

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 5, 2016

Closed Session Meeting was held on the above given date at 5:05 p.m., in the Council Chambers of City Hall. City Clerk Padilla opened the meeting to take nominations to facilitate the Closed Session Agenda. Motion and Second by CM Toro/CM Jorrin submitted the name of CM Suchil. Motion carried with CM Bennett/MPT Navarro/Mayor DeLaRosa absent. Closed Session Meeting continued with CM Suchil presiding.

CITY COUNCIL ROLL CALL

Councilmembers present were, Toro, Jorrin, González, Bennett (*appeared at 5:07 p.m.*), Suchil. Absent: MPT Navarro, and Mayor DeLaRosa.

STAFF PRESENT

City Clerk Padilla. Absent: City Manager Smith and Assistant City Attorney Martinez.

PUBLIC COMMENT

None.

CM Suchil announced that the City Council would meet in Closed Session to Discuss Items A and B.

CLOSED SESSION

- A. 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

- B. 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

CM Suchil adjourned the meeting to Closed Session at 5:10 p.m. and at 6:08 p.m., the meeting reconvened, with all members present as heretofore; Mayor DeLaRosa presiding.

Asst. City Attorney Martinez announced that the City Council met in Closed Session and discussed Items B; Item A was not discussed and will return at a later date. Direction given to staff with no reportable action.

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 5, 2016

Regular Meeting held on the above-given date at 6:09 p.m. in the Council Chambers of City Hall, with Mayor DeLaRosa presiding.

INVOCATION

Tim Isom, Faithway Fellowship Church

FLAG SALUTE

American Legion Post #155; Member(s) Louie Barrera and Steve Ferrence.

CITY COUNCIL ROLL CALL

Council Members Present

Richard A. DeLaRosa, Mayor
David J. Toro
Summer Jorin
Dr. Luis S. González
Deirdre H. Bennett
Isaac T. Suchil

Staff Present

William R. Smith, City Manager
Marco A. Martinez, Asst. City Attorney
Carolina R. Padilla, City Clerk

Council Members Absent

Frank J. Navarro, Mayor Pro Tem (excused)

CEREMONIAL MATTERS *Presentations, Awards, Proclamations*

- Presentation - Loma Linda / Colton CERT Co-Recipients of 2015 Governor's Award for Volunteer Programs

Presenting the award to the City of Colton: San Bernardino County Emergency Services Officer Michael Ramirez and Loma Linda/Colton Emergency Services Coordinator Shannon Kendall. Accepted on behalf of the City of Colton by Fire Chief Tim McHarque.

- Recognition - Certificate of Recognition for Art Morgan, Economic Development Manager

Development Services Director Mark Tomich presented a Certificate of Recognition to Economic Development Manager Art Morgan.

MAYOR AND COUNCIL ITEMS

POSSIBLE CONFLICT OF INTEREST DISCLOSURES FOR THE COUNCIL MEETING OF JANUARY 5, 2016.

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)).

Mayor DeLaRosa attended on January 3, 2016 a dinner for The Rewritten Program in the City of Redlands; this program is for under privileged children who were recognized for their change in behavior at school.

CITY TREASURER'S REPORTS

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

City Treasurer Aurelio De La Torre presented the report for October 2015 for Council consideration and with no objection report was received and filed.

PUBLIC COMMENT

None.

CONSENT CALENDAR

Mayor DeLaRosa presented the Consent Calendar Items 1 through 6.

Councilmembers present selected items for discussion and clarification by staff: CM González, Item 2 and Item 3; CM Bennett/Mayor DeLaRosa, Item 4.

Motion and Second by CM Suchil/CM Jorin to approve Consent Calendar Items 1 through 6. Motion carried with MPT Navarro absent.

- (1) Minutes – Approval of Minutes for the City Council Special Meeting Held December 15, 2015 and Minutes for the City Council Regular Meeting Held December 15, 2015, on File in the Office of the City Clerk.
- (2) Warrants – Approve U.S. Bank vouchers dated 11/19/2015 and totaling \$24,898.55; voucher numbers 153044 to 153188 dated 12/10/2015 and totaling \$1,973,124.04; voucher numbers 153189 to 153344 dated 12/17/2015 and totaling \$2,147,350.74, less voided checks totaling \$3,847.14 on file in the Finance Department.
- (3) Easement - Approve a new underground and overhead easement given to Colton Electric Department (CED) from the owners, San Bernardino County Flood Control District (SBCFCD), located off Cooley Drive parallel to the Santa Ana River, APN Nos. 0276-13-129 and 0276-13-132.
- (4) I-10 Freeway/Mt. Vernon Avenue Interchange Project – Approve the Cooperative Agreement between the City of Colton and SANBAG for the I-10/Mt. Vernon Avenue Interchange Project, RESOLUTION NO. R-01-16.

- (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 Jorin 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 Jorin 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