, in the event a negative declaration, mitigated negative declaration or any type of
26 Environmental Impact Report needs to be prepared for the ~~P~~roject pursuant to the California
27 Environmental Quality Act (CEQA, Public Resources Code Section 21000, et seq.) and the
28 companion guidelines (CEQA guidelines, Title 14 California Code of Regulation Section
15000, et seq.), then those timeframes set forth in CEQA and the CEQA guidelines ~~S~~shall
apply.
- H. The failure of the Commission to render such a ~~D~~ecision within the time frames set forth
above ~~S~~shall be deemed to constitute an ~~A~~pproval.
- I. Written ~~N~~otice of the Commission's ~~D~~ecision ~~S~~shall be hand delivered or mailed to the
~~A~~pplicant within twenty-four hours.

(Ord. 0-2-97 § 3 (part), 1997)

18.49.090 - Permit—Appeal.

Draft

- 1 A. Any interested ~~P~~person ~~M~~may ~~A~~appeal the ~~D~~decision of the Commission to the City Council
- 2 in writing within ten ~~D~~days after the Commission's ~~W~~written ~~D~~decision. The City Council
- 3 within the same ten ~~D~~days ~~M~~may also initiate such an ~~A~~appeal.
- 4 B. Consideration of an ~~A~~appeal of the Commission's ~~D~~decision ~~S~~shall be at a ~~P~~public ~~H~~hearing
- 5 which ~~S~~shall be ~~N~~noticed as provided in Section 18.49.080(F) above and ~~S~~shall occur within
- 6 thirty ~~D~~days of the filing or initiation of the ~~A~~appeal.
- 7 C. The City Council action on the ~~A~~appeal of the Commission's ~~D~~decision ~~S~~shall be by a
- 8 majority vote of the quorum and upon the conclusion of the de novo ~~P~~public ~~H~~hearing. The
- 9 City Council ~~S~~shall grant, conditionally grant or deny the ~~A~~application. The City Council's
- 10 ~~D~~decision ~~S~~shall be final and conclusive.
- 11 D. In reaching its Decision, the City Council ~~S~~shall not be bound by the formal rules of evidence.

(Ord. 0-2-97 § 3 (part), 1997)

18.49.100 - Permit—Judicial Review of Decision to Grant or Deny.

- 12 a. The time for Court challenge to a ~~D~~decision by the City Council is governed by California
- 13 Code of Civil Procedure Section 1094.6.
- 14 B. Notice of the City Council's Decision and its findings ~~S~~shall be mailed to the ~~A~~applicant
- 15 within twenty-four hours and ~~S~~shall include citation to California Code of Civil Procedure
- 16 Section 1094.6.

(Ord. 0-2-97 § 3 (part), 1997)

18.49.110 - Permit—Expiration.

19 Any Adult Use Development Permit Approved pursuant to this chapter ~~S~~shall become null and

20 void if not exercised within one Year from the date of the Approval. If an ~~A~~adult ~~B~~business

21 ceases to operate for a period of six ~~M~~months, the Adult Use Development Permit ~~S~~shall become

22 null and void. A ~~P~~permit extension ~~S~~shall be granted if prior to the expiration date the

23 ~~P~~permittee demonstrates to the satisfaction of the City's Planning Commission that it has a good

24 faith intent to presently commence the proposed Use. ~~S~~such extensions ~~S~~shall not exceed a total

25 of two six-~~M~~month extensions.

(Ord. 0-2-97 § 3 (part), 1997)

18.49.120 - Permit—Approval Criteria.

- 26 A. The Commission or City Council ~~S~~shall approve or conditionally approve an ~~A~~application for
- 27 an Adult Use Development Permit where the information submitted by the ~~A~~applicant
- 28 substantiates the ~~F~~following findings:

Draft

1. That the proposed Use complies with the objective Development and design requirements of M-2 Heavy Industrial Zone in which it is located and with the applicable standards of this chapter;
2. That the proposed site is not located within a one thousand foot radius of a Residential Zone. The distance between a proposed Use and a Residential Zone shall be measured from the nearest exterior Wall of the Facility housing the Adult Use or proposed Adult Use, to the nearest Property line included within the Residential Zone, along a straight line extended between the two points;
3. That the proposed site is not located within a one thousand-foot radius of a School or Park. The distance between the proposed Use and a School or Park shall be measured from the nearest exterior Wall of the Facility housing the Adult Use or proposed Adult Use to the Property line of the nearest School or Park site, along a straight line extended between the two points;
4. That the proposed site is not located within a one thousand foot radius of a Religious Institution. The distance between the Adult Use or proposed Adult Use and a Religious Institution shall be measured from the nearest exterior Wall housing the Adult Use or proposed Adult Use along a straight line extended to the nearest exterior Wall of the Facility housing the Religious Institution;
5. That neither the Applicant, if an individual, or any of the officers or general partners, if a corporation or partnership, have been found guilty or pleaded nolo contendere within the past four Years of a misdemeanor or a felony classified by the state as a sex or sex-related offense.

(Ord. 0-2-97 § 3 (part), 1997)

18.49.130 - Permit—Revocation.

- A. Any Permit issued pursuant to the provisions of this chapter may be revoked by the City on the basis of any of the Following:
1. That the Business or Use has been conducted in a manner which violates one or more of the conditions imposed upon the issuance of the Permit or which fails to conform to the plans and procedures described in the Application, or which violates the Occupant load limits set by the Fire Marshal;
 2. That the Permittee has failed to obtain or maintain all required City, County and State Licenses and Permits;
 3. That the Permit is being Used to conduct a Use different from that for which it was issued;
 4. That the Permittee has misrepresented a Material fact in the Application for Permit or has not answered each question therein truthfully;
 5. That the Building or Structure in which the Adult Business is conducted is Hazardous to the health or safety of the Employees or patrons of the Business or of

Draft

the general public under the standards set forth in the Uniform Building, Uniform Plumbing or Uniform Fire Code;

6. That the Permittee, if an individual, or any of the officers or general partners, if a corporation or partnership is found guilty or pleaded nolo contendere to a misdemeanor or felony classified by the state as a sex or sex-related offense during the period of the adult Establishment's operation; or

7. That the Use for which the Approval was granted has ceased to exist or has been suspended for six Months or more.

B. Written Notice of hearing on the proposed Permit revocation, together with Written notification of the specific grounds of complaint against the Permittee Shall be personally delivered or sent by Certified Mail to the Permittee at least ten Days prior to the hearing.

C. The Commission Shall Notice and conduct a Public Hearing on the proposed Permit revocation. Written Notice Shall be provided within at least ten Days prior to the hearing to all parties who have expressed their interest in writing.

D. The revocation hearing Shall be heard by the Commission. The Commission Shall not be bound by the formal rules of evidence at the hearing.

E. The Commission Shall revoke, not revoke, or not revoke but add additional conditions to, the Permittee's Adult Use Development Permit. Any additional conditions imposed upon the Permit Shall be in keeping with the objective Development standards of this chapter as set forth in Section 18.49.120 above, and the underlying zoning District in which the Property is located.

F. The Commission Shall make its Decision within thirty Days of the Public Hearing.

G. The Commission's Decision Shall be by Resolution, and Shall be hand delivered or mailed to the Applicant within twenty-four hours and mailed to all Property Owners within three hundred feet of the Use.

H. Any interested Person May Appel the Decision of the Commission to the City Council in writing within ten Days after the Written Decision of the Commission in accordance with the provisions of Section 18.58.070 of the City's Municipal Code.

I. In the event a Permit is revoked pursuant to this chapter, another Adult Use Development Permit to operate an Aadult Business Shall not be granted to the Permittee within twelve Months after the date of such revocation.

(Ord. 0-2-97 § 3 (part), 1997)

18.49.140 - Violation—Penalty.

Any Person who violates any section of this chapter Shall be guilty of a misdemeanor and subject to a fine of one thousand dollars and/or imprisonment in the County Jail for a period of up to six Months or any other legal remedy available to the City.

Draft

(Ord. 0-2-97 § 3 (part), 1997)

18.49.150 - Applicability to other regulations.

The provisions of this chapter are not intended to provide exclusive regulation of the regulated Aadult Uuses. Such Uuses Mmust comply with any and all applicable regulations imposed in other chapters of the zoning code, other City Oordinances and state and Ffederal Llaw.

(Ord. 0-2-97 § 3 (part), 1997)

18.49.160 - Conduct constituting a Public Nuisance.

The conduct of any Bbusiness within the City in Vviolation of any of the terms of this chapter is found and declared to be a Ppublic Nnuisance, and the City Attorney or the District Attorney may, in addition or in lieu of prosecuting a criminal action hereunder, commence an action or proceeding for the abatement, removal and enjoinder thereof, in the manner provided by Llaw; and Sshall take other steps and Sshall apply to such Ccourts as Mmay have jurisdiction to grant such relief as will abate or remove such Aadult Uuse Eestablishment and restrain and enjoin any Pperson from conducting, operating or maintaining an Aadult Uuse Eestablishment contrary to the provisions of this chapter.

(Ord. 0-2-97 § 3 (part), 1997)

SECTION 7. If any sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or otherwise invalid, such decisions shall not affect the validity of the remaining provisions of this Ordinance.

SECTION 8. Pursuant to CEQA 15164 Approved Negative Declaration, this activity is within the scope of the project was approved by the City Council on February 24, 2015. The Negative Declaration adequately describes the various amendments to Title 18 to ensure consistency with the adopted Land Use Element. The proposed zoning text amendments are consistent in implementing general plan policies;

SECTION 9. This Ordinance shall become effective thirty (30) days after its adoption in accordance with the provisions of California law.

SECTION 10. Certification/Publication. The City Clerk shall certify to the passage of this Ordinance and cause the same or a summary thereof to be published within fifteen (15) days after adoption in a newspaper of general circulation published and circulated in the City of Colton.

PASSED, APPROVED AND ADOPTED on this ____ day of ____, 2015.

Draft

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

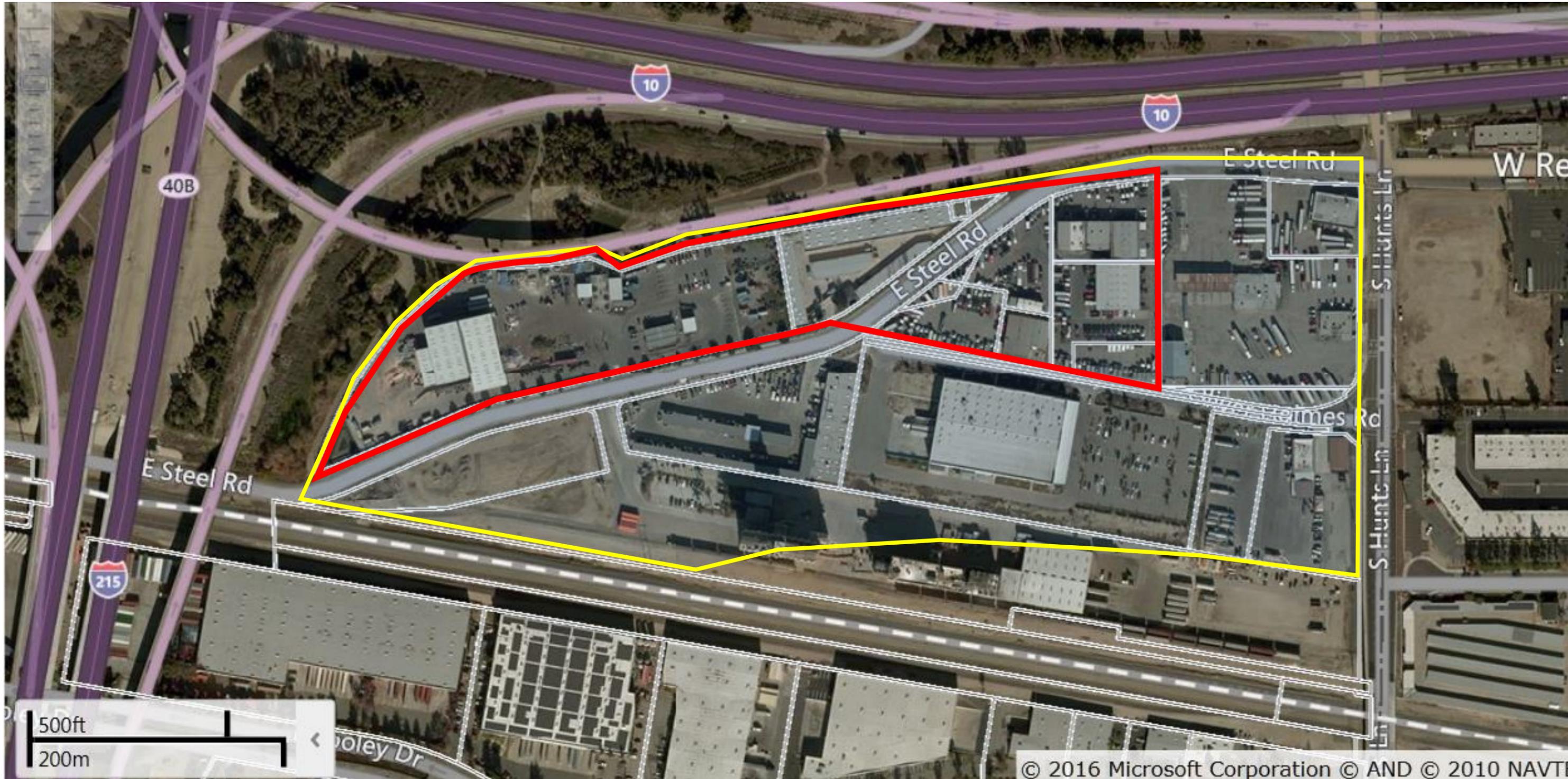
Richard A. De La Rosa
Mayor

ATTEST:

Carolina R. Padilla, City Clerk

ATTACHMENT 4

Location Map 1 – Adjusted with Existing



January 5, 2016 Proposed Boundary



February 2, 2016 Adjusted Proposed Boundary



Existing 1000 foot buffer M-2 (Heavy Industrial) Zone acres: 384.58 Number of Lots 57

Proposed 500 foot buffer M-1 (Light Industrial) & M-2 Zones acres: 1012.14 Number of Lots 347

Location 1 acres/lots existing proposal: 30.92 ac / 19 lots

Location 1 acres/lots after adjusted boundary 12.18 acres / 11 lots

ATTACHMENT 5

January 5, 2016, Staff Report & Attachments



ITEM NO. _____

STAFF REPORT

DATE: JANUARY 5, 2016
TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS
FROM: BILL SMITH, CITY MANAGER *BS*
PREPARED BY: MARK TOMICH, DEVELOPMENT SERVICES DIRECTOR *MT*
SUBJECT: ZONE TEXT AMENDMENT AMENDING AND RESTATING
CHAPTER 18.49 OF THE COLTON MUNICIPAL CODE RELATING
TO ADULT BUSINESS REGULATIONS: FILE INDEX NO. DAP-
001-248

RECOMMENDED ACTION

It is recommended that the City Council accept all public testimony at the duly noticed public hearing, waive further reading, read by title only and introduce Ordinance No. O-02-16 amending and restating Chapter 18.49 of the Colton Municipal Code relating to Adult Business Regulations (File Index No. DAP-001-248).

BACKGROUND

Courts have held that adult businesses provide a forum for protected speech and expression. As a result, cities cannot ban them entirely from their jurisdiction. In fact, cities have legal obligation to zone sufficient areas to allow adult businesses to find a location in which to locate. Although cities may not ban adult businesses from locating within their boundaries, cities can regulate these businesses to address any adverse secondary effects that they may create, including crime, the spread of disease and blighting effects. The United States Supreme Court, in a number of decisions, has repeatedly upheld the use of secondary effect studies to justify content-neutral regulations aimed at addressing the adverse secondary effects of adult businesses.

The City of Colton adopted its adult use regulations in 1998. They included provisions describing the locations in the City in which an adult business may locate. However, cities must, from time to time, update these provisions. As a result, in June 2014, planning staff undertook a study of areas where the existing adult business ordinance would permit the establishment of an adult business. The result of the study concluded that additional sites were needed to meet constitutional requirements and increase the effectiveness of the existing Adult Use Regulations. Therefore, two site location criteria were revised in the site suitability study to consider additional sites. The revised criteria does the following: 1) reduces the 1000 foot buffer from to 500 feet; and 2) adds properties within the M-1 (Light Industrial) zone, subject to certain restrictions. (Attachment 1)

The Planning Commission considered DAP-001-248 on December 8, 2015 and voted 6 to 0 to recommend approval of DAP-001-248 to the Colton City Council.

ISSUES/ANALYSIS

The proposed Zoning Text Amendment proposes to change two major areas. The first change is within the Permitted Use Tables of Title 18, Section 18.06.060 G., which is proposed to be amended to allow an adult business within certain areas of the M-1 (Light Industrial) Zone. The specific change in the attached draft ordinance look like the table on the following page (**Underline and bold** is new and *Strikeout* is text being deleted)

G. Industrial Districts Table	I-P	M-1	M-2
Adult Businesses (See Chapter 18.49 <u>Adult Use Regulations</u>)	N	N <u>A</u>	A

Note that the “A” in the table above stands for an Adult Use Development Permit (A). A land use shown with an "A" indicates that the land use is permitted in the designated zoning district upon issuance of an Adult Use Development Permit from the Planning Commission subject to compliance with all provisions of Chapter 18.49 of this Zoning Code.

The second proposed change or amendment to Title 18 (Zoning Code) is to Section 18.49.030 – Locational Limitations. The change allows for expansion of permitted adult business within certain areas of the M-1 (Light Industrial) and all areas of the M-2 (Heavy Industrial) Zones.

Because all of the areas within the M-2 Zone are out of range whether at 1000 or 500 feet, no further impact or sites become available. However, in the M-1 Zone, several sites become available with the proposed 500 foot buffer. After review of the several sites, staff narrowed the potential sites down to two areas within the M-1 Zone. The proposed text amendment includes the following language that describes the location of the two M-1 Zone areas where an adult business may be located, subject to approval of an Adult Use Development Permit:

Section 18.49.030 – A.

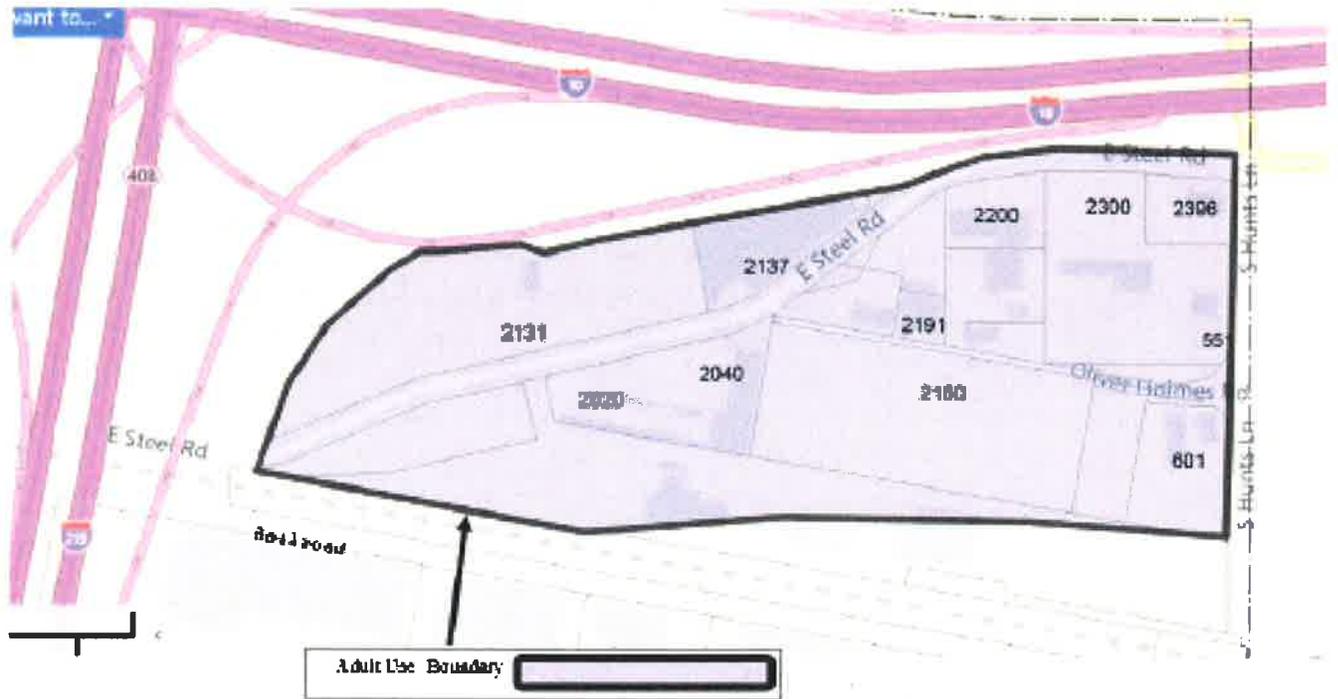
4. For properties located in the M-1 (Light Industrial Zone), it is unlawful to establish any adult business, except as specified in the following locations:

Location 1: Properties south of 1-10 Freeway and west of intersection of Hunts Lane and Steel Road, western boundary is 2131 East Steel Road to eastern boundary at 2396 East Steel Road, southern boundary is 2150 Oliver Holmes Road and eastern boundary is 441 and 601 South Hunts Lane.

Location 2: Properties west of 215 Freeway, from 2185 to 2283 La Crosse Avenue and 375 De Berry Street east of the Southern Pacific Railroad property.

The maps below depict the location of the areas in within the text of the ordinance.

Location 1 – Map:



Location 2 – Map:



Staff has also included a redlined copy of the proposed changes for reference purposes (Attachment 2). The Planning Commission’s recommendation for approval contained in Attachment 3 and the proposed City Council draft Ordinance is in Attachment 4. In addition, studies documenting the adverse secondary effects upon which the City's regulations are based are referenced in the ordinance. Copies of the adverse secondary effect studies have been made available in the Planning Department office for review by the City Council and the public. A summary of the secondary effect studies and other reference materials is attached to the draft Ordinance as Exhibit-A (Attachment 6).

ENVIRONMENTAL DETERMINATION

Based on the entire record before it and all written and oral evidence presented, the City Council finds that pursuant to the California Environmental Quality Act (CEQA), the attached Initial Study was prepared of the potential environmental effects of the project. Based on the findings contained in that Initial Study, City staff determined that, there would be no substantial evidence that the project would have a significant effect on the environment. Based on that determination, proposed project could not have a significant effect on the environment, and a Negative Declaration has been prepared. The Negative Declaration was advertised and posted for public review and comment period starting on November 16, 2015. The public review period for comments on the proposed adoption of the Negative Declaration closed December 7, 2015. No comments were received on the proposed text amendment. (Attachment 5)

FISCAL IMPACT

None.

