

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

May 17, 2016

Regular Meeting held on the above-given date at 6:02 p.m. in the Council Chambers of City Hall, with Mayor DeLaRosa presiding.

INVOCATION/FLAG SALUTE

Pastor Johnny DelaRosa, Echoes of Love Ministry

CITY COUNCIL ROLL CALL

Council Members Present

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

Staff Present

William R. Smith, City Manager  
Carlos Campos, City Attorney  
Carolina R. Padilla, City Clerk

Council Members Absent

None

CEREMONIAL MATTERS *Presentations, Awards, Proclamations*

- Presentation - Dr. D. L. Van Voorhis

City Manager Smith made introductory remarks regarding life-long resident and philanthropist Dr. D.L. Van Voorhis on his donation of a sculptured bust of David Colton of whom the City of Colton is named; accepted by Mayor DeLaRosa on behalf of the citizens of the City of Colton; the bust will be on display in the entryway/reception area of the City of Colton City Hall.

- Presentation - Colton Teacher Appreciation Day

CM González announced May 2016 National Teachers Month in conjunction with the first Colton Teacher Appreciation Day; the following Teachers representing the Colton Joint Unified School District were in attendance and received a Certificate of Recognition from the Mayor and Members of the Colton City Council and a Certificate of Recognition on behalf of Assembly Member Cheryl R. Brown, State of California/District 47:

Anne Alwan, Jennie Blinkinsop, Andrea Bragg, Norma Caballero, Ian Chavez, Griselda Cortes, Martha Eaton, Martha Eaton, Kenna Gardner, Layne Gardner, Luis González, Sharon Granado, Valeria Green, Sandra Harworth, Christina Hornbeak, Michelle, Lopez, Rosa Lopez, Geri Marquez, Robert Montana, Liza Morales, Annamaria Reyes, Ashton Reynosa, Lisa Rios, Janis Rodriguez, Martha Ruggles, Virginia Scarbrough, Starlet Taylor, Jennifer Thompson-Thalasio, Lori Walton, and Teacher (*Councilmember*) Deidre Bennett.

## MAYOR AND COUNCIL ITEMS

POSSIBLE CONFLICT OF INTEREST DISCLOSURES FOR THE COUNCIL MEETING OF MAY 17, 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.

### APPOINTMENTS

- League of CA Cities Inland Empire Division (LCC-IED) Legislative Task Force - Appointment of two Council Members and one staff liaison.

The following names were presented:

Main Member: CM Toro

Alternate Member: MPT Suchil

Staff Liaison: City Manager Smith

Full consensus of Councilmembers present; appointments ratified as announced.

## MAYOR AND COUNCIL DISCUSSION AND POSSIBLE ACTION ITEMS

- 2016 Legislative Plan.

CM Suchil brought this item forward for discussion and direction to staff; discussion concluded with direction by Council to City Manager Smith and with assistance of staff to establish a 2016 Legislative Plan that will support the Council's goal of promoting Colton's legislative agenda; the pursuit of federal and state funding for major public projects; using the guidelines in place under the City of Colton Administrative Policy, Subject: Legislative Program, dated September 17, 2013. Consensus of Councilmembers present as suggested by City Manager Smith the 2016 Legislative Program will be brought before Council for review, discussion and direction after the Budget sessions are completed.

### PUBLIC COMMENT

The following community members addressed the Council: Susan Garrido, and Adrian Memeses.

### CONSENT CALENDAR

Mayor DeLaRosa presented the Consent Calendar Items 1 through 9.

City Attorney Campos requested Item 6 pulled from the Consent Calendar; to be tabled and return at a later date for discussion and action; no objection by Councilmembers present.

Councilmembers present selected items for discussion and clarification by staff: CM González/CM Jorin, Item 4; CM Jorin, Item 5, and Item 7; and Mayor DeLaRosa, Item 8.

Motion and Second by CM Navarro/CM Bennett to approve the Consent Calendar Items 1 through 9; with Item 6, tabled.

Vote: Unanimous vote.

- (1) Minutes – Approval of Minutes for the City Council Regular Meeting Held May 3, 2016 on File in the Office of the City Clerk.
- (2) Warrants – Approval of Payable Warrants U.S. Bank voucher numbers dated 04/22/2016 and totaling \$28,445.22; voucher numbers 155656 to 155783 dated 04/28/2016 and totaling \$1,240,034.49; voucher numbers 155784 to 155913 dated 05/05/2016 and totaling \$1,299,185.38, less voided checks totaling \$790.00 and a payroll disbursement listing for the period 04/09/2016 to 04/22/2016 and totaling \$751,095.56.
- (3) Second Reading of Ordinance No. O-10-16 - Waive Full Reading and pass second reading of an Ordinance of the City Council of the City of Colton repealing 1) Ordinance No. 1126 and Colton Municipal Code Chapter 2.40; 2) Ordinance No. 0-07-93 and Colton Municipal Code Chapter 2.43; and 3) Ordinance No. 0-16-02 and amending Colton Municipal Code section 2.30.020 for the purpose of disbanding inactive committees and boards, ORDINANCE NO. O-10-16.
- (4) Lease/Maintenance Agreement with DivDat – (1) Approve the five (5) year lease/maintenance contract with DivDat for two (2) payment kiosks in the annual amount \$60,000, in accordance with Colton Municipal Code 3.08.140 (e), (2) Approve the one time development and programming costs for DivDat in the amount of \$9,800, and (3) Authorize the City Manager to execute the lease/maintenance contract.
- (5) Award Construction Agreement to Elrod Fence Company – Authorize the City Manager to execute the Award of Short Form Construction Agreement for Habitat Conservation Fencing to Elrod Fence Company, in the amount of \$66,402.
- (6) Reports to Council on Conduct of Department Heads – Adopt a resolution regarding the reports to council on conduct of department heads, **RESOLUTION NO. R-37-16. (Item Tabled)**
- (7) Recruitment for Water Conservation Specialist – Authorize recruitment for the Water Conservation Specialist Position, and authorize the City Manager to fill this position.
- (8) Measure I Five Year Plan Amendment and Maintenance of Effort (MOE) Submittal – (1) Approve a resolution amending the FY 2015-2016 Measure I Five-Year Capital Improvement Plan and Expenditure Strategy Plan; (2) Approve a resolution adopting the City of Colton Measure I 2010-2040 Maintenance of Effort (MOE) Base Year Level, RESOLUTION NOS. R-33A-16, R-34-16 and R-38-16.
- (9) Approval of Travel Expenses – Approve an increase to the individual travel expense limits for the Mayor and Mid-Management staff for FY 2015-16, RESOLUTION NO. R-39-16.