ALTERNATIVES

1. Provide alternative direction to staff.

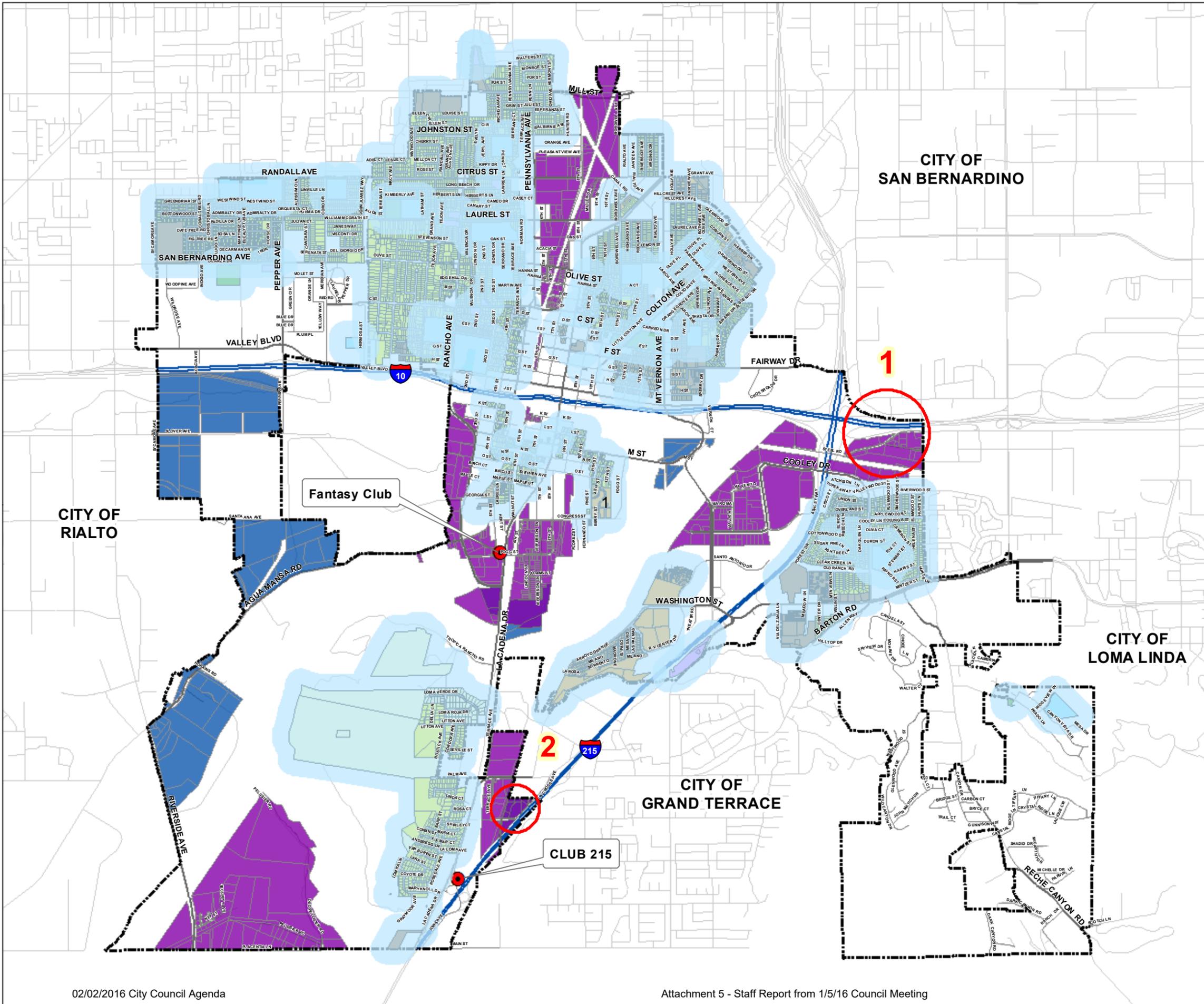
ATTACHMENTS

1. Adult Suitability Analysis
2. Planning Commission Meeting Minutes, excerpts– December 8, 2015
3. Redline Copy of Ordinance Changes
4. Planning Commission Resolution R-27-15
5. Negative Declaration
6. Draft City Council Ordinance No. 0-02-16 and Exhibit-A (Secondary effect studies and other reference materials)

ATTACHMENT 1
Adult Suitability Analysis



City of Colton Adult Suitability Analysis



LEGEND

- Adult Business
- 500 ft Buffer
- City Boundary
- M-1 Parcels
- M-2 Parcels
- Churches
- Parks
- Schools
- Very Low Density Residential (0.1 - 2.0 DU/AC)
- Low Density Residential (2.1-8.0 DU/AC)
- Medium Density Residential (8.1-16.0 DU/AC)
- High Density Residential (14.1-22.0 DU/AC)

CITY OF RIALTO

CITY OF SAN BERNARDINO

CITY OF LOMA LINDA

CITY OF GRAND TERRACE

Created Date: June 18, 2015

Revised Date: January 26, 2016



Not To Scale

ATTACHMENT 2
Planning Commission Meeting Minutes

2. FILE INDEX NUMBER: DAP-001-258 **Calvary the Brook**

APPLICANT: Calvary the Brook (Bob Christoff)

PROPERTY LOCATION: 1550 E. Washington Street (APN): 0276-542-26)

DESCRIPTION: **Conditional Use Permit** to occupy 2nd story of existing building as a church measuring approximately 9,260 square feet with 120 seats for the sanctuary area on property measuring approximately 1.16 acres (50,747 square feet) located in the C-2 (General Commercial) Zone.

PRESENTED BY: Mario Suarez, Senior Planner

PUBLIC COMMENTS

- Bob Christoff, Applicant (designer and member of church).
- John Anaya, Sr.

ENVIRONMENTAL DETERMINATION: Pursuant to CEQA Guidelines Section 15301 – Existing Facilities - This section pertains to existing facilities, categorically exempting from CEQA proposed projects that involve negligible or no expansion beyond what currently exists at the time of environmental determination.

RECOMMENDATION: Staff recommends that the Planning Commission approve the Conditional Use Permit through the adoption of attached Resolution No. R-29-15 titled:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COLTON APPROVING A CONDITIONAL USE PERMIT (CUP) TO OCCUPY 2ND STORY OF EXISTING BUILDING AS A CHURCH MEASURING APPROXIMATELY 9,260 SQUARE FEET WITH 120 SEATS FOR THE SANCTUARY AREA ON PROPERTY MEASURING APPROXIMATELY 1.16 ACRES (50,747 SQUARE FEET) LOCATED IN THE C-2 (GENERAL COMMERCIAL) ZONE.

Motion and second by Commissioner Larson /Commissioner Arrieta 5 to 0 to approve. Roll call vote as follows: Ayes-Commissioner Grossich, Vice Chair Archuleta, Commissioner Delgado, Commissioner Larson , and Commissioner Arrieta. Commissioner Granado-Dominguez and Chair Prieto absent from vote.

3. FILE INDEX NUMBER: DAP-001-248 **Adult Use Regulations**

APPLICANT: City of Colton

PROPERTY LOCATION: Citywide

DESCRIPTION:

A Zoning Text Amendment to update the Adult Use Regulations by making certain changes to the areas in which an adult business may locate in the City of Colton. (File Index No. DAP-001-248).

PRESENTED BY: Mario Suarez, Senior Planner

PUBLIC COMMENTS

None.

ENVIRONMENTAL DETERMINATION: Pursuant to CEQA Guidelines a Negative Declaration is proposed for adoption pursuant to Sections 15070 and 15074 of the Guidelines for the California Environmental Quality Act (CEQA).

RECOMMENDATION: Staff recommends that the Planning Commission approve the Conditional Use Permit through the adoption of attached Resolution No. R-27-15 titled:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COLTON RECOMMENDING TO THE COLTON CITY COUNCIL APPROVE AN ORDINANCE AMENDING AND RESTATING CHAPTER 18.49 OF THE COLTON MUNICIPAL RELATING TO ADULT BUSINESS REGULATIONS: FILE INDEX NO. DAP-001-248

Motion and second by Commissioner Archuleta /Commissioner Delgado 5 to 0 to recommend approval. Roll Call Vote as follows: Ayes-Commissioner Grossich, Vice Chair Archuleta, Commissioner Delgado, Commissioner Larson , and Commissioner Arrieta. Commissioner Granado-Dominguez and Chair Prieto absent from vote.

H. COMMISSION CONSIDERATION

1. Update on Valley Pallets – 1235 S. Lincoln Street (File Index No. DAP-001-187).

PRESENTED BY : Mario Suarez, Senior Planner.

I. DIRECTOR'S REMARKS/REVIEW OF CITY COUNCIL AGENDAS

- Update on Cal Med Project.
- Possible cancellation of 12/22/15 Planning Commission Meeting.

J. COMMISSION CONSIDERATION

Archuleta

- Sunstate Equipment forklifts are up in air on display.
- Complimented the last week's first responders.

ATTACHMENT 3
Redlined Ordinance

Draft

SECTION 2. General Plan Consistency. Based on the entire record before the City Council and all written and oral evidence presented, including the staff report and the findings made in this Ordinance, the City Council hereby finds and determines that the proposed Zone Text Amendment is consistent with the goals and policies of the City of Colton General Plan and is reasonably related to the public welfare of the citizens of the City and surround regions. Specifically, the provisions of this Zone Text Amendment pertain to hillside development and compact lots subdivision ordinance and updating various other sections of the Zoning Code.

SECTION 18.06.060 G. Industrial Districts Table of Chapter 18.06 of Title 18 of the Colton Municipal Code pertaining to Uses Permitted in each Zone, is hereby amended (New Text is shown in **underline and bold** and deleted text is shown in ~~strikethrough~~):

18.06.060 - Uses Permitted in each Zone.

G. Industrial Districts Table	I-P	M-1	M-2
Adult Businesses (See Chapter 18.49 Adult Use Regulations)	N	N A	A

SECTION 18.49 – Adult Use Regulations of Title 18 of the Colton Municipal Code pertaining to Uses Permitted in each Zone, is hereby amended (New Text is shown in **underline and bold** and deleted text is shown in ~~strikethrough~~):

Chapter 18.49 - ADULT USE REGULATIONS

Sections:

18.49.010 - Purpose.

The purpose of this chapter is to provide special Design Guidelines/~~s~~**Standards** and ~~D~~**development** regulations which regulate the time, place and manner of the operation of ~~A~~**adult U**~~se~~ facilities in order to minimize the negative secondary effects associated with such facilities.

(Ord. 0-2-97 § 3 (part), 1997)

18.49.020 - Definitions.

In Addition to the definitions contained in the Municipal Code, the ~~F~~**following** words and phrases ~~S~~**shall**, for the purposes of this chapter, be defined as follows, unless it is clearly apparent from the context that another meaning is intended. Should any of the definitions be in conflict with the current provisions of the Municipal Code, these definitions ~~S~~**shall** prevail:

Draft

1 "Adult Arcade" means any Business Establishment or concern to which the public is
2 Permitted or invited and where coin or slug operated or electronically, electrically or
3 mechanically controlled amusement devices, still or Motion Picture machines, Projectors,
4 videos or other image-producing devices are maintained to show images on a regular or
5 substantial basis, where the images so displayed are distinguished or characterized by an
emphasis on Matter depicting or describing "Specified Sexual Activities" or "Specified
Anatomical Areas."

6 "Adult Bookstore" means any Business Establishment or concern having as a regular and
7 substantial portion of its stock in trade, "Material" (as defined below) which is distinguished or
8 characterized by its emphasis on Matter depicting, describing or relating to "Specified Sexual
Activities" or "Specified Anatomical Areas."

9 "Adult Business" or "Adult Use" means:

- 10 1. Any Business Establishment or concern which as a regular and substantial course of
11 conduct operates as an Aadult Bookstore, Aadult Theater, Aadult Arcade, Aadult
12 Cabaret, adult figure modeling studio, adult Motel or Hotel; or
- 13 2. Any Business Establishment or concern which as a regular and substantial course of
14 conduct offers, sells or distributes Aadult Oriented Merchandise or sexually oriented
15 merchandise, or which offers to its patrons Materials, products, merchandise, services
16 or entertainment characterized by an emphasis on Matters depicting, describing or
relating to "Specified Sexual Activities" or "Specified Anatomical Parts," but not
including those Uses or activities which are preempted by state Law.

17 "Adult Cabaret" or "Adult Nightclub" means a Business Establishment or concern (whether or
18 not serving Alcoholic Beverages) which features live performances by topless and/or bottomless
19 dancers, go-go dancers, exotic dancers, strippers or similar entertainers, and where such
performances are distinguished or characterized by their emphasis on Matter depicting,
describing or relating to "Specified Sexual Activities" or "Specified Anatomical Areas."

20 "Adult Dance Studio" means any Business Establishment or concern which provides for
21 members of the public a partner for dance where the partner, or the dance, is distinguished or
22 characterized by the emphasis on Matter depicting, or describing or relating to "Specified
Sexual Activities" or "Specified Anatomical Areas."

23 "Adult Oriented Merchandise" means sexually oriented implements, paraphernalia or novelty
24 items, such as, but not limited to: dildos, auto sucks, sexually oriented vibrators, benwa balls,
25 inflatable orifices, anatomical balloons with orifices, simulated and battery operated vaginas, and
26 similar sexually oriented devices which are designed or marketed primarily for the stimulation of
27 human genital organs or sado-masochistic activity or distinguished or characterized by their
emphasis on Matter depicting, describing or relating to "Specified Sexual Activities" or
"Specified Anatomical Areas."

Draft

1 "Adult Theater" means a theater or other commercial Eestablishment with or without a stage or
2 proscenium which is Used for presenting, on a regular and substantial basis, "Material" which
3 is distinguished or characterized by an emphasis on Matter depicting, or describing, or relating
4 to "Specified Sexual Activities" or "Specified Anatomical Areas."

4 "Arcade Booth" means any enclosed or partially enclosed portion of an Eestablishment in which
5 an Aadult Aarcade is located, or where a live performance is presented, on a regular or
6 substantial basis, where the Material presented is distinguished or characterized by an
7 emphasis on Matter depicting, or describing, or relating to "Specified Sexual Activities" or
8 "Specified Anatomical Areas."

8 "M-2 Heavy Industrial Zone" means any Property within the City which is zoned M-2 Heavy
9 Industrial Zone on the City's Official Zoning Map adopted by Ordinance No. 0-14-92, effective
10 August 21, 1992, as May be amended from time to time, Attached as Exhibit A and fully
11 incorporated by this reference.

11 "Material" relative to Aadult Businesses, means and includes, but is not limited to, accessories,
12 books, magazines, photographs, prints, drawings, paintings, Motion Pictures, pamphlets,
13 videos, slides, tapes or electronically generated images or devices including computer software,
14 or any combination thereof.

14 "Park" means any Property within the City which is zoned public Park on the City's Official
15 Zoning Map adopted by Ordinance No. 0-14-92, effective August 21, 1992, as May be
16 amended from time to time, Attached as Exhibit A and fully incorporated by this reference,
17 ~~including Property shown as Park within the Planned Community Overlay Zone.~~

17 "Performer" means any Person who is an Employee or independent contractor of the Aadult
18 Business, or any Person who, with or without any compensation or other form of
19 consideration, performs live entertainment for patrons of an Aadult Business.

19 "Religious Institution" means a Facility Used primarily for Rreligious Asssembly or worship
20 and related religious activities.

21 "Residential Zone" means any Property within the City which is zoned Residential, including
22 R-E Residential Estate Zone, R-1 Low Density Residential Zone, R-2 Medium Density
23 Residential Zone and R-3 High Density Residential Zone as set forth on the City Zoning Map,
24 adopted by Ordinance No. 0-14-92 on August 21, 1992 and fully incorporated by this reference,
25 and as May be amended from time to time. "Residential Zone" also includes Residential
26 Zones within Specific Plan areas ~~and the Planned Community Development Overlay Zone~~ as
27 set forth on the City Zoning Map.

26 "School" means any Institution of learning for Minors whether public or private, which offers
27 instruction in those courses of study required by the California Education Code or which is
28 maintained pursuant to standards set by the State Board of Education and has an Approved
Use Permit, if required, under the applicable jurisdiction. This definition includes a Nursery

Draft

1 ~~S~~school, ~~K~~kindergarten, ~~E~~elementary ~~S~~school, ~~J~~junior ~~H~~high ~~S~~school, ~~S~~senior ~~H~~high ~~S~~school.
2 The definition of ~~S~~school does not include a community or junior college, college or university,
3 or a vocational Institution.

4 "Specified Anatomical Areas" means:

- 5 1. Less than completely and opaquely covered:
 - 6 a. Human genitals, pubic region,
 - 7 b. Buttock, or
 - 8 c. Female breast below a point immediately above the top of the areola; or
- 9 2. Any device or covering, when exposed to view, which simulates the female breast below
10 a point immediately above the top of the areola, human genitals, pubic region or buttock;
11 or
- 12 3. Human or simulated male genitals in a discernible turgid state, even if completely and
13 opaquely covered.

14 "Specified Sexual Activities" means:

- 15 1. Human genitals in a state of sexual stimulation or arousal; and/or
- 16 2. Acts of human masturbation, sexual stimulation or arousal; and/or
- 17 3. Use of human or animal ejaculation, sodomy, oral copulation, coitus or masturbation;
18 and/or
- 19 4. Masochism, erotic or sexually-oriented torture, beating or the infliction of pain; and/or
- 20 5. Human excretion, urination, menstruation, vaginal or anal irrigation; and/or
- 21 6. Fondling or other erotic touching of human genitals, pubic region, buttock or female
22 breast.

23 (Ord. 0-2-97 § 3 (part), 1997)

24 **18.49.030 - Locational Limitations.**

25 A. Subject to the limitations of this chapter, ~~A~~adult ~~B~~businesses ~~M~~may be located in the M-2
26 Heavy Industrial **and designaged M-1 (Light Industrial) areas** Zones of the City **as**
27 **specified within this ordinance.**

28 B. ~~In the M-2 Heavy Industrial Zone where ~~A~~adult ~~B~~businesses regulated by this chapter would
otherwise be ~~P~~permitted ~~U~~uses, it is unlawful to establish any such ~~A~~adult ~~B~~business if the
location is:~~

1. Within a one thousand foot radius of a ~~R~~residential ~~Z~~zone. The distance between a
proposed Use and a ~~R~~residential ~~Z~~zone ~~S~~shall be measured from the nearest exterior
~~W~~wall of the ~~F~~facility housing the ~~A~~adult ~~U~~use or proposed ~~A~~adult ~~U~~use to the nearest

Draft

1 Pproperty line included within the Rresidential Zzone, measured along a straight line
2 extended between the two points.

3 2. Within a one thousand-foot radius of a Sschool or Ppark. The distance between the
4 proposed Uuse and a Sschool or Ppark Sshall be measured from the nearest exterior
5 Wwall of the Ffacility housing the Aadult Uuse or proposed Aadult Uuse to the nearest
6 Pproperty line of the Sschool or Ppark site, along a straight line extended between the
7 two points.

8 3. Within a one thousand foot radius of a Rreligious Iinstitution. The distance between the
9 Aadult Uuse or proposed Aadult Uuse and a Rreligious Iinstitution Sshall be measured
10 from the nearest exterior Wwall housing the Aadult Uuse or proposed Aadult Uuse along
11 a straight line extended to the nearest exterior Wwall of the Ffacility housing the
12 Rreligious Iinstitution.

13 **4. For properties located in the M-1 (Light Industrial Zone), it is unlawful to establish
14 any adult business, except as specified in the following locations:**

15 **Location 1: Properties south of 1-10 Freeway and west of intersection of Hunts Lane and
16 Steel Road, western boundary is 2131 East Steel Road to eastern boundary at
17 2396 East Steel Road, southern boundary is 2150 Oliver Holmes Road and
18 eastern boundary is 441 and 601 South Hunts Lane.**

19 **Location 2: Properties west of 215 Freeway, from 2185 to 2283 La Crosse Avenue and 375
20 De Berry Street east of the Southern Pacific Railroad property.**

21 **CB.** The Establishment of any Aadult Bbusiness Sshall include the opening of such a Bbusiness
22 as a new Bbusiness, the relocation of the Bbusiness, or the conversion of an existing
23 Bbusiness, or an increase of more than fifty percent of the square footage of an existing
24 Bbusiness, or of an existing Aadult Bbusiness to a different type of Aadult Bbusiness.

25 (Ord. 0-2-97 § 3 (part), 1997)

26 **18.49.040 - Development and Operating Standards.**

27 A. Hours of Operation. It is unlawful for any Ooperator or Eemployee of an Aadult Bbusiness to
28 allow such Aadult Bbusiness to remain open for Bbusiness, or to Ppermit any Eemployee to
engage in a performance, solicit a performance, make a Ssale, solicit a Ssale, provide a service
or solicit a service, between the hours of 12:00 a.m. and 8:00 a.m. of any Dday.

B. Lighting Requirements. All exterior areas of the Aadult Bbusiness Sshall be illuminated at a
minimum of one footcandle throughout the Premises, minimally maintained and evenly
distributed at ground level.

Draft

1 C. Access Provision. The Operator Sshall not Ppermit any doors on the Premises to be locked
2 during Business hours and, in addition, the Operator Sshall be responsible to see that any
3 room or area on the Premises Sshall be readily accessible at all times and Sshall be open to
4 view in its entirety for inspection by any Law Enforcement Officer.

4 D. Minors' Access.

5 1. X-Rated Movies. X-rated movies or video tapes Sshall be restricted to Ppersons over
6 eighteen Years of age. If an Establishment that is not otherwise prohibited from
7 providing Access to Ppersons under eighteen Years of age sells, Rents or displays
8 videos that have been rated "X" or rated "NC-17" by the Motion Picture Rating Industry
9 (MPAA), or which have not been submitted to the MPAA for a rating, and which consist
10 of images which are distinguished or characterized by an emphasis on depicting or
11 describing "Specified Sexual Activities" or "Specified Anatomical Areas," such videos
12 Sshall be located in a specific section of the Establishment where Ppersons under the
13 age of eighteen Sshall be prohibited and Sshall not be visible from outside the Premises.

11 2. Other Adult Materials. Access to adult Materials Sshall be restricted to Ppersons over
12 eighteen Years of age.

12 E. Regulation of Closed Booths. No one Sshall maintain any Arcade Booth or individual
13 Viewing Area unless the entire interior of such Premises wherein the picture or
14 entertainment that is viewed is visible upon entering into such Premises; and further, that the
15 entire body of any viewing Person is also visible immediately upon entrance to the Premises
16 without the assistance of mirrors or other viewing aids. No partially or fully enclosed
17 booths/individual Viewing Area or partially or fully concealed booths/individual Viewing
18 Area shall be maintained. No Arcade Booth Sshall be occupied by more than one patron
19 at a time. No holes Sshall be Ppermitted between Arcade Booths or individual Viewing
20 Area.

18 F. Regulation of Viewing Areas. All Viewing Areas within the Aadult Business Sshall be
19 visible from a continuous and accessible main aisle in a public portion of the Establishment,
20 and not obscured in any manner by any door, curtain, Wall, two-way mirror or other device
21 which would prohibit a Person from seeing into the Viewing Areas from the main aisle.
22 A manager Sshall be stationed in the main aisle or video monitoring shall be established at a
23 location from which the inside of all of the Viewing Areas are visible at all times in order
24 to enforce all rules and regulations. All Viewing Areas Sshall be designed or operated to
25 Permit Occupancy of either one Person only, or more than ten Persons. "Viewing Area"
26 means any area in which a Person views performances, pictures, movies, videos or other
27 presentations.

24 G. Business License. A Person Sshall not own, operate, manage, conduct or maintain an Aadult
25 Business without first having obtained a Business License from the Community
26 Development Services Director pursuant to Chapter 5.02 of the Colton Municipal Code. The
27 issuance or denial of the Business License Sshall be made within fifteen Days of the
28 Applicant's submitted Application.

28 H. On-Site Manager—Security Measures. All Aadult Business Sshall have a Person who
Sshall be at least eighteen Years of age and Sshall be on the Premises to act as manager at

Draft

1 all times during which the Business is open. Any and all individual(s) Designated as the
2 on-site manager Shall be registered with the City's Community Development Services
3 Director by the Owner to receive all complaints and be responsible for all Violations taking
place on the Premises.

4 The Aadult Business Shall provide a security system that visually records and monitors all
5 Parking Lot Areas, or in the alternative, uniformed security guards to patrol and monitor the
6 all Parking Lot Areas during all Business hours. A Sign indicating compliance with this
7 provision Shall be posted on the Premises. The Sign Shall not exceed two by three feet and
Shall at a minimum be one foot by one and a half feet.

8 I. Adult Business—Operating Requirements. No Person, association, partnership or
9 corporation Shall engage in, conduct or carry on, or Permit to be engaged in, conducted or
10 carried on the operation of an Aadult Business unless each and all of the Following
requirements are met:

11 1. No Employee, Owner, Operator, responsible managing Employee, manager or
12 Permittee of an Aadult Business Shall allow any Person below the age of eighteen
13 Years upon the Premises or within the confines of any Aadult Business if no liquor
is served, or under the age of twenty-one if liquor is served.

14 2. All Employees of Adult Businesses, other than Performers while performing, Shall, at
15 a minimum while on or about the licensed Premises, wear an opaque covering which
16 covers their Specified Aanatomical Areas.

17 3. No Person Shall perform live entertainment for patrons of an Aadult Business except
18 upon a permanently fixed stage which is at least eighteen inches above the level of the
19 floor, separated by a distance of at least six feet from the nearest area occupied by patrons
20 and surrounded with a three-foot-high barrier. No patron Shall be Permitted within six
21 feet of the stage while the stage is occupied by a Performer.

22 When patrons are present at the Establishment, they Shall not be allowed to directly
23 touch, fondle or caress, as those terms are defined in *Kev, Inc. v. Kitsap County*, 793 F.2d
24 1053 (9th Cir. 1986), the Performers while they are performing. This prohibition does not
25 extend to Incidental touching. Patrons Shall be advised of the separation and no touching
26 requirements by Signs placed on the barrier and if necessary by Employees of the
27 Establishment.

28 4. If patrons wish to tip Performers, receptacles Shall be at least six feet from the
permanently fixed stage. Patrons Shall not throw tips to Performers, hand tips directly
to Performers or place tips in the Performers' costumes.

(Ord. 0-2-97 § 3 (part), 1997)

18.49.050 - Adult Use Development Permit— Requirements.

Draft

- 1 A. No Aadult Bbusiness May be established or operate within the City by right—all Ppersons
- 2 wishing to establish an Aadult Bbusiness within the City Mmust apply for and receive an
- 3 Adult Use Development Permit under this chapter.
- 4 B. It is the burden of the Aapplicant to supply evidence to justify the grant of an Adult Use
- 5 Development Permit.
- 6 C. Any Person desiring to establish or operate an Aadult Bbusiness within the City Sshall file
- 7 with the ~~Community~~ Development Services Department an Adult Use Development Permit
- 8 Application on a standard Application form supplied by the ~~Community~~ Development
- 9 Services Department.

(Ord. 0-2-97 § 3 (part), 1997)

18.49.060 - Permit—Contents of Application.

- 13 A. The Aapplication Mmust be signed by the Owner or lessee. If the Aapplication is signed by
- 14 a lessee, a notarized statement signed by the Owner Sshall accompany the Aapplication.
- 15 Proof of status is required.
- 16 B. The City Council, by Resolution Sshall set forth the contents required for such Aapplications
- 17 for an Adult Use Development Permit.
- 18 C. All Applicants for an Adult Use Development Permit Mmust also fill out the City's
- 19 environmental package for purposes of complying with the California Environmental Quality
- 20 Act (CEQA).

(Ord. 0-2-97 § 3 (part), 1997)

18.49.070 - Permit—Application Fee.

The City Council, by Rresolution, Sshall set a reasonable nonrefundable Aapplication Ffee for Ppersons applying for an Adult Use Development Permit. The Ffee Sshall not exceed the reasonable estimated costs of the City expended in processing the Ppermit Aapplication.

(Ord. 0-2-97 § 3 (part), 1997)

18.49.080 - Permit—Decision to Grant or Deny.

- 27 A. The Planning Commission (the Commission) Sshall grant, conditionally grant or deny an
- 28 Aapplication for an Adult Use Development Permit. Any conditions imposed upon the

Draft

1 ~~P~~ermit ~~S~~hall be in keeping with the objective Development standards of this chapter and
2 the underlying zoning ~~D~~istrict in which the ~~P~~roperty is located.

3 B. The completeness of the ~~A~~pplication ~~S~~hall be determined by the ~~C~~ommunity Development
4 ~~S~~ervices Director within thirty calendar ~~D~~ays of its submittal to the ~~C~~ommunity
5 Development ~~S~~ervices Director.

6 C. Upon the filing of a completed ~~A~~pplication, the Commission ~~S~~hall cause to be made by its
7 own members, or members of its staff, an appropriate investigation, including consultation
8 with the Building, Police, Fire and Health Departments and inspection of the ~~P~~remises as
9 needed. Consultation is not grounds for the City to unilaterally delay in reviewing a completed
10 ~~A~~pplication.

11 D. In reaching a ~~D~~ecision, the Commission ~~S~~hall not be bound by the formal rules of evidence.

12 E. After the investigation has been completed within ten ~~D~~ays or a specified time period that
13 falls within subsection (G) of this section, the Commission ~~S~~hall conduct a ~~N~~oticed ~~P~~ublic
14 ~~H~~earing on the ~~A~~pplication for an Adult Use Development Permit.

15 F. Notice of the time and place of the hearing ~~S~~hall be given by ~~N~~otice through the U.S.
16 ~~M~~ail, with postage prepaid, to all ~~P~~ersons shown on the last equalized assessment roll of
17 the ~~C~~ounty, as owning ~~P~~roperty within a distance of three hundred feet from the external
18 boundaries of the ~~P~~roperty described in the ~~A~~pplication. Further ~~N~~otice ~~S~~hall be given
19 by publication in a newspaper of general circulation within the City at least ten ~~D~~ays before
20 the scheduled hearing.

21 G. The Planning Commission ~~S~~hall render a ~~W~~ritten ~~D~~ecision on the ~~A~~pplication for an
22 Adult Use Development Permit within thirty ~~D~~ays of receiving a completed ~~A~~pplication.
23 However, in the event a negative declaration, mitigated negative declaration or any type of
24 Environmental Impact Report needs to be prepared for the ~~P~~roject pursuant to the California
25 Environmental Quality Act (CEQA, Public Resources Code Section 21000, et seq.) and the
26 companion guidelines (CEQA guidelines, Title 14 California Code of Regulation Section
27 15000, et seq.), then those timeframes set forth in CEQA and the CEQA guidelines ~~S~~hall
28 apply.

29 H. The failure of the Commission to render such a ~~D~~ecision within the time frames set forth
30 above ~~S~~hall be deemed to constitute an ~~A~~pproval.

31 I. Written ~~N~~otice of the Commission's ~~D~~ecision ~~S~~hall be hand delivered or mailed to the
32 ~~A~~pplicant within twenty-four hours.

(Ord. 0-2-97 § 3 (part), 1997)

18.49.090 - Permit—Appeal.

33 A. Any interested ~~P~~erson ~~M~~ay ~~A~~ppel the ~~D~~ecision of the Commission to the City Council
34 in writing within ten ~~D~~ays after the Commission's ~~W~~ritten ~~D~~ecision. The City Council
35 within the same ten ~~D~~ays ~~M~~ay also initiate such an ~~A~~ppel.

Draft

1 B. Consideration of an App~~eal~~ of the Commission's Dec~~ision~~ Shall be at a Pub~~lic~~ Hear~~ing~~
2 which Shall be Not~~iced~~ as provided in Section 18.49.080(F) above and Shall occur within
3 thirty Day~~s~~ of the filing or initiation of the App~~eal~~.

4 C. The City Council action on the App~~eal~~ of the Commission's Dec~~ision~~ Shall be by a
5 majority vote of the quorum and upon the conclusion of the de novo Pub~~lic~~ Hear~~ing~~. The
6 City Council Shall grant, conditionally grant or deny the App~~lication~~. The City Council's
7 Dec~~ision~~ Shall be final and conclusive.

8 D. In reaching its Decision, the City Council Shall not be bound by the formal rules of evidence.

9 (Ord. 0-2-97 § 3 (part), 1997)

10 **18.49.100 - Permit—Judicial Review of Decision to Grant or Deny.**

11 a. The time for Court challenge to a Dec~~ision~~ by the City Council is governed by California
12 Code of Civil Procedure Section 1094.6.

13 B. Notice of the City Council's Decision and its findings Shall be mailed to the App~~licant~~
14 within twenty-four hours and Shall include citation to California Code of Civil Procedure
15 Section 1094.6.

16 (Ord. 0-2-97 § 3 (part), 1997)

17 **18.49.110 - Permit—Expiration.**

18 Any Adult Use Development Permit Approved pursuant to this chapter Shall become null and
19 void if not exercised within one Year from the date of the Approval. If an Adu~~lt~~ Bu~~s~~ness
20 ceases to operate for a period of six Mon~~ths~~, the Adult Use Development Permit Shall become
21 null and void. A Per~~mit~~ extension Shall be granted if prior to the expiration date the
22 Per~~mittee~~ demonstrates to the satisfaction of the City's Planning Commission that it has a good
23 faith intent to presently commence the proposed Use. Such extensions Shall not exceed a total
24 of two six-Mon~~th~~ extensions.

25 (Ord. 0-2-97 § 3 (part), 1997)

26 **18.49.120 - Permit—Approval Criteria.**

27 A. The Commission or City Council Shall approve or conditionally approve an App~~lication~~ for
28 an Adult Use Development Permit where the information submitted by the App~~licant~~
substantiates the Fol~~lowing~~ findings:

- 1. That the proposed Use complies with the objective De~~velopment~~ and design requirements of M-2 Heavy Industrial Zone in which it is located and with the applicable standards of this chapter;

Draft

2. That the proposed site is not located within a one thousand foot radius of a Residential Zone. The distance between a proposed Use and a Residential Zone Shall be measured from the nearest exterior Wall of the Facility housing the Aadult Use or proposed Aadult Use, to the nearest Property line included within the Residential Zone, along a straight line extended between the two points;
3. That the proposed site is not located within a one thousand-foot radius of a School or Park. The distance between the proposed Use and a School or Park Shall be measured from the nearest exterior Wall of the Facility housing the Aadult Use or proposed Adult Use to the Property line of the nearest School or Park site, along a straight line extended between the two points;
4. That the proposed site is not located within a one thousand foot radius of a Religious Institution. The distance between the Aadult Use or proposed Aadult Use and a Religious Institution Shall be measured from the nearest exterior Wall housing the Aadult Use or proposed Aadult Use along a straight line extended to the nearest exterior Wall of the Facility housing the Religious Institution;
5. That neither the Applicant, if an individual, or any of the officers or general partners, if a corporation or partnership, have been found guilty or pleaded nolo contendere within the past four Years of a misdemeanor or a felony classified by the state as a sex or sex-related offense.

(Ord. 0-2-97 § 3 (part), 1997)

18.49.130 - Permit—Revocation.

- A. Any Permit issued pursuant to the provisions of this chapter May be revoked by the City on the basis of any of the Following:
 1. That the Business or Use has been conducted in a manner which violates one or more of the conditions imposed upon the issuance of the Permit or which fails to conform to the plans and procedures described in the Application, or which violates the Occupant load limits set by the Fire Marshal;
 2. That the Permittee has failed to obtain or maintain all required City, County and State Licenses and Permits;
 3. That the Permit is being Used to conduct a Use different from that for which it was issued;
 4. That the Permittee has misrepresented a Material fact in the Application for Permit or has not answered each question therein truthfully;
 5. That the Building or Structure in which the Aadult Business is conducted is Hazardous to the health or safety of the Employees or patrons of the Business or of the general public under the standards set forth in the Uniform Building, Uniform Plumbing or Uniform Fire Code;

Draft

6. That the Permittee, if an individual, or any of the officers or general partners, if a corporation or partnership is found guilty or pleaded nolo contendere to a misdemeanor or felony classified by the state as a sex or sex-related offense during the period of the adult Establishment's operation; or

7. That the Use for which the Approval was granted has ceased to exist or has been suspended for six Months or more.

B. Written Notice of hearing on the proposed Permit revocation, together with Written notification of the specific grounds of complaint against the Permittee Shall be personally delivered or sent by Certified Mail to the Permittee at least ten Days prior to the hearing.

C. The Commission Shall Notice and conduct a Public Hearing on the proposed Permit revocation. Written Notice Shall be provided within at least ten Days prior to the hearing to all parties who have expressed their interest in writing.

D. The revocation hearing Shall be heard by the Commission. The Commission Shall not be bound by the formal rules of evidence at the hearing.

E. The Commission Shall revoke, not revoke, or not revoke but add additional conditions to, the Permittee's Adult Use Development Permit. Any additional conditions imposed upon the Permit Shall be in keeping with the objective Development standards of this chapter as set forth in Section 18.49.120 above, and the underlying zoning District in which the Property is located.

F. The Commission Shall make its Decision within thirty Days of the Public Hearing.

G. The Commission's Decision Shall be by Resolution, and Shall be hand delivered or mailed to the Applicant within twenty-four hours and mailed to all Property Owners within three hundred feet of the Use.

H. Any interested Person May Appeal the Decision of the Commission to the City Council in writing within ten Days after the Written Decision of the Commission in accordance with the provisions of Section 18.58.070 of the City's Municipal Code.

I. In the event a Permit is revoked pursuant to this chapter, another Adult Use Development Permit to operate an Aadult Business Shall not be granted to the Permittee within twelve Months after the date of such revocation.

(Ord. 0-2-97 § 3 (part), 1997)

18.49.140 - Violation—Penalty.

Any Person who violates any section of this chapter Shall be guilty of a misdemeanor and subject to a fine of one thousand dollars and/or imprisonment in the Ccounty Jail for a period of up to six Months or any other legal remedy available to the City.

(Ord. 0-2-97 § 3 (part), 1997)

Draft

18.49.150 - Applicability to other regulations.

The provisions of this chapter are not intended to provide exclusive regulation of the regulated Adult Uses. Such Uses must comply with any and all applicable regulations imposed in other chapters of the zoning code, other City Ordinances and state and Federal Law.

(Ord. 0-2-97 § 3 (part), 1997)

18.49.160 - Conduct constituting a Public Nuisance.

The conduct of any Business within the City in violation of any of the terms of this chapter is found and declared to be a Public Nuisance, and the City Attorney or the District Attorney may, in addition or in lieu of prosecuting a criminal action hereunder, commence an action or proceeding for the abatement, removal and enjoinder thereof, in the manner provided by Law; and shall take other steps and shall apply to such Courts as may have jurisdiction to grant such relief as will abate or remove such Adult Use Establishment and restrain and enjoin any Person from conducting, operating or maintaining an Adult Use Establishment contrary to the provisions of this chapter.

(Ord. 0-2-97 § 3 (part), 1997)

SECTION 7. If any sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or otherwise invalid, such decisions shall not affect the validity of the remaining provisions of this Ordinance.

SECTION 8. Pursuant to CEQA 15164 Approved Negative Declaration, this activity is within the scope of the project was approved by the City Council on February 24, 2015. The Negative Declaration adequately describes the various amendments to Title 18 to ensure consistency with the adopted Land Use Element. The proposed zoning text amendments are consistent in implementing general plan policies (THIS AREA NEEDS TO BE VETTED);

SECTION 9. This Ordinance shall become effective thirty (30) days after its adoption in accordance with the provisions of California law.

SECTION 10. Certification/Publication. The City Clerk shall certify to the passage of this Ordinance and cause the same or a summary thereof to be published within fifteen (15) days after adoption in a newspaper of general circulation published and circulated in the City of Colton.

PASSED, APPROVED AND ADOPTED on this ___ day of ____, 2015.

ATTACHMENT 4

P.C. Resolution No. R-27-15

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

RESOLUTION NO. R-27-15

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COLTON RECOMMENDING TO THE COLTON CITY COUNCIL APPROVAL OF AN ORDINANCE AMENDING AND RESTATING CHAPTER 18.49 OF THE COLTON MUNICIPAL CODE RELATING TO ADULT BUSINESS REGULATIONS: FILE INDEX NO. DAP-001-248

WHEREAS, the City of Colton Development Services Department filed initiated amendments to the City’s current adult business regulations, including expanding and updating the zoning standards that are applicable to such uses (collectively the “Text Amendments”);

WHEREAS, the Text Amendments were reviewed, studied, and found to comply with the California Environmental Quality Act (“CEQA”) as more fully described below;

WHEREAS, on December 8, 2015, the Planning Commission of the City of Colton (“Planning Commission”) conducted a duly noticed public hearing on the Text Amendments at which time all persons wishing to testify in connection with the Text Amendments were heard and the Text Amendments were comprehensively reviewed; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF COLTON:

SECTION 1. The Planning Commission hereby makes and adopts all applicable findings with respect to the Text Amendments as set forth in the attached Exhibit “A” as if fully set forth herein.

SECTION 2. The Planning Commission hereby recommends that the City Council adopt the attached Ordinance amending and restating Chapter 18.49 of the Colton Municipal Code relating to adult business regulations. A copy of the Ordinance as well as the findings contained therein is attached hereto as Exhibit “A,” and is incorporated herein by reference.

SECTION 3. Based on the entire record before it and all written and oral evidence presented, the Planning Commission finds that pursuant to the California Environmental Quality Act (CEQA), the attached Initial Study was prepared of the potential environmental effects of the project. Based on the findings contained in that Initial Study, City staff determined that, there would be no substantial evidence that the project would have a significant effect on the environment. Based on that determination, proposed project could not have a significant effect on the environment, and a Negative Declaration has been prepared. The Negative Declaration was advertised and posted for public review and comment period starting on November 16, 2015. The public review period for comments on the proposed adoption of the Negative Declaration closed December 7, 2015. Staff is directed to file a Notice of Determination with the San Bernardino

45635.01000\20241156.1

1 County Clerk's Office within five (5) working days. The Secretary shall certify to the adoption of
2 this resolution.

3
4 SECTION 4. The Secretary shall certify to the adoption of this Resolution.

5 PASSED, APPROVED AND ADOPTED this 8th day of December, 2015.

6 
7 Richard Prieto, Planning Commission Chairperson

8
9 ATTEST:

10
11 
12 Planning Commission Secretary
13 Mark Tomich, AICP

14
15 I hereby certify that the foregoing is a true copy of a Resolution adopted by the Planning
16 Commission of the City of Colton at a meeting held on December 8, 2015, by the following vote
17 of the Planning Commission:

- 18 AYES: Arrieta, Archuleta, Delgado, Grossich, Larson
19 NOES:
20 ABSENT: Granado-Dominguez, Prieto
21 ABSTAIN:

22 
23 Planning Commission Secretary
24 Mark Tomich, AICP

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

45635.01000\20241156.1

- 3 -

RV PUB\MXM\651446

EXHIBIT "A"

SUMMARY OF ADULT BUSINESS ADVERSE SECONDARY EFFECT STUDIES AND LETTERS

1. Environmental Research Group - 1996
(Report: The American Center for Law and Justice on the Secondary Impacts of Sex-Oriented Businesses)

This report provides evidence showing that crime rates are significantly higher in areas with one or more sex-oriented business than in comparable areas without these businesses within the same municipality. More specifically, sex-oriented businesses lead to significantly increased property and personal crimes within a 1000 foot radius of the sites. Sex-related crimes occur more frequently in residential neighborhoods containing a sex-oriented business than in commercial areas containing a sex-oriented business.

In addition, the presence of sex-oriented businesses is consistently and strongly associated with perceived decreases in value of both residential and commercial properties in the opinion of real estate appraisers and lenders. The presence of sex-oriented businesses in small towns is likely to be magnified beyond that which would be expected in larger cities because of the more compact nature of downtowns and their relationship to surrounding neighborhoods.

2. Phoenix, AZ - 1979
(Study by: Planning Department of the City of Phoenix)

Crime statistics in Phoenix show that all types of crimes, especially sex-related crimes (mainly indecent exposure), occur with more frequency in neighborhoods where sexually-oriented businesses are located.

3. Adams County, CO - 1991
(Adams County Sheriff Department)

Adult establishments attract transients, as well as patrons from outside the county in which the businesses are located. Crime statistics also showed that all types of crimes, especially sex-related crimes, occur with more frequency in neighborhoods where sexually-oriented businesses are located. Perpetrators of criminal activities at or near adult establishments often have records for prior arrests for moral turpitude crimes, sexual assaults, alcohol-related arrests, and crimes of violence.

4. Manatee County, FL - 1987
(Adult Entertainment Business Study for Manatee County, Florida)

This study reports on previous studies from Austin, Indianapolis, and Los Angeles to support the theory that higher crime rates exist, particularly for sex-related crimes, in areas located near adult businesses. Further, the study reports that adult entertainment establishments have a negative effect upon property values and perceptions in a neighborhood. Furthermore, adult entertainment businesses tend to locate in areas with poorer residential conditions. Residential conditions thereafter tend to worsen. Concentrations of adult entertainment businesses tend to have higher crime rates.

5. An Analysis of Adult Business Studies in Indianapolis and Los Angeles
1984/1977

This analysis indicates that crime statistics for all types of crimes, especially sex-related crimes, occur with more frequency in neighborhoods where sexually-oriented businesses are located. Sex-related crimes occur more frequently in predominantly residential areas than in areas that are substantially commercial in nature. The presence of sex-oriented businesses is consistently and strongly associated with perceived decreases in the value of both residential and commercial properties. The negative impacts are greater for residential properties than for commercial properties.

Property owners and businessmen surveyed in the Los Angeles study area cited the following adverse effects resulting from adult entertainment establishments locating near their properties or businesses: difficulty in renting office space, difficulty in keeping desirable tenants, difficulty in recruiting employees, limitations on hours of operation, decrease in the patronage of women and families, and generally reduced business patronage.

6. New Hanover County, NC - 1989
(Regulation of Adult Entertainment Establishments in New Hanover County)

This study cites to studies from Detroit, Los Angeles, Beaumont (TX), and Indianapolis to support the theory that a concentration of adult businesses results in deteriorating property values and depressed neighborhood conditions, particularly residential neighborhoods. In addition, this study cites studies from Phoenix (AZ), Detroit, Los Angeles, and Beaumont (TX) to support the theory that concentrations of

adult business often result in an increase in crime, particularly prostitution, drugs, assault, and sex crimes.

The New Hanover County Planning Department also provided recommendations to address impacts created by adult business establishments in light of the information obtained from the studies. Recommendations included: enforcing proper zoning, licensing, active law enforcement, sign regulations, and nuisance provisions.

7. Las Vegas, NV - 1978

(A Report Prepared by Las Vegas, NV - City Commission Minutes for Regular Meeting on 3/15/78)

This study includes:

(1) A transcript from the City Commission Meeting on 3/15/78;

- 3 individuals commented for the record:

1. A physician whose practice was located near an adult business commented on how the business had an adverse impact on his property and that he had seen multiple business owners in the area move their businesses elsewhere because of the presence of the adult business in that particular area. The physician also commented on how the business had adversely affected his practice because people had commented to him that having his practice near a pornographic business is not appealing;

2. The Executive Director of Christian Coalition did not believe a 1,000 ft. separation restriction was stringent enough; and

3. The City Attorney replied to the physician and Director by explaining that you can't get rid of adult businesses completely; can only regulate them and that the most important thing is that an ordinance uphold a constitutional challenge.

(2) Testimony in the form of sworn affidavits from a city planner (recommending a dispersal ordinance), police officer (concentrations of adult businesses have adverse effects on the surrounding areas), and a sociologist (recommended a dispersal ordinance); and

(3) Questionnaires that were distributed to 4 categories of persons: brokers and Realtors in the area, owners and residents (who lived in neighborhoods located

near adult entertainment businesses), business owners and proprietors (who owned businesses located near adult entertainment businesses); and a cross-section of people (who lived in neighborhoods not located near adult entertainment businesses).

- The questionnaires tended to show that adult entertainment businesses had a deteriorating effect on surrounding neighborhoods.

8. Cattaraugus County, NY - 1998
(Adult Business Study: Town and Village of Ellicottville Cattaraugus County, New York, January 1998)

There were no adult businesses in the Town and Village of Ellicottville at the time of the study nor did the Town's existing land use regulations address adult uses, however the Town Board wished to enact certain preemptive steps, including: (1) enacting temporary moratoriums on establishing adult uses while, (2) preparing a joint Town and Village study investigating the possible effects on the community from adult entertainment businesses, and (3) preparing zoning text amendments to regulate where and how adult uses could be allowed in Ellicottville in the future. Ellicottville's economic health was partially dependant upon recreational tourism and the Town feared that the uncontrolled establishment of adult entertainment businesses would conflict with Ellicottville's efforts to remain a family oriented, tourist community.

The Board came to the conclusion that the best land use control would be a zoning law, but in order for it to be affective, adult uses needed to be defined in a manner that differentiated them from traditional bookstores and bars (one method: to use their exclusion of minors as part of the definition).

9. Islip, NY - 1980
(Study & Recommendations for Adult Entertainment in the Town of Islip)

The Town of Islip wished to create a dispersal ordinance similar to that enacted by Detroit (commonly referred to as the "Detroit model"). This study analyzed the Detroit ordinance and the Supreme Court's ruling in favor of Detroit in 1976 to support its own proposed ordinance which prohibited any adult uses within a 500 ft. radius of residential areas and a 2 mile radius of another adult use.

10. New York City - 1994
(Adult Entertainment Study by Department of City and Planning for City of N.Y.)

This study shows that adult entertainment is more readily accessible than it was ten years ago. Adult videos are produced in greater numbers and at lower costs. They are often available in general interest video stores as well as those devoted exclusively to adult entertainment. Cable television has significantly increased the availability of adult viewing material. Adult material is also available at newsstands and book stores.

The study also shows that adult entertainment uses tend to concentrate near each other. Studies of adult entertainment uses in areas where they are highly concentrated, such as Times Square and Chelsea, identified a number of significant negative secondary impacts. In the Times Square area, property owners, theater operators and other business people overwhelmingly believed that their businesses were adversely affected. An analysis of criminal complaints indicated a substantially higher incidence of criminal activity in the Times Square area where adult uses are most concentrated. In addition, the study found that the rate of increase in assessed property values for study blocks with adult uses grew at a slower rate than control blocks without adult uses.