#### PUBLIC HEARING

- (10) Public Hearing and Appeal – Rebbur, LLC – File Index No. DAP-001-309

AN APPEAL TO THE CITY COUNCIL REGARDING THE PLANNING COMMISSION'S DECISION TO DENY MODIFICATION OF FILE INDEX NUMBER DAP-001-187 (VALLEY PALLETS, INC.), A REQUEST TO MODIFY SEVERAL CONDITIONS OF APPROVAL (REF: DAP-000-641, PLANNING COMMISSION RESOLUTIONS R-19-15 AND R-20-15).

Mayor DeLaRosa declared the Public Hearing Open.

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

#### Staff Presentation

Mario Suarez, Senior Planner, Development Services, presented for Council consideration an explanation in response to the Appeal/File Index Number Dap-001-187 and to uphold the Planning Commission's decision (*in its entirety*) to Modify Conditional Use Permit (CUP) and Variances, subject to findings and conditions of approval.

#### Public Comment

The following audience members addressed the Council:

David Starr, Applicant, spoke against the Planning Commission decision;  
John McClendon, Attorney for Applicant, spoke against the Planning Commission decision;  
Richard Prieto, Planning Commission Chairperson, spoke in support of the Planning Commission decision; and,  
Gary Grossich, Planning Commissioner, spoke in support of the Planning Commission decision.

Motion and Second by CM González/CM Navarro to close the Public Hearing.

Vote: Unanimous vote.

#### Council Discussion

Discussion and discernment by Councilmembers present with clarification provided by staff and Applicant: Director Tomich; Senior Planner Suarez; Fire Chief McHargue; and Applicant Starr.

Motion and Second by Mayor DeLaRosa/MPT Suchil to uphold the Planning Commission's decision in its entirety; approve and adopt Resolution(s) R-35-16 (MCUP) and R-36-16 (Variance).

Vote: Unanimous vote.

#### BUSINESS ITEMS

- (11) Amending Title 7 of the Municipal Code - Animal Regulations - Waive full reading, read by title only, and introduce an ordinance of the of the City Council of the City of Colton amending Title 7 of the Colton Municipal Code relating to the City's comprehensive animal regulations, ORDINANCE NO. O-09-16. (*Item #12, 4/19/16 agenda*)

#### Staff Presentation

CM Toro presented for Council consideration and adoption of ordinance amending Title 7 of the Colton Municipal Code. The ordinance was initially submitted to Council for approval at the April 19, 2016 Regular Council Meeting; upon discussion the item was referred back to the ad hoc committee for further clarification; items of concern were evaluated and incorporated in the redline version which is part of the documentation of the Agenda Report.

#### Council Discussion

Discussion and discernment by Councilmembers present with clarification provided by CM Toro and City Attorney Campos.

Consensus by Councilmembers present regarding Title 7, Section 7.02.040 to add verbiage as it relates to obtaining a warrant to enter an inhabited dwelling or a locked yard, warrant needs to indicate 'probable cause'; and to approve the ordinance with the caveat to return in 12 months after approval of ordinance to evaluate the nuisance level as a result of an increase in the allowable number of dogs and cats allowed in dwelling units.

A consensus as to number of animals per household was not reached.

Public Comment

The following community members addressed the Council: Elizabeth Oreck, Pamala Hall, and Dale Bartlett.

Motion and Second by CM Toro/MPT Suchil to waive full reading, read by title only, introduce Ordinance No. O-09-06; add verbiage when obtaining a warrant to enter an inhabited dwelling or a locked yard, warrant needs to indicate 'probable cause'; and return in 12 months after approval of ordinance to evaluate the nuisance level as a result of an increase in the allowable number of dogs and cats allowed in dwelling units.

Vote: Motion carried with CM Jorin/CM González voting NO.

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 Smith announced to Council the City closed escrow at Rancho Med. this date.

ADJOURNMENT

At 8:36 p.m., Mayor DeLaRosa adjourned the Regular Council Meeting.



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Carolina R. Padilla  
City Clerk