The strongest negative reactions to adult entertainment uses came from residents living near them. Furthermore, most real estate brokers reported that adult entertainment establishments were perceived to negatively affect nearby property values and decrease market values. In addition, adult use accessory business signs are generally larger, more often illuminated, and graphic (sexually-oriented) compared with signs of other nearby commercial uses. Community residents view this signage as out of keeping with neighborhood character and were concerned about the exposure of minors to sexual images.

11. New York Times Square - 1994

(Report on the secondary effects of the Concentration of Adult Use Establishments in the Times Square Area)

The survey respondents in this study felt that some adult establishments could exist in the area, but their growing number and their concentration would constitute a threat to the commercial prosperity and residential stability of the area. The study did reveal a reduction in criminal complaints the further one went from the major concentration of adult establishments. Furthermore, many property owners, businesses, experts and officials provided anecdotal evidence that proximity (defined in various degrees) to adult establishments hurts businesses and property values.

12. Oklahoma City, OK - 1989 Report On Sexually-Oriented Business Abatement

[Quality of Life: A Look at Successful Abatement of Adult Oriented Business Nuisances in Oklahoma City, Oklahoma (1984-1989)]

This study shows that aggressive law enforcement is one means of addressing negative secondary effects of adult businesses. From 1984 to 1989, the police department in Oklahoma City cracked down on the+ adult businesses in the City. Priorities were established in a plan of attack. The police began by cracking down on street prostitution, then brothels, then adult book stores with peep shows, followed by nude and semi-nude bars, and lastly, escort services.

At adult book stores, police mainly arrested male customers offering to engage in sex acts with undercover officers, sale of and possession of pornography, display of pornography, and various health department violations (as a result of officers swabbing the walls and floors of peep show booths securing samples of seminal fluids). At nude and semi-nude bars, most arrests were for prostitution, drink hustling with promises of sexual favors, and fondling in corners of bars. Escort services were particularly difficult to crack down on because most customers were transients and even a 100% arrest rate lead to little deterrence for future offenders. The police therefore, focused their efforts on disconnecting phone services to escort services who used their phone numbers "in furtherance of criminal conduct."

As a result of the police crack down, very few adult businesses remained operating by 1990. Incidents of reported rapes during the period of the crack down (1984-1989) decreased in Oklahoma City while rising in the rest of the state and nation.

13. Cleburne, TX: Why and How to Organize a County-Wide Sex business Task Force - 1997

This study stresses the importance of a county-wide effort to address the problems created by sexually oriented businesses ("SOBs"). The City Attorney for Cleburne, Texas, emphasized the point that even if Cleburne itself enacted a strong SOB ordinance, SOBs would simply locate just outside Cleburne in adjacent cities. Thus, it was important to get the participation of as many cities in the county as possible to support Cleburne's efforts to effectively regulate adult businesses.

The county-wide task force held public hearings where experts testified as a precursor to each city planning and zoning commission and council later holding their own separate, individual hearings to discuss adoption of SOB regulations in their individual jurisdictions.

Task force findings included the following: major and sex-related crime rates are substantially higher in areas within the vicinity of an SOB; property values for areas surrounding SOBs seriously depreciate when an SOB opens; the spread of communicable diseases (including HIV and STDs) is higher in SOBs. The study then suggested ways to protect health, welfare, and public safety of cities and counties from SOBs, including: enforcement of public nuisance laws and diligent prosecution of any obscenity or sexual offense cases that may be filed in the county/district courts.

14. Dallas, TX - 1997

(An Analysis of Effects of SOBs on the Surrounding Neighborhoods in Dallas, TX)

This study presented evidence concerning the high rates of police calls from SOBs. Research also showed a higher number of crime arrests (including rape, prostitution/commercial vice, and other sex offenses) where SOBs were concentrated versus areas where SOBs were spaced more than a half mile apart. Such findings lead to the theory that there are increased crime arrests and disturbances requiring police presence around SOBs and significantly more crime when there is a concentration of SOBs in one area.

Real estate brokers active in Dallas areas reported that SOBs "are perceived to negatively affect nearby property values and decrease market values." In addition, interviews with real estate professionals revealed that the location of multiple SOBs in one neighborhood can have a major impact on the neighborhood by contributing to crime, driving away family-oriented businesses, and impacting the nearby residential neighborhoods. When concentrated, SOBs typically compete with one another for customers through larger, more visible signs, and graphic advertising. Investors and lenders are unwilling to invest in new improvements in areas near SOBs. Thus, vacant land often sits idle for years. Single-family homes in areas near SOBs frequently end up as rentals because the families move away from the SOB-dominated area and it becomes exceedingly difficult to sell such houses.

15. El Paso, TX - 1986

(Effects of Adult Entertainment Businesses on Residential Neighborhoods)

Surveys of the real estate appraisal community as well as businesses and residents, and data from the Data Processing Unit of the El Paso Police Department led to the preparation of the following findings:

Real Estate

The housing base within a study area decreases substantially with the concentration of adult business uses. Properties located within a one-block radius of an adult entertainment business realize a decrease in property value (affecting both residential and commercial properties). Properties located near adult entertainment businesses experience an increase in listings on the real estate market.

Crime

A statistically significant increase in crime is found in areas where adult entertainment businesses are located. The average crime rate in the study areas was 72% higher than the rate for control areas. Sex-related crimes occurred more frequently within neighborhoods having at least one adult entertainment business than in those neighborhoods with no adult business. The neighborhood residents within the study areas also perceived far greater neighborhood problems than residents of the control areas.

16. Houston, TX - 1997

(Houston City Council: Sexually Oriented Business Ordinance Revision Committee Legislative Report)

Because of the criminal activities that are associated with SOBs, the City Council Committee determined the necessity of licensing all SOB entertainers and managers. Testimony presented to the Committee also requested that notice be given of any pending SOB permits to surrounding neighbors of proposed sites. Amortization provisions were also found preferable to grandfathering sexually oriented businesses.

Vice officers testified that sexually oriented businesses that don't have clear regulations encourage lewd sexual behavior or sexual contact. Many businesses are designed with internal areas that are out of the view of managers and are conducive to illegal behavior. Inadequate lighting prevents managers and police officers from monitoring illegal activities. Enterprises that had locked rooms were often used as fronts for prostitution.

17. Newport News, VA - 1996

(Adult Use Study: Newport News Department of Planning and Development)

Adult entertainment establishments in Newport News had higher rates of police calls compared to nearby restaurants (adult entertainment establishments accounted for 65% of the area's calls). Realtors who were knowledgeable of local market conditions indicated that having adult uses nearby can reduce the number of people interested in occupying a property by 20% to 30%, and will hurt property values and resales of

property in adjacent residential neighborhoods. Those who thought commercial property values would decline cited concerns for personal safety, increased crime, noise, strangers in the neighborhood, and parking problems.

This study also cited to studies from Indianapolis, Los Angeles, St. Paul, and Austin to support the conclusions that adult businesses result in higher crime rates and lower property values in the areas in which they are located.

18. Bellevue, WA - 1988
(City of Bellevue - Background Material from Planning Director to City Council)

This study discussed telephone surveys of real estate appraisers conducted by the Kent Planning Department. The appraisers cautioned that each case must be evaluated individually and according to its particular circumstances, however most agreed that the impact of adult uses on residential property values is probably negative. The total impact on property values depends on several factors including: proximity to the adult use, exterior building appearance and condition of the adult business and neighborhood characteristics. As for commercial properties, most appraisers felt that there would be little to no adverse impacts to surrounding businesses or property values. The conclusion therefore, was that in order to protect property values, adult uses should be located in commercial areas not adjacent to any residential uses.

In Bellevue, there existed three adult uses. An analysis of police reports for these areas showed no higher incidence of crime than in adjacent areas without adult uses. However, all properties were located in established commercial areas and all structures in which these uses were located were in excellent condition.

19. Des Moines, IA - 1984

This study analyzed cases from Detroit, Boston, New Orleans, and Los Angeles to support the conclusion that a dispersal model ordinance would be the most effective means for regulating adult business uses in Des Moines. The study further concluded that the area most appropriate in Des Moines for adult uses was not the City's revitalization area (or business district) because of its close proximity to schools, residential areas, parks, playfields, etc., but rather that such uses would be more appropriately located near the City's main highway. This conclusion was supported by the fact that children had limited access ways to schools and a location near the highway would make it easier for potential customers of the adult businesses to patronize the facilities.

20. St. Croix County, WI - 1993
(Regulation of Adult Entertainment Establishments in St. Croix County, WI)

St. Croix County had not experienced any major problems with its two adult entertainment establishments. However, the County wished to implement new regulatory measures as a prophylactic measure. This study analyzed the Detroit case and ordinance to support the theory that a dispersal model like Detroit's would best suit St. Croix County's goals. The study also discussed various regulatory techniques utilized by other jurisdictions such as traditional law enforcement and licensing.

21. Report of the Minnesota Attorney General's Working Group on the Regulation of Sexually Oriented Businesses (June 6, 1989)

This report found that sexually-oriented businesses in Minneapolis are associated with higher crime rates and depression of property values. Data also indicates that the addition of one sexually-oriented business to a census tract increases the overall crime rate index in that area by 9.15 crimes per thousand people per year even if all other social factors remained unchanged. In St. Paul, there was a significantly higher crime rate associated with two adult businesses in an area than an area with only one adult business. Housing values were also significantly lower in an area where there were three adult businesses compared to an area with only one adult business.

Individuals who lived near adult businesses testified concerning the following: pornographic materials were left in adjacent lots; prostitution resulted in harassment of neighborhood residents; adult businesses contributed to infiltration of organized crime in those areas.

22. Saint Paul, Minnesota: Adult Entertainment Study (1983)

In Saint Paul, in 1983, adult business were relatively innocuous. However, there were some exceptions and the City Council recognized that inadequate regulations of these adult uses could result in adverse impacts. The report was restricted to the sex-related adult industry and excluded alcohol-related adult businesses. The report looked at three ways to protect neighborhoods in the City. These included: (1) existing regulations; (2) incompatible uses; and (3) concentrations of uses.

23. City of Garden Grove, California: The Relationship Between Crime and Adult Business Operations on Garden Grove Blvd (1991)

This study was commissioned by the City of Garden Grove to research the secondary effects of adult businesses in the City. It summarizes an exhaustive series of statistical analyses conducted over a 10-month period. The report provides an analysis incorporating data most relevant for the legal requirements for implementing zoning restrictions on adult businesses.

This is a thorough study that reviews all the criminal activity that took place within the proximity of adult businesses for a nine-year period. The researchers found that "crime rises whenever an adult business opens or expands its operation and the change is statistically significant." Increases result in the most serious crime categories, especially assaults, robberies, burglaries, and thefts. The rise in "victimless" crimes (drug and alcohol use, sex offenses, etc.) is also significant, though less consistent and interpretable. This report is widely used to justify regulations addressing the secondary effects of adult businesses.

24. City of Austin, Texas: Report on Adult Oriented businesses in Austin (1986)

This report provides an analysis of crime rates by comparing areas with adult businesses (study areas) and areas without adult businesses (control areas) within the City of Austin. Both control and study areas were circular in shape with a radius of 1,000 feet. These areas contained similar land uses and were in close proximity to one another. Four study areas were defined: two with single businesses and two with more than one business.

Within the study areas, sex-related crimes rates were two to nearly five times the city-wide average. Also, sex-related crime rates were found to be 66% higher in study areas with two adult businesses compared to study areas with one adult business.

25. City of Amarillo, Texas: A Report on Zoning and Other Methods of Regulating Adult Entertainment in Amarillo (1977)

This report presents the findings of the Amarillo Planning Department regarding the adult entertainment industry within the confines of the City of Amarillo. These findings analyze the land use effects of adult entertainment businesses and alternatives for regulation. This report provides a general overview of the secondary effects caused by adult businesses and includes suggestions for ways to address the impacts. The report found that adult businesses tend to increase crime rates.

26. Police Reports and Letters. The following police department reports are also available:

a. Anaheim, CA Letter in Response to NFLF 1998: From 1/1/95 to 12/31/97, the Anaheim Police Department responded to calls for service at nude theaters and topless bars in excess of 500 times.

b. Los Angeles, CA Statement of LAPD Detective: from 1969-1975, SOBs in Hollywood increased from 11 to 88; crime rates increased as a result; virtually every adult bookstore requires police attention resulting in the drain of extensive police resources.

c. Los Angeles, CA Letter re Harmful Effects 1998: commented on the significant increase of nude juice bars from 1996-1998; although the juice bars comply with L.A.'s zoning ordinances, citizens from the surrounding areas protested the businesses (prostitution and lewd conduct arrests had been made in and around many of the juice bars).

d. Cleveland, OH Letter re Harmful Effects 1977: Lists crimes which have occurred in or near adult businesses in the City of Cleveland such as murder, rapes, and other sex offenses, and robberies.

e. Bellevue, WA Detective's Report 1994: Details an undercover police officer's experience at a Dance Club where customers paid women employees to dance with them while performing certain lewd acts.

f. Seattle, WA Police Report 1996: Complainant reported experience working as a dancer at a club where dancers and customers engaged in lewd acts, heavy drinking, and drug use; statistics regarding criminal violations committed by club dancers from 1994-1996.

g. Seattle, WA Letter re Effects 1998: Details a vice detective's experience with Seattle's nude dance or strip clubs such as "sting" operations, number of arrests made, and observation of drugs and alcohol in such clubs; also mentions Seattle's draft amendments which would put more liabilities on the managers to control illegal activities in their clubs, prohibit table and couch dances, and require brighter interior club lighting.

EXHIBIT A¹

Los Alamitos
Police Department

Memo

To: Chief McCrary
From: Sergeant Arnold
Date: 8/27/2003
Re: Sexually Oriented Businesses

Over the past two weeks I have solicited information from various police agencies in Orange County regarding police responses to Sexually Oriented Businesses, specifically adult clubs with nude or partially nude entertainment. All of the agencies that responded with information agree that much of the criminal or illicit activity which take place at these types of establishments goes unreported to the police. They also stated that clubs, which hosted different theme nights, attracted different types of clientele depending on the theme, and amateur nights were typically the busiest nights with regards to incidents to which they were called. All cities cited a six-foot barrier between dancers and patrons, written into the municipal code, as being extremely important in helping to control illicit activity. I was not able to obtain exact statistics from all agencies contacted. The following is a compilation of information provided to us.

Santa Ana Police Department

The City of Santa Ana currently has three adult clubs. One is a partially nude strip bar with an ABC license to sell alcohol, one is a totally nude juice bar with no ABC license, and the other is a bikini bar with an ABC license. Since January 1, 2003, SAPD has responded to 171 calls for service at these three establishments. The calls included robberies, disturbances of the peace, assaults, thefts, prostitution, criminal threats, stolen vehicles, intoxicated drivers, vehicle burglaries, suspicious subjects or circumstances, reckless driving, hit and run traffic collisions, kidnapping, and burglary alarms. The police department also provided us with a copy of their municipal code and study on sexually oriented businesses including negative secondary side effects of adult entertainment businesses (attached).

Orange County Sheriffs Department

The Sheriff's Department reported a total of four establishments located in contract cities under their jurisdiction. Two are located in the city of Lake Forrest in south Orange County. One started out as a bar which featured clad dancers but has since become a topless bar. The other has nude dancers and caters to different clientele depending on the night. Twenty reports have been taken since 1990 regarding the second bar and 75% of the reports list the bar or employee as the victim. One aggravated assault was reported there in 1993. Both establishments hold ABC licenses. The City of Stanton also has two clubs. One of the clubs is under investigation for allegations the bouncers muscle some of the customers as the customers leave the bar. This usually revolves around customers who allegedly did not pay the girls for lap dances or other special dances they received. The bouncers detain the customers and money is physically taken from them for services rendered, which if true would amount to a strong-arm robbery. The other club is under investigation by ABC for allegations of prostitution. Customers receive a lap dance and then for an extra fee, are taken into the back room where they receive oral sex. Both of these clubs also have ABC licenses.

Anaheim Police Department

The City of Anaheim has five establishments located throughout their city, ranging from full nude juice bars to topless bars. From January 1, 2003 to the present, patrol has responded to 94 calls for service at these clubs. Most of the calls for service involved disturbances of the peace, assaults, suspicious circumstances, unknown trouble reported, burglar alarms, trespassing, stolen vehicles, and others.

Garden Grove Police Department

The City of Garden Grove reports no adult clubs within their city. They do however, have several adult bookstores. The most common crimes associated with these businesses are public masturbation and narcotics related offenses.

La Habra Police Department

The City of La Habra has one nude theater. Nude dancing is performed on stage as well as special dances for individual customers. The establishment has its own security team and the police department reports no calls for service at this club.

Huntington Beach Police Department

The City of Huntington Beach had one adult club which has since gone out of business. The Vice Unit states there were few calls for service when the club was open. They believe the strength of the Municipal Code regarding Sexually Oriented Businesses was paramount to keeping illicit activities under control. The Code has been challenged several times and was upheld on appeal to the Ninth Circuit Court, recently. A copy of their municipal code is attached.

San Diego Police Department

The City of San Diego reported problems with organized crime and biker gangs associated with adult clubs. Specifically, Mafia and Hells Angels. They also reported narcotics activity associated with these establishments, including at least one incident where a customer repeatedly drugged dancers with GHB and then sexually assaulted them.

Irvine Police Department

The City of Irvine has no adult clubs.

La Palma Police Department

The City of La Palma has no adult clubs.

Orange Police Department

The City of Orange has no adult clubs.

Tustin Police Department

The City of Tustin has no adult clubs.

Brea Police Department

Brea has no adult clubs.

Cypress Police Department

Cypress has no adult clubs.

ATTACHMENT 5
Draft Negative Declaration

CITY OF COLTON
INITIAL STUDY FOR:

Adult Use Regulations Update

DATE:
November 16, 2015

PREPARED FOR:

City of Colton

PREPARED BY:

City of Colton

EXHIBIT _ OF PLANNING COMMISSION RESOLUTION NO. R-_-15

INITIAL STUDY

NOTE: The following is a sample form and may be tailored to satisfy project circumstances. It may be used to meet the requirements for an initial study when the criteria set forth in the State and Local CEQA Guidelines have been met. Substantial evidence of potential impacts that are not listed on this form must also be considered. The sample questions in this form are intended to encourage thoughtful assessment of impacts, and do not necessarily represent thresholds of significance.

1. Project Title: Adult Use Regulations Update

2. Lead Agency Name and Address:

City of Colton – Development Services Department
659 N. La Cadena Dr.
Colton, CA 92324

3. Contact Person and Phone Number: Mario Suarez, AICP, 909-370-5523

4. Project Location: Citywide

5. Project Sponsor's Name and Address:

Same as Lead Agency.

6. General Plan Designation: Light & Heavy Industrial
7. Zoning: M-1 (Light Industrial) and M-2 (Heavy Industrial)

8. Description of Project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheet(s) if necessary.) The proposed text amendment makes certain changes to the areas in which an adult business may locate in the City of Colton. Currently, such areas are allowed to locate within the M-2 (Heavy Industrial) zone designation, subject to meeting certain separation distances from sensitive uses (residentially-zoned property, schools, churches, etc). The proposed ordinance would authorize adult uses to be located in certain M-1 (Light Industrial) zoned areas of the City as well, subject to meeting the same separation criteria from sensitive uses. The proposed ordinance also restates the existing provisions of Chapter 18.49 in order to clean-up typographical and formatting errors. The proposed ordinance complies with federal and state laws requiring cities to zone for adult uses.

9. Surrounding Land Uses and Setting: (Briefly describe the project's surroundings.) The text amendment include multiple existing land uses and different adjacent land uses. However, the locational requirements in identifying areas for adult uses were instituted as part of this text amendment. In brief, the draft regulations include: the locational restrictions, restrict adult businesses to certain to M-1 and any M-2 Zones; separated by no less than 500 feet from any school or park, church and/or residential zone.

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):

Recommendation by the Planning Commission and Approval by the City Council

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|---|--|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology / Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality |
| <input type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation / Traffic | <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION (To be completed by the Lead Agency):

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Mario Suarez
Signature

November 11, 2015
Date

Mario Suarez
Printed Name

For

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a Lead Agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the Lead Agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect is significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The Lead Agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).

- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analyses Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources. A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance.

QUESTIONS

I. AESTHETICS. Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

1.a) The proposed ordinance related to adult use would have a less than significant impact on scenic vistas because any new signs or buildings related to new adult-oriented uses would be located in certain M-1 (Light Industrial) Zone and any M-2 (Heavy Industrial) Zone (compliance with *Locational Limitations*) and would be subject to current zoning development and sign standards that would reduce potential impacts on scenic vistas.

In addition, an Adult Use Development Permit is required for comprehensive review by the City to which a public hearing is scheduled for the Planning Commission to take final action. There are no designated scenic vistas at this time in the City of Colton.

1.b) Currently, the City of Colton has no designated State Scenic Highway. The proposed ordinance related to adult use would not substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway because any new project would be subject to regulations of the City's sign and various Title 18 (Zoning Code) requirements. Compliance with Standards detailed in Chapters 18.26 (M-1, Light Industrial) or 18.28 (M-2, Heavy Industrial) requirements of the Development Code and Operating Standards detailed in Chapter 18.49 (Adult Use Regulations) of the Development Code will be confirmed in the application process, in accordance with the Adult Use Development Permit application procedures.

1.c) As described in responses a) and b), the proposed ordinance would require adult use development permit to be developed and operated consistent with the regulations of the M-1 and M-2 zoning standards, and other requirements of the Title 18 (Zoning Code) and other applicable City Municipal Codes such as building and fire codes. In addition, the ordinance requires *Locational Limitations* between proposed adult use and sensitive uses. The intent of the proposed ordinance includes prevention of blight and protection of the quality of neighborhoods. As a result, implementation of the proposed ordinance would not visually degrade the character or quality of the City, and impacts are less than significant.

1.d) Updating the existing Adult Use Regulation would not create a new source of light or glare that would adversely affect day or nighttime views because any new signs or buildings within certain M-1 and any M-2 zones would be subject to the City's Code standards (i.e., *Locational Limitations*). Furthermore, compliance with the Development Standards of Title 18 (Zoning Code) and other municipal code requirements would need to be met during initial review of the project and upon final permit approval. In addition, compliance with any conditions of approval stipulated within an Adult Use Development Permit, which requires the City Planning Commission approval, will provide for compatible lighting and reduce glare from any new development. As a result, the proposed project would have a less than significant impact related to light and glare.

II. AGRICULTURE AND FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest protocols adopted by the California Air Resources Board. Would the project:

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

II.a) The proposed ordinance related to adult uses would have no impact on Prime Farmland, Unique Farmland, and Farmland of Statewide Importance because the adult uses are restricted to certain M-1 (Light Industrial) or any M-2 (Heavy Industrial) Zones, which are unlikely to contain important farmland. In addition, the *Locational Limitations* requirements included in the existing Adult Use Regulations would need to be met. No Unique, or Important Farmland, including an Agricultural Preserve Overlay are located within the City Corporate limits. As

a result, implementation of the proposed project would not result in impacts to Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.

II. b) As described in response a), the proposed adult use regulations amendments would not impact agricultural zoning or areas under a Williamson Act contract because adult uses are restricted to certain M-1 (Light Industrial) Zone or any M-2 (Heavy Industrial) Zone and go through the Adult Use Development Permit process, which will require a comprehensive review of the proposal by Fire, Police, Public Works, Building, Planning, Economic Development and Electric Departments/Divisions of the City of Colton. As a result, impacts to agricultural zoning or Williamson Act contracts would not occur.

II.c) As described in responses a) and b), adult uses are restricted to certain M-1 (Light Industrial) or any M-2 (Heavy Industrial) Zones subject to standards/requirements of the City of Colton Municipal Code. Thus, implementation of the proposed ordinance would not impact areas zoned for forest land or timberland.

II. d) As described in response c), adult uses are restricted to certain M-1 (Light Industrial) or any M-2 (Heavy Industrial) Zones, which are urban areas in the City that do not contain forest resources. Implementation of the proposed ordinance amendment and existing City regulations related to development areas would provide that the project does not result in impacts related to conversion of forest resources. No specific forest resources have been identified within the M-1 or M-2 Industrial Zones of the City.

II.e) The proposed ordinance would not involve changes that could result in the conversion of farmland or forest because adult uses are restricted to certain M-1 Zone or any M-2 Zone that are urban areas or areas planned for urban development.

III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- e) Create objectionable odors affecting a substantial number of people?

III.a) The City is largely located within the South Coast Air Basin (Basin) and is within the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The Basin is bounded by the Pacific Ocean to the west and the San Gabriel, San Bernardino, and San Jacinto Mountains to the north and east. It includes all of Orange County, the non-Antelope Valley portions of Los Angeles County, and the non-desert portions of Riverside and San Bernardino Counties.

The current regional air quality plan is the 2012 Air Quality Management Plan (AQMP) adopted by the SCAQMD on December 7, 2012. The 2007 AQMP proposes attainment demonstration of the federal PM_{2.5} standards through a more focused control of sulfur oxides (SO_x), directly emitted PM_{2.5}, and nitrogen oxides (NO_x) supplemented with volatile organic compounds (VOC) by 2015. The 8-hour ozone control strategy builds upon the PM_{2.5} strategy, augmented with additional NO_x and VOC reductions, to meet the standard by 2024 assuming a bump-up is obtained.³ Bump up means a change in classification. The South Coast Air Management District has requested that California Air Resources Board (CARB) formally submit a request to EPA for voluntary re-designation (bump-up) of the South Coast Air Basin from a designation of “severe-17” to “extreme” for 8-hour average ozone and modify the attainment date to June 15, 2024. The Basin is currently a federal and state non-attainment area for PM₁₀ and ozone.

The AQMP incorporates local General Plan land use assumptions and regional growth projections developed by the Southern California Association of Governments (SCAG) to estimate stationary and mobile source emissions associated with projected population and planned land uses. If a new land use is consistent with the local General Plan and the regional growth projections adopted in the AQMP, then the added emissions generated by the new project has been evaluated and contained in AQMP and would not conflict with or obstruct implementation of the regional AQMP. The proposed project would not conflict with or obstruct implementation of any of the control measures in the AQMP. No impact related to this issue would occur; therefore, no mitigation is required. As a result, the proposed ordinance would not result in conflicts with or obstructions to the adopted air quality plans.

III. b) As described in response a), the proposed ordinance amendments would apply to uses that are consistent with the adopted air quality plans for the City of Colton and its basin. In addition, compliance with the City Development Standards and Adult Use Development Permit process review, air quality impacts will be confirmed in the application process.

Therefore, any potential impacts on air quality will be avoided or minimized to insignificant levels. As a result, implementation of the proposed ordinance amendment would not violate any air quality standards or contribute substantially to an existing or projected air quality violation.

III. c) The current South Coast Air Basin is currently in federal nonattainment for ozone and PM₁₀ and state nonattainment for ozone, PM₁₀, and PM_{2.5}. The South Coast Air Basin is in federal nonattainment for Oz one, PM₁₀, and PM_{2.5} and state nonattainment for ozone, NO₂, PM₁₀, and PM_{2.5}. Implementation of the proposed ordinance would not result in a cumulatively considerable net increase in any criteria pollutant because any adult uses would be constructed and operated in compliance with City standards and other standards of the M-1 and M-2 Zones.

III. d) The proposed adult use regulations text amendment ordinance would not expose sensitive receptors to substantial pollutant concentrations because the ordinance would regulate the location of adult uses to specific areas within the M-1 (Light Industrial) and any area within the M-2 (Heavy Industrial) Zones (compliance with *Locational Limitations*). In addition, the existing ordinance locational requirements would require a 500-foot separation from sensitive uses (including residential zones, school and parks, and religious institutions), which would not result in exposure of sensitive receptors to substantial pollutants concentrations in the area.

Therefore, adult-business locations would be separated from sensitive receptors, such that, air quality impacts to sensitive receptors would not occur.

III. e) The proposed ordinance amendment would not create objectionable odors affecting a substantial number of people because any adult use would be required to comply with zoning setback requirements and building design setbacks. Sites in industrial zones are generally away from substantial numbers of people and the proposed amendment would change the 1000 feet separation distance to 500 feet separation from sensitive uses (including residential zones, school and parks, and religious institutions). The reduced locational limitations will continue to provide an adequate buffer between uses and implementation of the ordinance would not result in odor impacts.

IV.	BIOLOGICAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

Discussion:

IV.a Sensitive biological resources are those defined as (1) habitat area or vegetation communities that are unique, are of relatively limited distribution, or are of particular value to wildlife; and (2) species that have been given special recognition by federal, state, or local government agencies and organizations because of limited, declining, or threatened populations. The subject property is unimproved vacant land that does not contain any unique vegetation except for a few non-native trees. No impact related to this issue would occur; therefore, no mitigation is required.

IV.b Habitats considered sensitive by federal or state resource agencies and other groups are those that have been depleted, are naturally uncommon, or support sensitive species. No riparian habitat is located within the proposed amendment added certain M-1 (Light Industrial) areas. No impact related to this issue would occur; therefore, no mitigation is required.

IV.c There are no drainages located within the project limits. During the construction of the proposed project, as previously stated, no federally protected wetlands or biotic resources that are located within the project limits. No impact related to this issue would occur; therefore, no mitigation is required.

IV.d The proposal restricts adult uses to certain M-1 Zone areas located in an urbanized areas of the City. The sites are generally bordered by commercial, freeways, railroad and industrial buildings. Due to its predominantly urban developed condition, the project site is not conducive for foraging ground and localized movement for wildlife.

Indirect impacts (e.g., noise, fugitive dust, lighting, and water quality) to on-site biological resources is not a factor. In light of the existing development in the project vicinity, impacts to regional wildlife movement associated with this project is not a factor. No impact related to this issue would occur; therefore, no mitigation is required.

IV.e The City of Colton does not have an adopted ordinance protecting biological resources. Implementation of the proposed project would have no impact.

IV.f The project sites are located within a Habitat Conservation Plan or Natural Community Conservation Plan. Implementation of the proposed project would have no impact.

V. CULTURAL RESOURCES. Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- | | | | | | |
|----|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| c) | Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) | Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion:

V.a-b) The existing and proposed amendment to the Adult Use Regulations ordinance provides zoning regulations related to the location of adult uses. In addition, the Adult Use Development Permit process provides a manner to review specific locations to conduct cultural resources analysis if determined to be needed for proposed adult uses within specified M-1 and M-2 Zones (compliance with *Locational Limitations*). As a result, implementation of the proposed ordinance would not result in impacts related to a substantial adverse change in the significance of a historical or archaeological resource.

V. c) As described in response a), the proposed ordinance amendments provides zoning regulations related to the location of adult uses. In addition, the Adult Use Development Permit process provides a manner to review specific locations to conduct cultural resources analysis if determined to be needed for proposed adult uses within specified M-1 Zone areas and any M-2 Zone areas (compliance with *Locational Limitations*). The development standards and adult use are provided to protect paleontological resources. As a result, implementation of the proposed ordinance would not result in destruction of a unique paleontological resource or site or unique geologic feature.

V. d) The proposed ordinance amendments provides zoning regulations related to the location of adult uses, and requires adult uses to be restricted to certain M-1 Zones and any M-2 zones (compliance with *Locational Limitations*). Although these areas are not anticipated to include human remains, adult-oriented business uses would be required to comply with local, regional, state, and federal regulations related to human remains, should any be found during construction of an adult use. As a result, impacts would be less than significant.

VI. GEOLOGY AND SOILS. Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i)	Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii)	Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii)	Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv)	Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- | | | | | | |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) | Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) | Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) | Be located on expansive soil, as defined in Table 18 1 B of the Uniform Building Code (1994), creating substantial risks to life or property? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) | Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

VII. a) The proposed ordinance amendments provides zoning regulations related to the location of adult uses restricted to certain M-1 zone properties and any M-2 Zones (compliance with *Locational Limitations*). As such, a proposed adult use located within a Geological Hazards Overlay shall require Professional Reports and need to comply with City Development Standards as provided in the City's Municipal Code. In addition, any construction related to new adult uses would be required to comply with the Uniform Building Code and Fire Code and other code requirements related to seismic hazards. Therefore, the proposed ordinance would not result in impacts related to the exposure of people or structures to potential substantial adverse effects of fault ruptures, strong seismic ground shaking, liquefaction, landslides or other seismic related effects.

VI. b) Refer to the response above, the proposed ordinance amendments would provide regulations related to adult uses. These regulations are in addition to existing regional and local regulations related to soil erosion and loss of soils. The proposed ordinance amendment would not result in impacts related to construction activities of potential new commercial uses, and would not result in substantial soil erosion or the loss of topsoil.

VI. c-d) Refer to the response above, the proposed ordinance would provide regulations related to adult uses. These regulations are in addition to existing regional and local building regulations. Furthermore, an Adult Use Development Permit is required which include analysis of geologic hazards, as applicable to site specific projects. Therefore, the City's review process includes safeguards to ensure that projects avoid impacts related to unstable soils, expansive soils or unstable geologic units.

VI. e) The proposed ordinance does not involve or regulate the use of septic tanks. Any adult uses would be required to comply with the existing wastewater requirements of commercial uses within certain M-1 and any M-2 Zones (compliance with *Locational Limitations*). As a result, implementation of the proposed ordinance would not result in impacts related to septic tanks or other wastewater disposal systems.

VIII. GREENHOUSE GAS EMISSIONS. Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

VII a-b) The proposed ordinance amendments provides regulations related to the location and operation of adult uses, and general text clean-up. The proposed ordinance amendment would not generate direct or indirect greenhouse gas emissions, and it would not conflict with a plan, policy, or regulation related to greenhouse gas emissions; however, adult uses approved pursuant to the provisions of the proposed ordinance amendment would generate emissions in a manner consistent with the provisions of the City of Colton's Climate Action Plan (Greenhouse Gas Emissions Reduction Plan Implementation Policies adopted by the City Council on November 3, 2015). Therefore, implementation of the proposed ordinance would result in less than significant impacts related to greenhouse gasses.

IX. HAZARDS AND HAZARDOUS MATERIALS. Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- | | | | | | |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) | For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) | For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) | Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) | Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

IX a-b) The proposed ordinance amendments would regulate the location and operation of adult uses. Adult uses are restricted to certain M-1 and any M-2 (compliance with *Locational Limitations*), and do not generally involve the use, routine transport, or disposal of hazardous materials beyond the use of cleaning and painting type products that are used and stored in small quantities that would not result in a hazardous condition. In addition, the Adult Use Development Permit process provides a manner to review specific locations to conduct Phase I and Phase II analysis if determined to be needed for proposed adult uses within specified M-1 and any M-2 Zones. Therefore, the proposed ordinance would not result in significant impacts related to hazards or accident conditions related to the use, transport, or storage of hazardous materials.

IX. c) The proposed ordinance amendments would regulate the location and operation of adult uses to certain areas zoned M-1 or any M-2 Zone, and to be located a minimum of 500 feet from residential zone, school, park or religious institution. As described in response a-b), adult use may include a limited amount of hazardous materials that include painting and cleaning products that would not result in a hazard. As a result, the proposed ordinance amendments would not result in hazardous impacts to schools that may exist 500 feet away from an adult use.

IX. d) The proposed ordinance amendments would regulate the location and operation of adult uses to certain areas zoned as M-1 or any area zoned M-2 (compliance with *Locational Limitations*). In addition, the Adult Use Development Permit process provides a manner to review specific locations to conduct Phase I and Phase II analysis if determined to be needed for proposed adult uses within specified M-1 and any M-2 Zones. As a result, the City's review process includes safeguards to ensure that projects avoid impacts from implementation of the proposed ordinance amendments.

IX. e-f) The proposed ordinance amendments would regulate the location and operation of adult uses restricted to certain M-1 or any M-2 Zones (compliance with *Locational Limitations*). In addition, proposed adult uses are farther than two miles from any airports. As such, a proposed adult uses is subject to an Adult Use Development Permit and review of potential airports may be reviewed in detail, if necessary, during this discretionary process. Therefore, the proposed ordinance would not result in significant impacts related to an airport land use plan, a public airport, or a private airstrip.

IX. g) The proposed ordinance amendments would regulate the location and operation of adult uses restricted to certain M-1 Zones or any M-2 Zone (with compliance of *Locational Limitations*). In addition, proposed adult uses would be subject to the City's Municipal Code, which includes the Uniform Building Code, and reviews from the City's Fire Department. Furthermore, a proposed adult use is subject to an Adult Use Development Permit, which will require full review of all City, State and Federal laws related to emergency services. Therefore, the proposed ordinance would not result in significant impacts related to impairment or interference with an adopted emergency response plan or emergency evacuation plan.

IX. h) The proposed ordinance amendments would regulate the location and operation of adult uses restricted to certain M-1 or any M-2 Zones (compliance with *Locational Limitations*), which are not wildland fire locations. In addition, proposed adult uses would be subject to the City's municipal code requirements, which includes the Uniform Building Code, and reviews from the City's Fire Department. Furthermore, a proposed adult use is subject to an Adult Use Development Permit, which will require full review of all City, State and Federal laws related to emergency services. Therefore, the proposed ordinance would not result in impacts related to wildland fires.

X. HYDROLOGY AND WATER QUALITY.					
Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- | | | | | | |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| f) | Otherwise substantially degrade water quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) | Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) | Place within a 100-year flood hazard area structures which would impede or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| i) | Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| j) | Expose people or structures to inundation by seiche, tsunami, or mudflow? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

X. a) The proposed ordinance provides regulations related to the location and operation of adult uses, which are limited to certain M-1 and any M-2 Zones (compliance with *Locational Limitations*) and an Adult Use Development Permit which will require submission of Water Quality Management Plans, as required, and compliance with the Pollutant Discharge Elimination System Regulations. The City's Planning and Building Plan Check Review processes includes safeguards to ensure that projects will not result in violation of any water quality standards or waste discharge requirements.

X. b) The proposed ordinance provides regulations related to the location and operation of adult uses, which are limited to certain M-1 and any M-2 Zones (compliance with *Locational Limitations*). Under the proposed ordinance amendments, adult uses would continue to be regulated by the other provisions in the City Code, including Title 12 (Streets and other Public Places), Title 13 (Utilities), Title 14 (Storm Drains and Floodplain Management), Title 15 (Building and Construction) and Title 16 (Division of Land), that requires M-1 and M-2 uses be served by water purveyors and not well water. In addition, adult uses would continue to be regulated by local, state, and federal regulations related to groundwater supplies and recharge. Therefore, implementation of the proposed ordinance would not substantially deplete groundwater supplies or interfere with groundwater recharge, and groundwater related impacts would not occur.

X. c) As described in response b), the proposed ordinance amendments provides regulations related to the location and operation of adult uses, which are limited to certain M-1 and any M-2 Zones (compliance with *Locational Limitations*). Under the proposed ordinance amendments, adult uses would continue to be regulated by the other provisions in the City Code related to erosion and drainage, including the drainage improvement requirements provided in Title 14 (Storm Drains and Floodplain Management), Title 15 (Building and Construction) and Title 16 (Division of Land). In addition, other local and regional requirements related to Storm Water Pollution Prevention Plans (SWPPP) and Water Quality Management Plans (WQMP) would continue to apply, as appropriate, to adult-oriented business uses. Furthermore, an Adult Use Development Permit will require development review of proposed adult uses prior to development of any construction plans. Therefore, the proposed ordinance would not result in impacts related to alteration of an existing drainage pattern through the alteration of the course of a stream or river, or by other means, in a manner that would result in substantial erosion or siltation on- or off-site.

X. d) Refer to responses b) and c) above. Under the proposed ordinance amendments, adult uses would continue to be regulated by provisions in the City Code related to drainage, including the drainage improvement

requirements provided in Title 13 (Utilities), Title 14 (Storm Drains and Floodplain Management), Title 15 (Building and Construction) and Title 16 (Division of Land). In addition, other local and regional requirements related to SWPPPs and WQMPs would continue to apply, as appropriate, to adult-oriented business uses. As a result, implementation of the proposed ordinance amendments would not substantially alter existing drainage patterns through alteration of a course of a stream or river, or by other means, substantially increase the rate or amount of surface runoff in a manner that would result in flooding. The City’s review process includes safeguards to ensure that projects avoid impacts to water quantity and quality.

X. e-f) As described in responses a) through d) above, implementation of the proposed adult use ordinance amendments would not change requirements related to infrastructure, retention of stormwater or water quality. Existing local, Regional Water Quality Control Board (RWQCB), and federal regulations would continue to apply to adult uses. As a result, the City’s review process includes safeguards to ensure that projects will not create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff, or otherwise substantially degrade water quality.

X. g) The proposed ordinance amendments provides regulations related to the location and operation of adult-uses in certain M-1 and any M-2 Zones (compliance with *Locational Limitations*). The ordinance does not involve development of housing and would not place housing within a 100-year flood hazard area. No impacts would occur.

X. h) The proposed ordinance amendments provides regulations related to the location and operation of adult uses in certain M-1 or any M-2 Zone (compliance with *Locational Limitations*). Under the proposed ordinance amendments, adult uses would continue to be regulated by the other provisions in the City Code, including those related to development within a flood zone. As such, a proposed adult uses located within a Floodplain Safety Overlay zone or otherwise within a flood zone shall comply with regulations in Title 14 (Storm Drains and Floodplain Management). Therefore, the proposed ordinance would not result in impacts related to development of structures within a 100-year flood hazard area that would impede or redirect flood flows.

X. i-j) As described in responses a) through d) above, the proposed ordinance amendments provides regulations related to the location and operation of adult uses in certain M-1 or any M-2 Zones (compliance with *Locational Limitations*), and proposed adult uses would continue to require compliance with City Code, regional, and state requirements related to flooding. As such, a proposed adult use located within a Floodplain Safety Overlay or otherwise within a flood zone shall comply with regulations in Title 14 (Storm Drains and Floodplain Management). Thus, implementation of the proposed ordinance amendments would not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam; or inundation by seiche or mudflow. The City of Colton is located a substantial distance from the Pacific Ocean and is not at risk of tsunamis.

XI.	LAND USE AND PLANNING. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?
- c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

Discussion:

XI. a) The proposed ordinance amendments regulates the location and operation of adult uses within certain M-1 and any M-2 zones (compliance with *Locational Limitations*). In addition, the ordinance amendments require separation distances from sensitive uses such as school/park, residential zones and religious institutions. The intent of the proposed ordinance amendments is to provide appropriate locations for adult uses that would not conflict with the existing community. As a result, implementation of the proposed ordinance amendments would not physically divide an established community.

XI. b) The intent of the proposed ordinance amendments are to provide land use and operating regulations that would mitigate potential adverse secondary effects of adult uses and protect the quality of life and neighborhoods in the City. The proposed ordinance amendments specify location and operating requirements, and the application requirements for an Adult Use Development Permit, all designed to avoid or minimize potential nuisances and impacts to the environment. Adult use would continue to be regulated by the City's Code and other regional and state regulations, as appropriate. The proposed ordinance would be adopted for the purpose of providing adequate sites to establish an adult use, and would not conflict with existing land use plan policies, or regulations related to the environment. Therefore, the proposed ordinance amendments would not result in land use and planning impacts.

XI. c) The proposed ordinance amendments requires adult uses to be located in certain M-1 or any M-2 Zones (compliance with *Locational Limitations*) that would generally not be included in a habitat conservation plan or natural community conservation plan. The Adult Use Development Permit review and approval process will allow property analysis and findings in establishing an adult use within the City Corporate boundaries. Therefore, conflicts with an applicable habitat conservation plan or natural community conservation plan would not result from implementation of the proposed ordinance.

XII.	MINERAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

XIL a-b) The proposed ordinance amendments would regulate the location and operation of adult uses to certain M-1 or any M-2 Zones (compliance with *Locational Limitations*), which may be mineral resource locations. An Adult Use Development Permit will require specific site analysis in potential loss of mineral resources via appropriate environmental review, if needed. Therefore, the City’s review process includes safeguards to ensure that projects will not result in impacts related to loss of availability of a known or locally important mineral resource. As such, the proposed ordinance amendments will have no impact on loss of mineral resources as the expanded areas are appropriately addressed by current city code and 2015 adopted CEQA policy requirements

XIII.	NOISE. Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

XIII. a) The proposed ordinance amendments provides regulations related to the location and operation of adult uses that are limited to certain M-1 and any M-2 Zones (compliance with *Locational Limitations*). Compliance with City Codes detailed in Title 18 (Zoning Code) and Operating Standards detailed in Chapter 18.49 (Adult Use Regulations) of the Development Code, as well as all other provisions of the Development Code will be confirmed in the application process, in accordance with the Adult Use Development Permit application procedures. Therefore any potential impacts relative to noise will be avoided.

XIII. b) The proposed ordinance amendments provides regulations related to the location and operation of adult uses that are limited to certain M-1 and any M-2 Zones (compliance with *Locational Limitations*). Under the

proposed ordinance, adult uses would continue to be required to comply with the City’s adopted noise standards, including City Code Section 18.42.050 (Vibration), which provides standards for groundborne vibration during construction periods. In addition, application of an adult use is required to be reviewed comprehensively through the Adult Use Development Permit, which may include specific conditions of approval related to noise and vibration. Therefore, implementation of the proposed ordinance would not result in the exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels, and impacts would not occur.

XIII. c-d) As described in response a), the proposed ordinance amendments provides regulations related to the location and operation of adult uses that are limited to certain M-1 and any M-2 Zones (compliance with *Locational Limitations*), and the review of a project through the Adult Use Development Permit, which includes review of potential noise impacts. As such, noise levels generated by adult use will not exceed any adopted standards. Therefore, implementation of the proposed ordinance would not result in either permanent or temporary substantial increases in ambient noise levels, and impacts related to noise would not occur.

XIII. e-f) The proposed ordinance amendments would regulate the location and operation of adult use to areas zoned as M-1 or M-2 Zones (with compliance of *Locational Limitations*). In addition, proposed adult uses would be subject to guidelines of applicable airport land use plans, where applicable. In the case of Colton, there are no airports within two miles of M-1 or M-2 properties. Furthermore, review of potential impacts of the project will be thoroughly reviewed via Adult Use Development Permit process. Therefore, the proposed ordinance would not result in impacts related to exposure of people residing or working near an airport or airstrip to excessive noise levels.

XIV.	POPULATION AND HOUSING. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of road or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

XIV.a) The proposed ordinance amendments regulates the location and operation of adult uses within certain M-1 and any M-2 Zones (compliance with *Locational Limitations*). The proposed ordinance does not propose new homes, businesses, roads, or infrastructure; and would not induce substantial population growth. Conversely, the ordinance includes distance requirements from sensitive uses that would limit the areas where new adult could be located, and may act as a constraint to growth of adult uses. As a result, implementation of the proposed ordinance would not result in impacts related to growth.

XIV. b-c) The proposed ordinance regulates the location and operation of adult uses within certain M-1 Zones and any M-2 Zones (compliance with *Locational Limitations*), and would require adult uses to be separated from residential uses. The proposed ordinance would not displace housing units or people, and would not necessitate the construction of housing. Impacts related to population and housing would not occur from implementation of the proposed ordinance.

XV.	PUBLIC SERVICES. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
	a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	i. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	ii. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	iii. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	iv. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	v. Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

XV. a.i) The proposed ordinance amendments would regulate the location and operation of adult uses restricted to certain M-1 or any M-2 Zones (compliance with *Locational Limitations*). Adult uses are also subject to the City's development requirements, which include the Uniform Building Code and reviews from the City's Fire Department. Furthermore, an Adult Use Development Permit is required where full review of environmental impacts and analysis is completed for Planning Commission consideration in approving such projects. As such, a proposed adult uses will be reviewed by Police, Fire, Electric and Public Works for the provision of adequate public services to serve a specific proposal. Therefore, the City's review process includes safeguards to ensure that projects will not result in impacts related to the need for fire protection services, which would cause a need for new, or physically altered, fire and other public services protection facilities.

XV. a.ii) The proposed ordinance amendments would regulate the location and operation of adult uses, and includes requirements for security lighting and security systems that records identification of persons entering and exiting the facility and parking lot activities. In addition, permits for adult use facilities would be reviewed and by the City's Police Department prior to approval to ensure compliance with the City's Code requirements related to crime prevention. Therefore, the proposed ordinance would not result in impacts related to the need for Police Department and other public services, which would cause a need for new, or physically altered facilities.

XV. a.iii) The proposed ordinance amendments regulates the location and operation of adult uses within the M-1 and M-2 Zones. The proposed ordinance amendments do not propose new homes, businesses, or other uses that would induce population growth. The proposed ordinance would not result in an increase in the student population of the County, or otherwise involve school facilities. As a result, impacts related to the need for new, or physically altered, schools would not occur.

XV. a.iv) The proposed ordinance amendments would regulate the location and operation of adult uses. Adult uses would be limited to areas zoned as M-1 or M-2, and would require a setback from park or community center

uses. The proposed ordinance does not otherwise involve park facilities and would not result in an increase in the use of existing facilities, such that a need for new, or physically altered, parks would occur.

XV. a.v) As described in responses a.i) through a.iv), the proposed ordinance amendments regulates the location and operation of adult uses within certain M-1 and any M-2 Zones (compliance with *Locational Limitations*). The proposed ordinance does not propose new homes, businesses, or other uses that would induce population growth. The proposed ordinance would not result in a population increase that would require public facilities. As a result, impacts related to the need for new, or physically altered, public facilities would not occur.

XVI.	RECREATION. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Does the project include recreational facilities or require the construction or expansion of recreational facilities which have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

XVI a-b) The proposed ordinance amendments would regulate the location and operation of adult uses. Adult-uses are restricted to certain M-1 or any M-2 (compliance with *Locational Limitations*), and would require a minimum of 500-foot setback from park or community center uses, and residential zones. The proposed ordinance does not otherwise involve recreation facilities and would not result in an increase in the use of existing facilities, such that substantial physical deterioration would occur. In addition, the proposed ordinance does not require the construction or expansion of recreation facilities. Therefore, implementation of the proposed ordinance would not result in impacts related to recreation facilities, or related to construction of recreation facilities.

XVII.	TRANSPORTATION / TRAFFIC. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- | | | | | | |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) | Conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) | Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) | Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) | Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) | Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

XVII. a-b) The proposed ordinance amendments regulates the location and operation of adult uses restricted to certain M-1 and any M-2 Zones (compliance with *Locational Limitations*). The proposed ordinance does not propose new uses that would induce population growth or result in substantial traffic volumes, or otherwise conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system. In addition, an Adult Use Development Permit is required at which time compliance with county congestion management program, off street parking and circulation patterns are reviewed, and the Installation of Street Improvement requirements pursuant to the Title 12 (Streets and other Public Places), Title 13 (Utilities), Title 14 (Storm Drains and Floodplain Management), Title 15 (Building and Construction) and Title 16 (Division of Land). The City Contract Traffic Engineer review and conditions would also be provided during the Adult Use Development Permit process. Therefore, implementation of the proposed ordinance would not result in impacts related to traffic congestion, conflict with traffic programs, or City performance standards.

XVII. c) The proposed ordinance amendment would regulate the location and operation of adult uses to specific areas within M-1 or any M-2 (compliance with *Locational Limitations*).. In addition, proposed adult uses would be subject to guidelines of applicable airport land use plans, where applicable. Furthermore, an Adult Use Development Permit is required at which time compliance with county congestion management program, off street parking and circulation patterns are reviewed, and the Installation of Street Improvement requirements pursuant to the Title 12 (Streets and other Public Places), Title 13 (Utilities), Title 14 (Storm Drains and Floodplain Management), Title 15 (Building and Construction), Title 16 (Division of Land) and Title 18 (Zoning Code). Therefore, the proposed ordinance would not result in impacts related to a change in air traffic patterns that results in a substantial safety risk.

XVII. d) The proposed ordinance would regulate the location and operation of adult uses restricted to areas within M-1 or M-2, subject to *Locational Limitations* requirements of the Zoning Code. The proposed ordinance amendments does not propose new uses or hazardous design features that could result in traffic impacts. In addition, the ordinance requires separation distances from sensitive to ensure that incompatible uses would not occur. The intent of the proposed ordinance amendments is to provide appropriate locations for adult uses that would not conflict with the existing community. Therefore, the proposed ordinance would not result in an increase in hazards due to design features or incompatible uses.

XVII. e) The proposed ordinance amendments would regulate the location and operation of adult uses restricted to certain M-1 or any M-2 (compliance with *Locational Limitations*). In addition, proposed adult uses would be subject to the City's development requirements, which includes the Uniform Building Code, and reviews from the City's Fire Department to ensure emergency access. Furthermore, an Adult Use Development Permit is required which would initiate review of any future adult use with compliance of City building codes, fire codes, and other municipal codes related to development standards for project developments. Therefore, the proposed ordinance amendments would not result in impacts related to inadequate emergency access.

XVII. f) The proposed ordinance amendments would regulate the location and operation of adult uses. Adult uses would be limited to areas zoned M-1 or M-2 and would be required to comply with other portions of the City's Code related to transit, bicycle, and pedestrian facilities, as applicable. The proposed ordinance does not otherwise involve alternative transportation and would not result in a conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities.

XVIII. UTILITIES AND SERVICE SYSTEMS. Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? In making this determination, the Lead Agency shall consider whether the project is subject to the water supply assessment requirements of Water Code Section 10910, et. seq. (SB 610), and the requirements of Government Code Section 664737 (SB 221).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- | | | | | | |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| f) | Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) | Comply with federal, state, and local statutes and regulations related to solid waste? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

XVIII. a) The proposed ordinance amendments provides regulations related to the location and operation of adult uses restricted in certain M-1 or certain M-2 Zones (compliance with *Locational Limitations*) and an Adult Use Development Permit is required which would initiate review of any future adult use with compliance of City building codes, fire codes, and other municipal codes related to development standards for project developments. Project implementation will not violate any water quality standards or waste discharge requirements. The applicant is required to comply with requirements of the City Public Works Department and ensure that Best Management Practices (BMPs) are followed during construction. Under Section 402 of the Clean Water Act (CWA), the Regional Water Quality Control Board (RWQCB) issues National Pollutant Discharge Elimination System (NPDES) permits to regulate waste discharges to waters of the U.S. Waters of the U.S. including rivers, lakes, and their tributary waters. Waste discharges include discharges of stormwater and construction project discharges. The City has a permit from the RWQCB for all wastewater generated within its boundaries. Because the project proponent would be required to adhere to wastewater discharge requirements found within the NPDES permit process as well as provisions required by the City of Colton, no impacts would be generated to this issue would result from implementation of the proposed ordinance amendments project. Therefore, the proposed ordinance would not result in conflicts with requirements of the RWQCB (Regional Water Quality Control Board).

XVIII. b) The proposed ordinance amendments provides regulations related to the location and operation of adult uses restricted to certain M-1 or any M-2 Zones (compliance with *Locational Limitations*). In addition, adult uses would continue to be regulated by the other provisions in the City Municipal Code, including Title 13 (Utilities), that requires M-1 and M-2 uses be served by Colton wastewater. Because the proposed ordinance amendments would not induce growth and would require compliance with existing regulations related to water use and wastewater services, impacts related to wastewater treatment facilities would not occur.

XVIII. c) The proposed ordinance amendments provides regulations related to the location and operation of adult uses, which are limited to certain M-1 and certain M-2 Zones. Under the proposed ordinance, adult uses would continue to be regulated by the other provisions in the City Municipal Code, including Title 13 (Utilities) and Title 14 (Storm Drains and Floodplain Management). In addition, adult uses would continue to be required to control stormwater consistent with the existing requirements of the RWQCB. Therefore, implementation of the proposed ordinance would not result in impacts related to construction of new storm water drainage facilities.

XVIII. d) The proposed ordinance amendments provides regulations related to the location and operation of adult uses, which are limited to certain M-1 or any M-2 Zones. Under the proposed ordinance amendments, adult uses would continue to be regulated by the other provisions in the City Code, including Title 13 (Utilities) and Title 14 (Storm Drains and Floodplain Management), that requires M-1 and M-2 uses be served by water purveyors. In addition, adult-oriented uses would continue to be regulated by local and regional regulations related to water use. Also, the Adult Use Development Permit will require review by the City's Engineering staff for provision of adequate water supplies and compliance with groundwater management and public water supply systems. Therefore, implementation of the proposed ordinance amendments would not result in impacts related to water supplies, and would not require expanded water entitlements.

XVIII. e) Refer to response b). The proposed ordinance provides regulations related to the location and operation of adult uses restricted in certain M-1 and any M-2 Zones, and implementation of the proposed ordinance would not induce substantial population growth. In addition, adult uses would continue to be regulated by the City Code. Because the proposed ordinance amendments would not induce growth and would require compliance

with existing regulations related to wastewater, impacts related to wastewater treatment facilities would not occur.

XVIII. f-g) The proposed ordinance amendments provides regulations related to the location and operation of adult uses restricted in certain M-1 or any M-2 Zones. Adult uses do not generate large volumes of solid waste. In addition, the application for an Adult Use Development Permit is required, which initiates project review and compliance with all city, state and federal laws related to a development project or adult use project. Therefore, the proposed ordinance amendments would not result in impacts related to landfill capacity and compliance with solid waste regulations.

XIX.	MANDATORY FINDINGS OF SIGNIFICANCE	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current project, and the effects of probable future projects.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

XVIII. a) The proposed ordinance amendments would regulate the location and operation of adult uses restricted to certain M-1 and any M-2 Zones (compliance with *Locational Limitations*). The proposed adult uses ordinance amendments would not have the potential to reduce the habitat of a fish or wildlife species, cause a fish or

wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animals. Generally, the M-1 (Light Industrial) and M-2 (Heavy Industrial) Zones in the City generally do not contain areas of sensitive habitat or where sensitive species may be found. In addition, an Adult Use Development Permit is required to establish an adult use establishment in the City of Colton at which time compliance with all City codes and California Environmental Review Act (CEQA) would be reviewed and analyzed. Therefore, any potential impacts on biological resources will be avoided. Additionally, an adult uses shall be constructed and operated in compliance to the standards in Chapter 18.49 (Adult Use Regulations) and other applicable municipal codes. This includes a requirement to process an Adult Use Development Permit which would require review of an adult use project for compliance with all City development standards and CEQA. As a result, the proposed ordinance amendments would not result in impacts these biological resources. These standards are provided to protect important examples of California's history and prehistory. As a result, implementation of the proposed ordinance would not result in impacts related to cultural or paleontologic resources.

XVIII. b) The proposed ordinance amendments would regulate the location and operation of adult uses restricted to certain M-1 or any M-2 Zones (compliance with *Locational Limitations*), to mitigate potential adverse secondary effects of these uses and protect the quality of life and neighborhoods in the City. As described throughout this Initial Study, implementation of the proposed ordinance amendments would not result in environmental impacts and includes certain requirements to obtain an Adult Use Development Permit which is required to be approved by the City Planning Commission by holding a noticed public hearing. In addition, adult uses are required to comply with the City's Code, regional, state and federal regulations. Implementation of the proposed ordinance would not impacts that are individually limited, but could be incrementally considerable. There are no other past, current, or probable future projects or proposed ordinances that would combine with the proposed ordinance to result in a cumulatively adverse impact. Therefore, cumulative impacts related to the proposed ordinance would not occur.

XVIII. c) The intent of the proposed ordinance amendments is to provide land use and operating regulations that would mitigate potential adverse secondary effects of adult-oriented businesses and protect the quality of life and neighborhoods in the City. The proposed ordinance provides location standards and design standards, and the application packet includes performance standards to minimize potential nuisances and both direct and indirect impacts to human beings. In addition to the proposed ordinance, adult use would continue to be regulated by the City's Code and other regional, state and federal regulations, as appropriate. The proposed ordinance would be adopted for the purpose of avoiding or mitigating an environmental effect, and would not cause substantial adverse effects on human beings.

Note: Authority cited: Sections 21083, 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080, 21083.05, 21095, Pub. Resources Code; *Eureka Citizens for Responsible Govt. v. City of Eureka* (2007) 147 Cal.App.4th 357; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th at 1109; *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656.

Revised 2009

REFERENCES. The following references cited in the Initial Study are on file and/or information pertaining to this subject can be inquired in the Development Services Department.

1. City of Colton General Plan
2. City of Colton General Plan Land Use Plan/Zoning Districts Map
3. City of Colton Development Code (Title 18 of the Colton Municipal Code)
4. City of Colton Municipal Code (Titles 12-16)
5. South Coast Air Quality Management District, CEQA Air Quality Handbook
6. Federal Emergency Management Agency, Flood Insurance Rate Maps
7. Santa Ana Regional Water Quality Control Board
8. California Department of Conservation, Farmland Mapping and Monitoring Program, 2004.8
9. Preliminary Traffic Assessment to Identify and Evaluate any Potential Traffic Impacts.
10. State of California Public Resource Code
11. California Integrated Waste Management Board, Solid Waste Information System, www.ciwmb.ca.gov/swis
12. Southern California Association of Governments (SCAG) http://www.scag.ca.gov/forecast/downloads/excel/RTP07_CityLevel.xls
13. Hazardous Waste Substance and Sites List.

ATTACHMENT 6

Draft Ordinance No. O-02-16 with Exhibit-A

1
2 4. Special regulation of adult-oriented businesses is necessary to ensure that their
3 adverse secondary effects will not contribute to an increase in the crime rates or the blighting or
4 downgrading of the areas in which they are located or surrounding areas. The need for special
5 regulation is based on the recognition that adult-oriented businesses have serious objectionable
6 operational characteristics, particularly when several of them are concentrated under certain
7 circumstances or located in direct proximity to sensitive uses such as residential zones and uses,
8 parks, schools, churches or day care centers.

9
10 5. It is the purpose and intent of these special regulations to prevent the establishment
11 and operation of adult-oriented businesses in a manner that would create such adverse secondary
12 effects. Thus, in order to protect and preserve the public health, safety, and welfare of the
13 citizenry, especially minors, special regulations are necessary.

14
15 6. The protection and preservation of the public health, safety and welfare require
16 that certain operational, zoning and distance requirements for adult-oriented businesses also be
17 imposed.

18
19 **WHEREAS**, in adopting these regulations, the city council is mindful of legal principles
20 relating to regulation of adult businesses and does not intend to suppress or infringe upon any
21 expressive activities protected by the First Amendments of the United States and California
22 Constitutions, but instead desires to enact reasonable time, place, and manner regulations that
23 address the adverse secondary effects of adult businesses. The city council has considered
24 decisions of the United States Supreme Court regarding adverse secondary effects and the local
25 regulation of adult businesses, including but not limited to: *Young v. American Mini Theaters*.
26 *Inc.*, 427 U.S. 50 (1976) (Reh. denied 429 U.S. 873); *Renton v. Playtime Theaters*, 475 U.S. 41
27 (1986) (Reh. denied 475 U.S. 1132); *FW/PBS. Inc. v. Dallas*, 493 U.S. 215 (1990); *Barnes v.*
28 *Glenn Theater*, 501 U.S. 560 (1991), and *City of Erie v. Paps A.M.* (2000) 529 U.S. (2000
Daily Journal DAR 3255), United States Court of Appeals 9th Circuit decisions, including but not
limited to: *Topanga Press, et al. v. City of Los Angeles*, 989 F.2d 1524 (1993); *Kev. Inc. v.*
Kitsap County, 793 F.2d 1053 (9th Cir. 1986); *Colacurcio v. City of Kent*, 163 F.3d 545 (9th Cir.
1998), *pet. For cert. Filed* (1999); several California cases including but not limited to: *Tily B. v.*
City of Newport Beach, 69 Cal.App.4th 1 (1998); *City of National City v. Wiener*, 3 Cal.4th 832
(1993); *People v. Superior Court (Lucero)* 49 Cal.3d 14 (1989); and *City of Vallejo v. Adult*
Books, et al., 167 Cal.App.3d 1169 (1985); and other federal cases including *Lakeland Lounge v.*
City of Jacksonville (5th Cir. 1992) 973 F.2d 1255, *Hang On, Inc. v. Arlington* (5th Cir. 1995) 65
F.3d 1248, *Mitchell v. Commission on Adult Entertainment* (3rd Cir. 1993) 10 F.3d 123,
International Eateries v. Broward County (11th Cir. 1991) 941 F.2d 1157, and *Star Satellite v.*
City of Biloxi (5th Cir. 1986) 779 F.2d 1074.

29
30 **WHEREAS**, the city council hereby adopts each of the regulations contained in this
31 chapter as a means to reasonably address the adverse secondary effects of adult-oriented
32 businesses; and

1
2 **NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF COLTON,**
3 **CALIFORNIA, DOES ORDAIN AS FOLLOWS:**

4 **SECTION 1.** The City Council hereby adopts the recitals and findings set forth above and in the
5 agenda report prepared in connection with this Ordinance.

6 **SECTION 2. General Plan Consistency.** Based on the entire record before the City Council and
7 all written and oral evidence presented, including the staff report and the findings made in this
8 Ordinance, the City Council hereby finds and determines that the proposed Zone Text
9 Amendment is consistent with the goals and policies of the City of Colton General Plan. In
10 addition, the proposed amendments are reasonably related to the public welfare because they
11 impose regulations that address and mitigate the potential adverse secondary effects of adult
12 businesses that may locate in the City of Colton.

13 **SECTION 3.** The City Council of the City of Colton hereby amends a portion of the table found
14 in Section 18.06.060 G - Industrial Districts Table - of the Colton Municipal Code relating to
15 Uses Permitted in each Zone, to read as follows (New text is shown in **underline and bold** and
16 deleted text is shown in ~~strike through~~):

G. Industrial Districts Table	I-P	M-1	M-2
Adult Businesses <u>(See Chapter 18.49 Adult Use Regulations)</u>	N	N <u>A</u>	A

18
19 **SECTION 4.** The City Council of the City of Colton hereby amends and restates Chapter 18.49
20 – Adult Use Regulations, in its entirety, to read as follows:

21 **“Chapter 18.49 - ADULT USE REGULATIONS**

22 **Sections:**

23 **18.49.010 - Purpose.**

24 The purpose of this chapter is to provide special design guidelines/standards and development
25 regulations which regulate the time, place and manner of the operation of adult use facilities in
26 order to minimize the negative secondary effects associated with such facilities.

27 **18.49.020 - Definitions.**

1 In addition to the definitions contained in the Municipal Code, the following words and phrases
2 shall, for the purposes of this chapter, be defined as follows, unless it is clearly apparent from the
3 context that another meaning is intended. Should any of the definitions be in conflict with the
4 current provisions of the Municipal Code, these definitions shall prevail:

4 "Adult Arcade" means any business establishment or concern to which the public is permitted or
5 invited and where coin or slug operated or electronically, electrically or mechanically controlled
6 amusement devices, still or motion picture machines, projectors, videos or other image-producing
7 devices are maintained to show images on a regular or substantial basis, where the images so
8 displayed are distinguished or characterized by an emphasis on matter depicting or describing
9 "Specified Sexual Activities" or "Specified Anatomical Areas."

8 "Adult Bookstore" means any business establishment or concern having as a regular and
9 substantial portion of its stock in trade, "Material" (as defined below) which is distinguished or
10 characterized by its emphasis on matter depicting, describing or relating to "Specified Sexual
11 Activities" or "Specified Anatomical Areas."

11 "Adult Business" or "Adult Use" means:

12 1. Any business establishment or concern which as a regular and substantial course of
13 conduct operates as an Adult Bookstore, Adult Theater, Adult Arcade, Adult Cabaret, Adult
14 Figure Modeling Studio, Adult Motel or Hotel; or

15 2. Any business establishment or concern which as a regular and substantial course of
16 conduct offers, sells or distributes Adult Oriented Merchandise or sexually oriented merchandise,
17 or which offers to its patrons materials, products, merchandise, services or entertainment
18 characterized by an emphasis on matters depicting, describing or relating to "Specified Sexual
19 Activities" or "Specified Anatomical Parts," but not including those uses or activities which are
20 preempted by state law.

19 "Adult Cabaret" or "Adult Nightclub" means a business establishment or concern (whether or not
20 serving Alcoholic Beverages) which features live performances by topless and/or bottomless
21 dancers, go-go dancers, exotic dancers, strippers or similar entertainers, and where such
22 performances are distinguished or characterized by their emphasis on matter depicting, describing
23 or relating to "Specified Sexual Activities" or "Specified Anatomical Areas."

23 "Adult Dance Studio" means any business establishment or concern which provides for members
24 of the public a partner for dance where the partner, or the dance, is distinguished or characterized
25 by the emphasis on matter depicting, or describing or relating to "Specified Sexual Activities" or
26 "Specified Anatomical Areas."

26 "Adult Oriented Merchandise" (or sexually oriented merchandise) means sexually oriented
27 implements, paraphernalia or novelty items, such as, but not limited to: dildos, auto sucks,
28 sexually oriented vibrators, benwa balls, inflatable orifices, anatomical balloons with orifices,
simulated and battery operated vaginas, and similar sexually oriented devices which are designed
or marketed primarily for the stimulation of human genital organs or sado-masochistic activity or

1 distinguished or characterized by their emphasis on matter depicting, describing or relating to
2 "Specified Sexual Activities" or "Specified Anatomical Areas."

3 "Adult Theater" means a theater or other commercial establishment with or without a stage or
4 proscenium which is used for presenting, on a regular and substantial basis, "Material" which is
5 distinguished or characterized by an emphasis on matter depicting, or describing, or relating to
6 "Specified Sexual Activities" or "Specified Anatomical Areas."

7 "Arcade Booth" means any enclosed or partially enclosed portion of an establishment in which an
8 Adult Arcade is located, or where a live performance is presented, on a regular or substantial
9 basis, where the material presented is distinguished or characterized by an emphasis on matter
10 depicting, or describing, or relating to "Specified Sexual Activities" or "Specified Anatomical
11 Areas."

12 "M-1 Light Industrial Zone" means any property within the City which is zoned M-1 Light
13 Industrial Zone on the City's Official Zoning Map adopted by Ordinance No. 0-14-92, effective
14 August 21, 1992, as may be amended from time to time.

15 "M-2 Heavy Industrial Zone" means any Property within the City which is zoned M-2 Heavy
16 Industrial Zone on the City's Official Zoning Map adopted by Ordinance No. 0-14-92, effective
17 August 21, 1992, as may be amended from time to time.

18 "Material" relative to Adult Businesses, means and includes, but is not limited to, accessories,
19 books, magazines, photographs, prints, drawings, paintings, motion pictures, pamphlets, videos,
20 slides, tapes or electronically generated images or devices including computer software, or any
21 combination thereof.

22 "Park" means any property within the City which is zoned "Public Park" on the City's Official
23 Zoning Map adopted by Ordinance No. 0-14-92, effective August 21, 1992, as may be amended
24 from time to time.

25 "Performer" means any person who is an employee or independent contractor of the Adult
26 Business, or any person who, with or without any compensation or other form of consideration,
27 performs live entertainment for patrons of an Adult Business.

28 "Religious Institution" means a facility used primarily for religious assembly or worship and
related religious activities.

"Residential Zone" means any property within the City which is zoned "Residential," including
R-E (Residential Estate Zone), R-1 (Low Density Residential Zone), R-2 (Medium Density
Residential Zone) and R-3 (High Density Residential Zone) as set forth on the City Zoning Map,
adopted by Ordinance No. 0-14-92 on August 21, 1992 and fully incorporated by this reference,
and as may be amended from time to time. "Residential Zone" also includes residential zones
contained within Specific Plan areas and the Planned Community Development Overlay Zone as
set forth on the City Zoning Map.

1 "School" means any institution of learning for minors whether public or private, which offers
2 instruction in those courses of study required by the California Education Code or which is
3 maintained pursuant to standards set by the State Board of Education and has an approved use
4 permit, if required, under the applicable jurisdiction. This definition includes a nursery school,
kindergarten, elementary school, junior high school, senior high school. The definition of School
does not include a community or junior college, college or university, or a vocational institution.

5 "Specified Anatomical Areas" means:

- 6
1. Less than completely and opaquely covered:
 - 7 a. Human genitals, pubic region,
 - 8 b. Buttock, or
 - 9 c. Female breast below a point immediately above the top of the areola; or
 2. Any device or covering, when exposed to view, which simulates the female breast below a
10 point immediately above the top of the areola, human genitals, pubic region or buttock; or
 - 11 3. Human or simulated male genitals in a discernible turgid state, even if completely and
opaquely covered.

12 "Specified Sexual Activities" means:

- 13 1. Human genitals in a state of sexual stimulation or arousal; and/or
- 14 2. Acts of human masturbation, sexual stimulation or arousal; and/or
- 15 3. Use of human or animal ejaculation, sodomy, oral copulation, coitus or masturbation;
and/or
- 16 4. Masochism, erotic or sexually-oriented torture, beating or the infliction of pain; and/or
- 17 5. Human excretion, urination, menstruation, vaginal or anal irrigation; and/or
- 18 6. Fondling or other erotic touching of human genitals, pubic region, buttock or female
breast.

19 **18.49.030 - Locational Limitations.**

20 A. Subject to the limitations of this chapter, Adult Businesses or Adult Use may be located in
21 the M-2 (Heavy Industrial Zone) or M-1 (Light Industrial Zone) of the City, subject to the
22 following:.

23 1. Within a one thousand foot radius of a Residential Zone. The distance between a proposed
24 use and a Residential Zone shall be measured from the nearest exterior wall of the facility
25 housing the Adult Business or proposed Adult Use to the nearest property line included within the
Residential Zone, measured along a straight line extended between the two points.

26 2. Within a one thousand-foot radius of a school or park. The distance between the proposed
27 Adult Business or Adult Use and a school or park shall be measured from the nearest exterior
28 wall of the facility housing the Adult Business or Adult Use to the nearest property line of the
school or park site, along a straight line extended between the two points.

1
2 3. Within a one thousand foot radius of a religious institution. The distance between the
3 Adult Business or proposed Adult Use and a religious institution shall be measured from the
4 nearest exterior wall housing the Adult Business or proposed Adult Use along a straight line
5 extended to the nearest exterior wall of the facility housing the religious institution.

6
7 4. For properties located in the M-1 (Light Industrial Zone), it is unlawful to establish any
8 adult business, except as specified in the following locations:

9
10 Location 1: Properties south of 1-10 Freeway and west of intersection of Hunts Lane and Steel
11 Road, western boundary is 2131 East Steel Road to eastern boundary at 2396 East
12 Steel Road, southern boundary is 2150 Oliver Holmes Road and eastern boundary is
13 441 and 601 South Hunts Lane.

14
15 Location 2: Properties west of 215 Freeway, from 2185 to 2283 La Crosse Avenue and 375 De
16 Berry Street east of the Southern Pacific Railroad property.

17
18 B. The Establishment of any Adult Business or Adult Use shall include the opening of such a
19 business as a new business, the relocation of the business, or the conversion of an existing
20 business, or an increase of more than fifty percent of the square footage of an existing business,
21 or of an existing Adult Business or Adult Use to a different type of Adult Business or Adult Use.

22
23 **18.49.040 - Development and Operating Standards.**

24
25 A. Hours of Operation. It is unlawful for any operator or employee of an Adult Business to
26 allow such Adult Business to remain open for business, or to permit any employee to engage in a
27 performance, solicit a performance, make a sale, solicit a sale, provide a service or solicit a
28 service, between the hours of 12:00 a.m. and 8:00 a.m. of any day.

B. Lighting Requirements. All exterior areas of the Adult Business shall be illuminated at a
minimum of one footcandle throughout the premises, minimally maintained and evenly
distributed at ground level.

C. Access Provision. The operator shall not permit any doors on the premises to be locked
during business hours and, in addition, the operator shall be responsible to see that any room or
area on the premises shall be readily accessible at all times and shall be open to view in its
entirety for inspection by any Law Enforcement Officer.

D. Minors' Access.

1. X-Rated Movies. X-rated movies or video tapes shall be restricted to persons over
eighteen years of age. If an establishment that is not otherwise prohibited from providing access
to persons under eighteen years of age sells, rents or displays videos that have been rated "X" or
rated "NC-17" by the Motion Picture Rating Industry (MPAA), or which have not been submitted
to the MPAA for a rating, and which consist of images which are distinguished or characterized
by an emphasis on depicting or describing "Specified Sexual Activities" or "Specified Anatomical

1 Areas," such videos shall be located in a specific section of the establishment where persons
2 under the age of eighteen shall be prohibited and shall not be visible from outside the premises.

3 2. Other Adult Materials. Access to adult materials shall be restricted to persons over
4 eighteen years of age.

5 E. Regulation of Closed Booths. No one shall maintain any Arcade Booth or individual
6 viewing area unless the entire interior of such premises wherein the picture or entertainment that
7 is viewed is visible upon entering into such premises; and further, that the entire body of any
8 viewing person is also visible immediately upon entrance to the premises without the assistance
9 of mirrors or other viewing aids. No partially or fully enclosed booths/individual viewing area or
partially or fully concealed booths/individual viewing area shall be maintained. No Arcade Booth
shall be occupied by more than one patron at a time. No holes shall be permitted between Arcade
Booths or individual viewing area.

10 F. Regulation of Viewing Areas. All viewing areas within the Adult Business shall be visible
11 from a continuous and accessible main aisle in a public portion of the establishment, and not
12 obscured in any manner by any door, curtain, wall, two-way mirror or other device which would
13 prohibit a person from seeing into the viewing area from the main aisle. A manager shall be
14 stationed in the main aisle or video monitoring shall be established at a location from which the
15 inside of all of the viewing areas are visible at all times in order to enforce all rules and
regulations. All viewing areas shall be designed or operated to permit occupancy of either one
person only, or more than ten persons. "Viewing area" means any area in which a person views
performances, pictures, movies, videos or other presentations.

16 G. Business License. A person shall not own, operate, manage, conduct or maintain an Adult
17 Business without first having obtained a Business License from the Development Services
18 Director pursuant to Chapter 5.02 of the Colton Municipal Code. The issuance or denial of the
Business License shall be made within fifteen days of the applicant's submitted application.

19 H. On-Site Manager—Security Measures. All Adult Businesses shall have a person who shall
20 be at least eighteen years of age and shall be on the premises to act as manager at all times during
21 which the business is open. Any and all individual(s) designated as the on-site manager shall be
22 registered with the City's Development Services Director by the owner to receive all complaints
and be responsible for all violations taking place on the premises.

23 The Adult Business shall provide a security system that visually records and monitors all parking
24 lot areas, or in the alternative, uniformed security guards to patrol and monitor the parking lot
25 areas during all business hours. A sign indicating compliance with this provision shall be posted
on the premises. The sign shall not exceed two by three feet and shall at a minimum be one foot
by one and a half feet.

26 I. Adult Business—Operating Requirements. No person, association, partnership or
27 corporation shall engage in, conduct or carry on, or permit to be engaged in, conducted or carried
28 on the operation of an Adult Business unless each and all of the following requirements are met:

1 1. No Employee, Owner, Operator, responsible managing employee, manager or permittee
2 of an Adult Business shall allow any person below the age of eighteen years upon the premises or
3 within the confines of any Adult Business if no liquor is served, or under the age of twenty-one if
liquor is served.

4 2. All Employees of Adult Businesses, other than performers while performing, shall, at a
5 minimum while on or about the licensed premises, wear an opaque covering which covers their
Specified Anatomical Areas.

6 3. No person shall perform live entertainment for patrons of an Adult Business except upon a
7 permanently fixed stage which is at least eighteen inches above the level of the floor, separated by
8 a distance of at least six feet from the nearest area occupied by patrons and surrounded with a
three-foot-high permanent barrier.. No patron shall be permitted within six feet of the stage while
the stage is occupied by a performer.

9 When patrons are present at the establishment, they shall not be allowed to directly touch, fondle
10 or caress, as those terms are defined in *Kev, Inc. v. Kitsap County*, 793 F.2d 1053 (9th Cir. 1986),
11 the performers while they are performing. This prohibition does not extend to incidental touching.
12 Patrons shall be advised of the separation and no touching requirements by signs placed on the
barrier and if necessary by employees of the establishment.

13 4. If patrons wish to tip performers, receptacles shall be at least six feet from the
14 permanently fixed stage. Patrons shall not throw tips to performers, hand tips directly to
performers or place tips in the performers' costumes.

15 **18.49.050 - Adult Use Development Permit— Requirements.**

16 A. No Adult Business may be established or operate within the City by right—all persons
17 wishing to establish an Adult Business or Adult Use within the City must apply for and receive an
18 Adult Use Development Permit under this chapter.

19 B. It is the burden of the applicant to supply evidence to justify the grant of an Adult Use
20 Development Permit. Such evidence shall include information, maps and/or exhibits that shows
compliance with the provision of section 18.49.030 of this chapter.

21 C. Any Person desiring to establish or operate an Adult Business or Adult Use within the
22 City shall file with the Development Services Director an Adult Use Development Permit
23 application on a standard application form supplied by the Development Services Department.

24 **18.49.060 - Permit—Contents of Application.**

25 A. The application must be signed by the owner or lessee of the property where the Adult
26 Business or Adult Use will take place. If the application is signed by a lessee, a notarized
statement signed by the owner shall accompany the application. Proof of status is required.

27 B. The Development Services Department \shall set forth the contents required for such
28 applications for an Adult Use Development Permit.

1
2 C. All applicants for an Adult Use Development Permit must also fill out the City's
3 environmental package for purposes of complying with the California Environmental Quality Act
(CEQA).

4 **18.49.070 - Permit—Application Fee.**

5 The City Council, by resolution, shall set a reasonable nonrefundable application fee for persons
6 applying for an Adult Use Development Permit. The fee shall not exceed the reasonable
7 estimated costs of the City expended in processing the application.

8 **18.49.080 - Permit—Decision to Grant or Deny.**

9 A. The Planning Commission (the Commission) shall grant, conditionally grant or deny an
10 application for an Adult Use Development Permit in accordance with the approval criteria
11 contained in section 18.49.120 of this chapter. Any conditions imposed upon the permit shall be
12 in keeping with the objective development standards of this chapter and the underlying zoning
district in which the property is located.

13 B. The completeness of the application shall be determined by the Development Services
Director within fifteen (15) calendar days of its submittal to the Development Services Director.

14 C. Upon the filing of a completed application, the Commission shall cause to be made by its
15 own members, or members of its staff, an appropriate investigation, including consultation with
16 the Building, Police, Fire and Health Departments and inspection of the premises as needed.
17 Consultation is not grounds for the City to unilaterally delay in reviewing a completed
application.

18 D. In reaching a decision, the Commission shall not be bound by the formal rules of
19 evidence.

20 E. After the investigation has been completed within ten days or a specified time period that
21 falls within subsection (G) of this section, the Commission shall conduct a noticed public hearing
on the application for an Adult Use Development Permit.

22 F. Notice of the time and place of the hearing shall be given by notice through the U.S. Mail,
23 with postage prepaid, to all persons shown on the last equalized assessment roll of the County, as
24 owning property within a distance of three hundred feet from the external boundaries of the
property described in the application. Further notice shall be given by publication in a newspaper
25 of general circulation within the City at least ten days before the scheduled hearing.

26 G. The Planning Commission shall render a written decision on the application for an Adult
27 Use Development Permit within thirty days of receiving a completed application. The
Commission is authorized to impose conditions reasonably related to the impacts generated by
28 the proposed Adult Business or Adult Use. However, in the event a negative declaration,
mitigated negative declaration or any type of Environmental Impact Report needs to be prepared

1 for the Project pursuant to the California Environmental Quality Act (CEQA, Public Resources
2 Code Section 21000, et seq.) and the companion guidelines (CEQA guidelines, Title 14
3 California Code of Regulation Section 15000, et seq.), then those timeframes set forth in CEQA
and the CEQA guidelines shall apply.

4 H. The failure of the Commission to render such a decision within the time frames set forth
5 above shall be deemed to constitute an approval.

6 I. Written Notice of the Commission's decision shall be hand delivered or mailed to the
7 applicant within forty-eight hours.

8 **18.49.090 - Permit—Appeal.**

9 A. Any interested person may appeal the decision of the Commission to the City Council in
10 writing within ten days after the Commission's written decision. The City Council within the
same ten days may also initiate such an appeal.

11 B. Consideration of an appeal of the Commission's decision shall be at a public hearing
12 which shall be noticed as provided in Section 18.49.080(F) above and shall occur within thirty
13 days of the filing or initiation of the appeal.

14 C. The City Council action on the appeal of the Commission's decision shall be by a majority
15 vote of the quorum and upon the conclusion of the de novo public hearing. The City Council shall
16 grant, conditionally grant or deny the application in accordance with the approval criteria
contained in section 18.49.120 of this chapter. The City Council's decision shall be final and
conclusive.

17 D. In reaching its decision, the City Council shall not be bound by the formal rules of
18 evidence.

19 **18.49.100 - Permit—Judicial Review of Decision to Grant or Deny.**

20 A. The time for court challenge to a final decision by the Commission or City Council is
21 governed by California Code of Civil Procedure Section 1094.6.

22 B. Notice of the Commission's or City Council's decision and its findings shall be mailed to
23 the applicant within forty-eight hours and shall include citation to California Code of Civil
Procedure Section 1094.6.

24 **18.49.110 - Permit—Expiration.**

25
26 Any Adult Use Development Permit approved pursuant to this chapter shall become null and void
27 if not exercised within one year from the date of the approval. If an Adult Business ceases to
28 operate for a period of six months, the Adult Use Development Permit shall become null and
void. A permit extension shall be granted if prior to the expiration date the permittee

1 demonstrates to the satisfaction of the City's Planning Commission that it has a good faith intent
2 to presently commence the proposed use. Such extensions shall not exceed a total of two six-
3 month extensions.

4 **18.49.120 - Permit—Approval Criteria.**

5 A. The Commission or City Council shall approve or conditionally approve an application
6 for an Adult Use Development Permit where the information submitted by the applicant
7 substantiates the following findings:

8 1. That the proposed use complies with the objective development and design requirements
9 of zone in which it is located and with the applicable standards of this chapter;

10 2. That the proposed site is not located within a one thousand foot radius of a Residential
11 Zone. The distance between a proposed use and a Residential Zone Shall be measured from the
12 nearest exterior wall of the facility housing the Adult Business or proposed Adult Use, to the
13 nearest property line included within the Residential Zone, along a straight line extended between
14 the two points;

15 3. That the proposed site is not located within a one thousand-foot radius of a school or park.
16 The distance between the proposed use and a School or park shall be measured from the nearest
17 exterior wall of the facility housing the Adult Business or proposed Adult Use to the property line
18 of the nearest school or park site, along a straight line extended between the two points;

19 4. That the proposed site is not located within a one thousand foot radius of a religious
20 institution. The distance between the Adult Business or proposed Adult Use and a religious
21 institution shall be measured from the nearest exterior wall housing the Adult Business or
22 proposed Adult Use along a straight line extended to the nearest exterior wall of the facility
23 housing the religious institution;

24 5. That neither the applicant, if an individual, or any of the officers or general partners, if a
25 corporation or partnership, have been found guilty or pleaded nolo contendere within the past
26 four years of a misdemeanor or a felony classified by the state as a sex or sex-related offense.

27 **18.49.130 - Permit—Revocation.**

28 A. Any permit issued pursuant to the provisions of this chapter may be revoked by the City
on the basis of any of the following:

1. That the business or use has been conducted in a manner which violates one or more of
the conditions imposed upon the issuance of the permit or which fails to conform to the plans and
procedures described in the application, or which violates the occupant load limits set by the Fire
Marshal;

1 2. That the permittee has failed to obtain or maintain all required City, County and State
2 licenses and permits;

3 3. That the permit is being used to conduct a use different from that for which it was issued;

4 4. That the permittee has misrepresented a material fact in the application for Adult Use
5 Development Permit or has not answered each question therein truthfully;

6 5. That the building or structure in which the Adult Business is to be conducted is hazardous
7 to the health or safety of the employees or patrons of the business or of the general public under
the standards set forth in the City's Building, Electrical, Plumbing or Fire Code;

8 6. That the permittee, if an individual, or any of the officers or general partners, if a
9 corporation or partnership is found guilty or pleaded nolo contendere to a misdemeanor or felony
10 classified by the state as a sex or sex-related offense during the period of the Adult Business'
operation; or

11 7. That the use for which the approval was granted has ceased to exist or has been suspended
12 for six months or more.

13 B. Written notice of hearing on the proposed permit revocation, together with written
14 notification of the specific grounds of complaint against the permittee shall be personally
delivered or sent by certified mail to the permittee at least ten days prior to the hearing.

15 C. The Commission shall provide notice and conduct a public hearing on the proposed
16 permit revocation. Written notice shall be provided within at least ten days prior to the hearing to
17 all parties who have expressed their interest in writing. The notice shall inform the permittee of
the reasons for revocation.

18 D. The revocation hearing shall be heard by the Commission. The Commission shall not be
19 bound by the formal rules of evidence at the hearing.

20 E. The Commission shall revoke, not revoke, or not revoke but add additional conditions to,
21 the permittee's Adult Use Development Permit. Any additional conditions imposed upon the
22 permit shall be in keeping with the objective development standards of this chapter as set forth in
23 Sections 18.49.020 and 18.49.120 above, and the underlying zoning district in which the property
is located.

24 F. The Commission shall make its decision within thirty days of the conclusion of the public
25 hearing.

26 G. The Commission's decision shall be by resolution, and shall be hand delivered or mailed
27 to the applicant within forty-eight hours and mailed to all property owners within three hundred
feet of the use.

1 H. Any interested person may appeal the decision of the Commission to the City Council in
2 writing within ten days after the written decision of the Commission in accordance with the
provisions of Section 18.58.070 of this chapter.

3 I. In the event a permit is revoked pursuant to this chapter, another Adult Use Development
4 Permit to operate an Adult Business shall not be granted to the permittee within twelve months
5 after the date of such revocation.

6 **18.49.140 - Violation—Penalty.**

7 Any person who violates any section of this chapter shall be guilty of a misdemeanor and subject
8 to a fine of one thousand dollars and/or imprisonment in the County jail for a period of up to six
months or any other legal remedy available pursuant to the Colton Municipal Code.

9 **18.49.150 - Applicability to other regulations.**

10 The provisions of this chapter are not intended to provide exclusive regulation of the regulated
11 adult uses. Such uses must comply with any and all applicable regulations imposed in other
12 chapters of the zoning code, other City ordinances and state and federal law.

13 **18.49.160 - Conduct constituting a Public Nuisance.**

14 The conduct of any business within the City in violation of any of the terms of this chapter is
15 found and declared to be a public nuisance, and the City Attorney or the District Attorney may, in
16 addition or in lieu of prosecuting a criminal action hereunder, commence an action or proceeding
17 for the abatement, removal and enjoinder thereof, in the manner provided by law; and shall take
18 other steps and shall apply to such courts as may have jurisdiction to grant such relief as will
19 abate or remove such Adult Business or Adult Use and restrain and enjoin any person from
conducting, operating or maintaining an Adult Business or Adult Use contrary to the provisions
of this chapter. “

20 **SECTION 5:** If any provision or clause of this ordinance or any application of it to any person,
21 firm, organization, partnership or corporation is held invalid, such invalidity shall not affect other
22 provisions of this ordinance which can be given effect without the invalid provision or
application. To this end, the provisions of this ordinance are declared to be severable.

23 **SECTION 6.** Based on the entire record before it and all written and oral
24 evidence presented, the Planning Commission finds that pursuant to the California Environmental
25 Quality Act (CEQA), the attached Initial Study was prepared of the potential environmental
26 effects of the project. Based on the findings contained in that Initial Study, City staff determined
27 that, there would be no substantial evidence that the project would have a significant effect on the
28 environment. Based on that determination, proposed project could not have a significant effect
on the environment, and a Negative Declaration has been prepared. The Negative Declaration
was advertised and posted for public review and comment period starting on November 16, 2015.
The public review period for comments on the proposed adoption of the Negative Declaration
closed December 7, 2015. Staff is directed to file a Notice of Determination with the San

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Bernardino County Clerk's Office within five (5) working days. The Secretary shall certify to the adoption of this resolution.

SECTION 7. Effective Date. This ordinance shall become effective thirty (30) days after its adoption.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2015.

Richard De La Rosa, Mayor

ATTEST:

Carolina R. Padilla, City Clerk

APPROVED AS TO FORM:

Best Best & Krieger LLP
City Attorney

EXHIBIT "A"

SUMMARY OF ADULT BUSINESS ADVERSE SECONDARY EFFECT STUDIES AND LETTERS

1. Environmental Research Group - 1996
(Report: The American Center for Law and Justice on the Secondary Impacts of Sex-Oriented Businesses)

This report provides evidence showing that crime rates are significantly higher in areas with one or more sex-oriented business than in comparable areas without these businesses within the same municipality. More specifically, sex-oriented businesses lead to significantly increased property and personal crimes within a 1000 foot radius of the sites. Sex-related crimes occur more frequently in residential neighborhoods containing a sex-oriented business than in commercial areas containing a sex-oriented business.

In addition, the presence of sex-oriented businesses is consistently and strongly associated with perceived decreases in value of both residential and commercial properties in the opinion of real estate appraisers and lenders. The presence of sex-oriented businesses in small towns is likely to be magnified beyond that which would be expected in larger cities because of the more compact nature of downtowns and their relationship to surrounding neighborhoods.

2. Phoenix, AZ - 1979
(Study by: Planning Department of the City of Phoenix)

Crime statistics in Phoenix show that all types of crimes, especially sex-related crimes (mainly indecent exposure), occur with more frequency in neighborhoods where sexually-oriented businesses are located.

3. Adams County, CO - 1991
(Adams County Sheriff Department)

Adult establishments attract transients, as well as patrons from outside the county in which the businesses are located. Crime statistics also showed that all types of crimes, especially sex-related crimes, occur with more frequency in neighborhoods where sexually-oriented businesses are located. Perpetrators of criminal activities at or near adult establishments often have records for prior arrests for moral turpitude crimes, sexual assaults, alcohol-related arrests, and crimes of violence.

4. Manatee County, FL - 1987
(Adult Entertainment Business Study for Manatee County, Florida)

This study reports on previous studies from Austin, Indianapolis, and Los Angeles to support the theory that higher crime rates exist, particularly for sex-related crimes, in areas located near adult businesses. Further, the study reports that adult entertainment establishments have a negative effect upon property values and perceptions in a neighborhood. Furthermore, adult entertainment businesses tend to locate in areas with poorer residential conditions. Residential conditions thereafter tend to worsen. Concentrations of adult entertainment businesses tend to have higher crime rates.

5. An Analysis of Adult Business Studies in Indianapolis and Los Angeles
1984/1977

This analysis indicates that crime statistics for all types of crimes, especially sex-related crimes, occur with more frequency in neighborhoods where sexually-oriented businesses are located. Sex-related crimes occur more frequently in predominantly residential areas than in areas that are substantially commercial in nature. The presence of sex-oriented businesses is consistently and strongly associated with perceived decreases in the value of both residential and commercial properties. The negative impacts are greater for residential properties than for commercial properties.

Property owners and businessmen surveyed in the Los Angeles study area cited the following adverse effects resulting from adult entertainment establishments locating near their properties or businesses: difficulty in renting office space, difficulty in keeping desirable tenants, difficulty in recruiting employees, limitations on hours of operation, decrease in the patronage of women and families, and generally reduced business patronage.

6. New Hanover County, NC - 1989
(Regulation of Adult Entertainment Establishments in New Hanover County)

This study cites to studies from Detroit, Los Angeles, Beaumont (TX), and Indianapolis to support the theory that a concentration of adult businesses results in deteriorating property values and depressed neighborhood conditions, particularly residential neighborhoods. In addition, this study cites studies from Phoenix (AZ), Detroit, Los Angeles, and Beaumont (TX) to support the theory that concentrations of

adult business often result in an increase in crime, particularly prostitution, drugs, assault, and sex crimes.

The New Hanover County Planning Department also provided recommendations to address impacts created by adult business establishments in light of the information obtained from the studies. Recommendations included: enforcing proper zoning, licensing, active law enforcement, sign regulations, and nuisance provisions.

7. Las Vegas, NV - 1978

(A Report Prepared by Las Vegas, NV - City Commission Minutes for Regular Meeting on 3/15/78)

This study includes:

(1) A transcript from the City Commission Meeting on 3/15/78;

- 3 individuals commented for the record:

1. A physician whose practice was located near an adult business commented on how the business had an adverse impact on his property and that he had seen multiple business owners in the area move their businesses elsewhere because of the presence of the adult business in that particular area. The physician also commented on how the business had adversely affected his practice because people had commented to him that having his practice near a pornographic business is not appealing;

2. The Executive Director of Christian Coalition did not believe a 1,000 ft. separation restriction was stringent enough; and

3. The City Attorney replied to the physician and Director by explaining that you can't get rid of adult businesses completely; can only regulate them and that the most important thing is that an ordinance uphold a constitutional challenge.

(2) Testimony in the form of sworn affidavits from a city planner (recommending a dispersal ordinance), police officer (concentrations of adult businesses have adverse effects on the surrounding areas), and a sociologist (recommended a dispersal ordinance); and

(3) Questionnaires that were distributed to 4 categories of persons: brokers and Realtors in the area, owners and residents (who lived in neighborhoods located

near adult entertainment businesses), business owners and proprietors (who owned businesses located near adult entertainment businesses); and a cross-section of people (who lived in neighborhoods not located near adult entertainment businesses).

- The questionnaires tended to show that adult entertainment businesses had a deteriorating effect on surrounding neighborhoods.

8. Cattaraugus County, NY - 1998
(Adult Business Study: Town and Village of Ellicottville Cattaraugus County, New York, January 1998)

There were no adult businesses in the Town and Village of Ellicottville at the time of the study nor did the Town's existing land use regulations address adult uses, however the Town Board wished to enact certain preemptive steps, including: (1) enacting temporary moratoriums on establishing adult uses while, (2) preparing a joint Town and Village study investigating the possible effects on the community from adult entertainment businesses, and (3) preparing zoning text amendments to regulate where and how adult uses could be allowed in Ellicottville in the future. Ellicottville's economic health was partially dependant upon recreational tourism and the Town feared that the uncontrolled establishment of adult entertainment businesses would conflict with Ellicottville's efforts to remain a family oriented, tourist community.

The Board came to the conclusion that the best land use control would be a zoning law, but in order for it to be affective, adult uses needed to be defined in a manner that differentiated them from traditional bookstores and bars (one method: to use their exclusion of minors as part of the definition).

9. Islip, NY - 1980
(Study & Recommendations for Adult Entertainment in the Town of Islip)

The Town of Islip wished to create a dispersal ordinance similar to that enacted by Detroit (commonly referred to as the "Detroit model"). This study analyzed the Detroit ordinance and the Supreme Court's ruling in favor of Detroit in 1976 to support its own proposed ordinance which prohibited any adult uses within a 500 ft. radius of residential areas and a 2 mile radius of another adult use.

10. New York City - 1994
(Adult Entertainment Study by Department of City and Planning for City of N.Y.)

This study shows that adult entertainment is more readily accessible than it was ten years ago. Adult videos are produced in greater numbers and at lower costs. They are often available in general interest video stores as well as those devoted exclusively to adult entertainment. Cable television has significantly increased the availability of adult viewing material. Adult material is also available at newsstands and book stores.

The study also shows that adult entertainment uses tend to concentrate near each other. Studies of adult entertainment uses in areas where they are highly concentrated, such as Times Square and Chelsea, identified a number of significant negative secondary impacts. In the Times Square area, property owners, theater operators and other business people overwhelmingly believed that their businesses were adversely affected. An analysis of criminal complaints indicated a substantially higher incidence of criminal activity in the Times Square area where adult uses are most concentrated. In addition, the study found that the rate of increase in assessed property values for study blocks with adult uses grew at a slower rate than control blocks without adult uses.

The strongest negative reactions to adult entertainment uses came from residents living near them. Furthermore, most real estate brokers reported that adult entertainment establishments were perceived to negatively affect nearby property values and decrease market values. In addition, adult use accessory business signs are generally larger, more often illuminated, and graphic (sexually-oriented) compared with signs of other nearby commercial uses. Community residents view this signage as out of keeping with neighborhood character and were concerned about the exposure of minors to sexual images.

11. New York Times Square - 1994

(Report on the secondary effects of the Concentration of Adult Use Establishments in the Times Square Area)

The survey respondents in this study felt that some adult establishments could exist in the area, but their growing number and their concentration would constitute a threat to the commercial prosperity and residential stability of the area. The study did reveal a reduction in criminal complaints the further one went from the major concentration of adult establishments. Furthermore, many property owners, businesses, experts and officials provided anecdotal evidence that proximity (defined in various degrees) to adult establishments hurts businesses and property values.

12. Oklahoma City, OK - 1989 Report On Sexually-Oriented Business Abatement

[Quality of Life: A Look at Successful Abatement of Adult Oriented Business Nuisances in Oklahoma City, Oklahoma (1984-1989)]

This study shows that aggressive law enforcement is one means of addressing negative secondary effects of adult businesses. From 1984 to 1989, the police department in Oklahoma City cracked down on the+ adult businesses in the City. Priorities were established in a plan of attack. The police began by cracking down on street prostitution, then brothels, then adult book stores with peep shows, followed by nude and semi-nude bars, and lastly, escort services.

At adult book stores, police mainly arrested male customers offering to engage in sex acts with undercover officers, sale of and possession of pornography, display of pornography, and various health department violations (as a result of officers swabbing the walls and floors of peep show booths securing samples of seminal fluids). At nude and semi-nude bars, most arrests were for prostitution, drink hustling with promises of sexual favors, and fondling in corners of bars. Escort services were particularly difficult to crack down on because most customers were transients and even a 100% arrest rate lead to little deterrence for future offenders. The police therefore, focused their efforts on disconnecting phone services to escort services who used their phone numbers "in furtherance of criminal conduct."

As a result of the police crack down, very few adult businesses remained operating by 1990. Incidents of reported rapes during the period of the crack down (1984-1989) decreased in Oklahoma City while rising in the rest of the state and nation.

13. Cleburne, TX: Why and How to Organize a County-Wide Sex business Task Force - 1997

This study stresses the importance of a county-wide effort to address the problems created by sexually oriented businesses ("SOBs"). The City Attorney for Cleburne, Texas, emphasized the point that even if Cleburne itself enacted a strong SOB ordinance, SOBs would simply locate just outside Cleburne in adjacent cities. Thus, it was important to get the participation of as many cities in the county as possible to support Cleburne's efforts to effectively regulate adult businesses.

The county-wide task force held public hearings where experts testified as a precursor to each city planning and zoning commission and council later holding their own separate, individual hearings to discuss adoption of SOB regulations in their individual jurisdictions.

Task force findings included the following: major and sex-related crime rates are substantially higher in areas within the vicinity of an SOB; property values for areas surrounding SOBs seriously depreciate when an SOB opens; the spread of communicable diseases (including HIV and STDs) is higher in SOBs. The study then suggested ways to protect health, welfare, and public safety of cities and counties from SOBs, including: enforcement of public nuisance laws and diligent prosecution of any obscenity or sexual offense cases that may be filed in the county/district courts.

14. Dallas, TX - 1997

(An Analysis of Effects of SOBs on the Surrounding Neighborhoods in Dallas, TX)

This study presented evidence concerning the high rates of police calls from SOBs. Research also showed a higher number of crime arrests (including rape, prostitution/commercial vice, and other sex offenses) where SOBs were concentrated versus areas where SOBs were spaced more than a half mile apart. Such findings lead to the theory that there are increased crime arrests and disturbances requiring police presence around SOBs and significantly more crime when there is a concentration of SOBs in one area.

Real estate brokers active in Dallas areas reported that SOBs "are perceived to negatively affect nearby property values and decrease market values." In addition, interviews with real estate professionals revealed that the location of multiple SOBs in one neighborhood can have a major impact on the neighborhood by contributing to crime, driving away family-oriented businesses, and impacting the nearby residential neighborhoods. When concentrated, SOBs typically compete with one another for customers through larger, more visible signs, and graphic advertising. Investors and lenders are unwilling to invest in new improvements in areas near SOBs. Thus, vacant land often sits idle for years. Single-family homes in areas near SOBs frequently end up as rentals because the families move away from the SOB-dominated area and it becomes exceedingly difficult to sell such houses.

15. El Paso, TX - 1986

(Effects of Adult Entertainment Businesses on Residential Neighborhoods)

Surveys of the real estate appraisal community as well as businesses and residents, and data from the Data Processing Unit of the El Paso Police Department led to the preparation of the following findings:

Real Estate

The housing base within a study area decreases substantially with the concentration of adult business uses. Properties located within a one-block radius of an adult entertainment business realize a decrease in property value (affecting both residential and commercial properties). Properties located near adult entertainment businesses experience an increase in listings on the real estate market.

Crime

A statistically significant increase in crime is found in areas where adult entertainment businesses are located. The average crime rate in the study areas was 72% higher than the rate for control areas. Sex-related crimes occurred more frequently within neighborhoods having at least one adult entertainment business than in those neighborhoods with no adult business. The neighborhood residents within the study areas also perceived far greater neighborhood problems than residents of the control areas.

16. Houston, TX - 1997

(Houston City Council: Sexually Oriented Business Ordinance Revision Committee Legislative Report)

Because of the criminal activities that are associated with SOBs, the City Council Committee determined the necessity of licensing all SOB entertainers and managers. Testimony presented to the Committee also requested that notice be given of any pending SOB permits to surrounding neighbors of proposed sites. Amortization provisions were also found preferable to grandfathering sexually oriented businesses.

Vice officers testified that sexually oriented businesses that don't have clear regulations encourage lewd sexual behavior or sexual contact. Many businesses are designed with internal areas that are out of the view of managers and are conducive to illegal behavior. Inadequate lighting prevents managers and police officers from monitoring illegal activities. Enterprises that had locked rooms were often used as fronts for prostitution.

17. Newport News, VA - 1996

(Adult Use Study: Newport News Department of Planning and Development)

Adult entertainment establishments in Newport News had higher rates of police calls compared to nearby restaurants (adult entertainment establishments accounted for 65% of the area's calls). Realtors who were knowledgeable of local market conditions indicated that having adult uses nearby can reduce the number of people interested in occupying a property by 20% to 30%, and will hurt property values and resales of

property in adjacent residential neighborhoods. Those who thought commercial property values would decline cited concerns for personal safety, increased crime, noise, strangers in the neighborhood, and parking problems:

This study also cited to studies from Indianapolis, Los Angeles, St. Paul, and Austin to support the conclusions that adult businesses result in higher crime rates and lower property values in the areas in which they are located.

18. Bellevue, WA - 1988
(City of Bellevue - Background Material from Planning Director to City Council)

This study discussed telephone surveys of real estate appraisers conducted by the Kent Planning Department. The appraisers cautioned that each case must be evaluated individually and according to its particular circumstances, however most agreed that the impact of adult uses on residential property values is probably negative. The total impact on property values depends on several factors including: proximity to the adult use, exterior building appearance and condition of the adult business and neighborhood characteristics. As for commercial properties, most appraisers felt that there would be little to no adverse impacts to surrounding businesses or property values. The conclusion therefore, was that in order to protect property values, adult uses should be located in commercial areas not adjacent to any residential uses.

In Bellevue, there existed three adult uses. An analysis of police reports for these areas showed no higher incidence of crime than in adjacent areas without adult uses. However, all properties were located in established commercial areas and all structures in which these uses were located were in excellent condition.

19. Des Moines, IA - 1984

This study analyzed cases from Detroit, Boston, New Orleans, and Los Angeles to support the conclusion that a dispersal model ordinance would be the most effective means for regulating adult business uses in Des Moines. The study further concluded that the area most appropriate in Des Moines for adult uses was not the City's revitalization area (or business district) because of its close proximity to schools, residential areas, parks, playfields, etc., but rather that such uses would be more appropriately located near the City's main highway. This conclusion was supported by the fact that children had limited access ways to schools and a location near the highway would make it easier for potential customers of the adult businesses to patronize the facilities.

20. St. Croix County, WI - 1993
(Regulation of Adult Entertainment Establishments in St. Croix County, WI)

St. Croix County had not experienced any major problems with its two adult entertainment establishments. However, the County wished to implement new regulatory measures as a prophylactic measure. This study analyzed the Detroit case and ordinance to support the theory that a dispersal model like Detroit's would best suit St. Croix County's goals. The study also discussed various regulatory techniques utilized by other jurisdictions such as traditional law enforcement and licensing.

21. Report of the Minnesota Attorney General's Working Group on the Regulation of Sexually Oriented Businesses (June 6, 1989)

This report found that sexually-oriented businesses in Minneapolis are associated with higher crime rates and depression of property values. Data also indicates that the addition of one sexually-oriented business to a census tract increases the overall crime rate index in that area by 9.15 crimes per thousand people per year even if all other social factors remained unchanged. In St. Paul, there was a significantly higher crime rate associated with two adult businesses in an area than an area with only one adult business. Housing values were also significantly lower in an area where there were three adult businesses compared to an area with only one adult business.

Individuals who lived near adult businesses testified concerning the following: pornographic materials were left in adjacent lots; prostitution resulted in harassment of neighborhood residents; adult businesses contributed to infiltration of organized crime in those areas.

22. Saint Paul, Minnesota: Adult Entertainment Study (1983)

In Saint Paul, in 1983, adult business were relatively innocuous. However, there were some exceptions and the City Council recognized that inadequate regulations of these adult uses could result in adverse impacts. The report was restricted to the sex-related adult industry and excluded alcohol-related adult businesses. The report looked at three ways to protect neighborhoods in the City. These included: (1) existing regulations; (2) incompatible uses; and (3) concentrations of uses.

23. City of Garden Grove, California: The Relationship Between Crime and Adult Business Operations on Garden Grove Blvd (1991)

This study was commissioned by the City of Garden Grove to research the secondary effects of adult businesses in the City. It summarizes an exhaustive series of statistical analyses conducted over a 10-month period. The report provides an analysis incorporating data most relevant for the legal requirements for implementing zoning restrictions on adult businesses.

This is a thorough study that reviews all the criminal activity that took place within the proximity of adult businesses for a nine-year period. The researchers found that "crime rises whenever an adult business opens or expands its operation and the change is statistically significant." Increases result in the most serious crime categories, especially assaults, robberies, burglaries, and thefts. The rise in "victimless" crimes (drug and alcohol use, sex offenses, etc.) is also significant, though less consistent and interpretable. This report is widely used to justify regulations addressing the secondary effects of adult businesses.

24. City of Austin, Texas: Report on Adult Oriented businesses in Austin (1986)

This report provides an analysis of crime rates by comparing areas with adult businesses (study areas) and areas without adult businesses (control areas) within the City of Austin. Both control and study areas were circular in shape with a radius of 1,000 feet. These areas contained similar land uses and were in close proximity to one another. Four study areas were defined: two with single businesses and two with more than one business.

Within the study areas, sex-related crimes rates were two to nearly five times the city-wide average. Also, sex-related crime rates were found to be 66% higher in study areas with two adult businesses compared to study areas with one adult business.

25. City of Amarillo, Texas: A Report on Zoning and Other Methods of Regulating Adult Entertainment in Amarillo (1977)

This report presents the findings of the Amarillo Planning Department regarding the adult entertainment industry within the confines of the City of Amarillo. These findings analyze the land use effects of adult entertainment businesses and alternatives for regulation. This report provides a general overview of the secondary effects caused by adult businesses and includes suggestions for ways to address the impacts. The report found that adult businesses tend to increase crime rates.

26. Police Reports and Letters. The following police department reports are also available:

a. Anaheim, CA Letter in Response to NFLF 1998: From 1/1/95 to 12/31/97, the Anaheim Police Department responded to calls for service at nude theaters and topless bars in excess of 500 times.

b. Los Angeles, CA Statement of LAPD Detective: from 1969-1975, SOBs in Hollywood increased from 11 to 88; crime rates increased as a result; virtually every adult bookstore requires police attention resulting in the drain of extensive police resources.

c. Los Angeles, CA Letter re Harmful Effects 1998: commented on the significant increase of nude juice bars from 1996-1998; although the juice bars comply with L.A.'s zoning ordinances, citizens from the surrounding areas protested the businesses (prostitution and lewd conduct arrests had been made in and around many of the juice bars).

d. Cleveland, OH Letter re Harmful Effects 1977: Lists crimes which have occurred in or near adult businesses in the City of Cleveland such as murder, rapes, and other sex offenses, and robberies.

e. Bellevue, WA Detective's Report 1994: Details an undercover police officer's experience at a Dance Club where customers paid women employees to dance with them while performing certain lewd acts.

f. Seattle, WA Police Report 1996: Complainant reported experience working as a dancer at a club where dancers and customers engaged in lewd acts, heavy drinking, and drug use; statistics regarding criminal violations committed by club dancers from 1994-1996.

g. Seattle, WA Letter re Effects 1998: Details a vice detective's experience with Seattle's nude dance or strip clubs such as "sting" operations, number of arrests made, and observation of drugs and alcohol in such clubs; also mentions Seattle's draft amendments which would put more liabilities on the managers to control illegal activities in their clubs, prohibit table and couch dances, and require brighter interior club lighting.

EXHIBIT A¹

Los Alamitos
Police Department

Memo

To: Chief McCrary
From: Sergeant Arnold
Date: 8/27/2003
Re: Sexually Oriented Businesses

Over the past two weeks I have solicited information from various police agencies in Orange County regarding police responses to Sexually Oriented Businesses, specifically adult clubs with nude or partially nude entertainment. All of the agencies that responded with information agree that much of the criminal or illicit activity which take place at these types of establishments goes unreported to the police. They also stated that clubs, which hosted different theme nights, attracted different types of clientele depending on the theme, and amateur nights were typically the busiest nights with regards to incidents to which they were called. All cities cited a six-foot barrier between dancers and patrons, written into the municipal code, as being extremely important in helping to control illicit activity. I was not able to obtain exact statistics from all agencies contacted. The following is a compilation of information provided to us.

Santa Ana Police Department

The City of Santa Ana currently has three adult clubs. One is a partially nude strip bar with an ABC license to sell alcohol, one is a totally nude juice bar with no ABC license, and the other is a bikini bar with an ABC license. Since January 1, 2003, SAPD has responded to 171 calls for service at these three establishments. The calls included robberies, disturbances of the peace, assaults, thefts, prostitution, criminal threats, stolen vehicles, intoxicated drivers, vehicle burglaries, suspicious subjects or circumstances, reckless driving, hit and run traffic collisions, kidnapping, and burglary alarms. The police department also provided us with a copy of their municipal code and study on sexually oriented businesses including negative secondary side effects of adult entertainment businesses (attached).

Orange County Sheriffs Department

The Sheriffs Department reported a total of four establishments located in contract cities under their jurisdiction. Two are located in the city of Lake Forrest in south Orange County. One started out as a bar which featured clad dancers but has since become a topless bar. The other has nude dancers and caters to different clientele depending on the night. Twenty reports have been taken since 1990 regarding the second bar and 75% of the reports list the bar or employee as the victim. One aggravated assault was reported there in 1993. Both establishments hold ABC licenses. The City of Stanton also has two clubs. One of the clubs is under investigation for allegations the bouncers muscle some of the customers as the customers leave the bar. This usually revolves around customers who allegedly did not pay the girls for lap dances or other special dances they received. The bouncers detain the customers and money is physically taken from them for services rendered, which if true would amount to a strong-arm robbery. The other club is under investigation by ABC for allegations of prostitution. Customers receive a lap dance and then for an extra fee, are taken into the back room where they receive oral sex. Both of these clubs also have ABC licenses.

Anaheim Police Department

The City of Anaheim has five establishments located throughout their city, ranging from full nude juice bars to topless bars. From January 1, 2003 to the present, patrol has responded to 94 calls for service at these clubs. Most of the calls for service involved disturbances of the peace, assaults, suspicious circumstances, unknown trouble reported, burglar alarms, trespassing, stolen vehicles, and others.

Garden Grove Police Department

The City of Garden Grove reports no adult clubs within their city. They do however, have several adult bookstores. The most common crimes associated with these businesses are public masturbation and narcotics related offenses.

La Habra Police Department

The City of La Habra has one nude theater. Nude dancing is performed on stage as well as special dances for individual customers. The establishment has its own security team and the police department reports no calls for service at this club.

Huntington Beach Police Department

The City of Huntington Beach had one adult club which has since gone out of business. The Vice Unit states there were few calls for service when the club was open. They believe the strength of the Municipal Code regarding Sexually Oriented Businesses was paramount to keeping illicit activities under control. The Code has been challenged several times and was upheld on appeal to the Ninth Circuit Court, recently. A copy of their municipal code is attached.

San Diego Police Department

The City of San Diego reported problems with organized crime and biker gangs associated with adult clubs. Specifically, Mafia and Hells Angels. They also reported narcotics activity associated with these establishments, including at least one incident where a customer repeatedly drugged dancers with GHB and then sexually assaulted them.

Irvine Police Department

The City of Irvine has no adult clubs.

La Palma Police Department

The City of La Palma has no adult clubs.

Orange Police Department

The City of Orange has no adult clubs.

Tustin Police Department

The City of Tustin has no adult clubs.

Brea Police Department

Brea has no adult clubs.

Cypress Police Department

Cypress has no adult clubs.

ATTACHMENT 6

January 5, 2016, City Council Minutes Excerpts

- (5) Termination of Local Emergency - Approve and Adopt a Resolution of the City Council of the City of Colton Proclaiming the Termination of a Local Emergency related to the San Bernardino Shooting Event, RESOLUTION NO. R-02-16.
- (6) Receivership Services - Authorize the City Manager to review and sign deferred billing contracts with the Law Offices of Charisse L. Smith for Receivership Services.

PUBLIC HEARINGS

- (7) Amending portions of Chapter 18.48.130 (Marijuana Dispensaries and Cultivation)

TIME AND PLACE FIXED TO CONSIDER A PUBLIC HEARING TO WAIVE FULL READING, READ BY TITLE ONLY AND INTRODUCE ORDINANCE NO. O-01-16, AMENDING PORTIONS OF CHAPTER 18.48.130 OF THE COLTON MUNICIPAL CODE TO PROHIBIT MARIJUANA CULTIVATION WITHIN THE CITY OF COLTON. TITLE READS AS FOLLOWS: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COLTON AMENDING SECTION 18.48.130 OF THE COLTON MUNICIPAL CODE TO PROHIBIT MARIJUANA CULTIVATION ACTIVITIES IN ALL ZONING DISTRICTS IN THE CITY OF COLTON.

Mayor DeLaRosa declared the Public Hearing Open.

City Clerk Padilla submitted the Affidavit of Publication calling the Public Hearing (*on file in the City Clerk's Office*) and there were no reports of protests or objections thereto.

STAFF PRESENTATION

Director Tomich introduced Asst. City Attorney Martinez who presented an overview of the Agenda Report and requested approval of staff's recommendation.

PUBLIC COMMENT

None.

Motion and Second by CM Bennett/CM González to close the Public Hearing. Motion carried with CM Jorrin (*absent from the dais*) and MPT Navarro absent.

COUNCIL DISCUSSION

Discussion by Councilmembers present with clarification provided by staff: Director Tomich and Asst. City Attorney Martinez.

Motion and Second by CM Bennett/CM Suchil to waive full reading and pass first reading of Ordinance No. O-01-16. Motion carried with MPT Navarro absent.

- (8) Amending and Restating Chapter 18.49 - Adult Business Regulations: File Index No. DAP-001-248.

TIME AND PLACE FIXED TO CONSIDER A PUBLIC HEARING TO WAIVE FULL READING, READ BY TITLE ONLY AND INTRODUCE ORDINANCE NO. O-02-16,

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COLTON AMENDING AND RESTATING CHAPTER 18.49 OF THE COLTON MUNICIPAL CODE RELATING TO ADULT BUSINESS REGULATIONS: FILE INDEX NO. DAP-001-248.

Mayor DeLaRosa declared the Public Hearing Open.

City Clerk Padilla submitted the Affidavit of Publication calling the Public Hearing (*on file in the City Clerk's Office*) and there were no reports of protests or objections thereto.

STAFF PRESENTATION

Director Tomich introduced Asst. City Attorney Martinez who presented an overview of the Agenda Report which included a PowerPoint presentation; requested approval of staff's recommendation.

PUBLIC COMMENT

None.

Motion and Second by CM González/CM Jorrin to close the Public Hearing. Motion carried with MPT Navarro absent.

COUNCIL DISCUSSION

Discussion by Councilmembers present with clarification provided by staff: Director Tomich, Senior Planner Suarez, and Asst. City Attorney Martinez.

Area of concern centered on Location 1 – Map; detailed discussion continued with consensus by Councilmembers present to continue the item to allow staff to return with a more detailed/alternative map outline and alternative boundaries for said location to include alternative foot buffers as indicated by Council.

Motion and Second by CM Bennett/CM González to re-open the Public Hearing. Motion carried with MPT Navarro absent.

Motion and Second by CM Bennett/CM Jorrin to continue the Public Hearing to February 2, 2016. Motion carried with MPT Navarro absent.

MAYOR AND COUNCIL ORAL REPORTS AND COMMENTS

Council Members made comments on various issues and activities throughout the community.

CITY MANAGER'S REPORTS

City Manager informed Council of how staff is in preparedness for the anticipated El Nino weather conditions.

ADJOURNMENT

At 8:27 p.m., Mayor DeLaRosa Adjourned the Regular Council Meeting in Memoriam of Antonio V. Hernandez and the Mother of Steve Cade.

Carolina R. Padilla
City Clerk