

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

February 20, 2018

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

CITY COUNCIL ROLL CALL

Councilmembers present were, Toro (*absent/excused*), Navarro, González, Mayor Pro Tem Woods, Suchil; and Mayor DeLaRosa.

STAFF PRESENT

City Manager Smith, City Attorney Campos, and City Clerk Padilla.

PUBLIC COMMENT

None

CLOSED SESSION

City Attorney Campos announced the City Council would meet in Closed Session to Discuss Items A & B.

A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant Exposure to Litigation, Pursuant to Government Code Section 54956.9(d)(2)/(e)(1)  
One (1) Potential Case

B. CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code Section 54957.6  
Agency designated representatives: Haydee Sainz, Human Resources Director  
Employee Groups: Teamsters - General Unit and Mid-Management Unit

Mayor DeLaRosa adjourned the meeting to Closed Session at 5:01 p.m. and at 6:01 p.m., the meeting reconvened, with all members present heretofore.

City Attorney Campos announced that the City Council did meet in Closed Session and discussed Items A through B; with direction to staff and 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

February 20, 2018

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

## INVOCATION/FLAG SALUTE

Reverend Jonathon Florez

## CITY COUNCIL ROLL CALL

### Council Members Present

Richard A. DeLaRosa, Mayor  
Ernest R. Cisneros  
Frank J. Navarro  
Dr. Luis S. González  
Jack R. Woods, Mayor Pro Tem  
Isaac T. Suchil

### Staff Present

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

### Council Members Absent

David J. Toro (*excused*)

## CEREMONIAL MATTERS

*Presentations, Awards, Proclamations*

- Business Focus – America’s Tire

Mayor Pro Tem Woods presented ‘You Make a Difference’ Certificate from the City of Colton City Council to America’s Tire; and a plaque from MPT Woods; accepted by owner Joe Ninete.

CM Navarro presented to Mayor DeLaRosa the following plaque (*as worded*): ACEC American Council of Engineering Companies of California; 2018; Engineering Excellence Merit; City of Colton for Laurel Street Grade Separation; Presented February 8, 2018, Los Angeles, California.

## MAYOR AND COUNCIL ITEMS

POSSIBLE CONFLICT OF INTEREST DISCLOSURES FOR THE COUNCIL MEETING OF FEBRUARY 20, 2018.

### 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 DISCUSSION ITEMS

- Discussion and direction to staff regarding development of a rent control ordinance.

### Discussion/Possible Direction

CM Suchil opened the above title item for possible direction to staff as it relates to development of a rent control ordinance.

Discussion proceeded with comments from each Councilmember present; the consensus is to not go forward at this time until information is received regarding the three bills that are being discussed in the California State Assembly related to rent control.

## PUBLIC COMMENT

The following community members addressed the Council: Ronald Lang; Rosie and Alicia; Christine Irish-Ré; and N. Medina.

## CONSENT CALENDAR

Mayor DeLaRosa presented the Consent Calendar Items 1 through 13.

Councilmembers present selected items for discussion and clarification by staff: MPT Woods, Item 7 & 8; CM Suchil/MPT Woods/Mayor DeLaRosa, Item 11; and Mayor DeLaRosa, Item 13.

Motion and Second by CM Suchil/CM González to approve the Consent Calendar Item 1 through 13.

Vote: Motion carried with CM Toro absent.

- (1) Minutes – Approval of Minutes for the City Council Regular Meeting Held February 6, 2018 on File in the Office of the City Clerk.
- (2) Warrants – Approval of Payable Warrants numbers 168547 to 168632 dated 01/29/2018 and totaling \$65,120.27; voucher numbers 168633 to 168757 dated 02/01/2018 and totaling \$2,082,405.41; voucher numbers 168758 to 168912 dated 02/08/2018 and totaling \$2,683,464.22, a payroll disbursement listing for the period 12/02/2017 to 12/15/2017 and totaling \$889,126.77, and a payroll disbursement listing for the period 12/16/2017 to 12/29/2017 and totaling \$838,914.19.
- (3) City Treasurer’s Report - Receive and File City Treasurer’s Report for October and November 2017.
- (4) Grant Deed for Streets Purposes Located at the Northeast Corner of Terrace Avenue and Johnston Street Authorize and approve recordation of a grant deed for streets purposes located at the Northeast corner of Terrace Avenue and Johnston Street, in the City of Colton.
- (5) Participation in the Institute for Local Governments Beacon Program – approve Resolution R-11-18 supporting the City of Colton participating in the Beacon Program, providing the City Manager, or his designee, signing authority, and designating the Environmental Conservation Supervisor as point of contact on behalf of the City. RESOLUTION NO. R-11-18.
- (6) Pre-Qualification of Environmental Consultants – To adopt Resolution R-06-18 approving environmental consultants pre-qualified to provide CEQA and NEPA services for a 3-year term. RESOLUTION NO. R-06-18.
- (7) Award of Construction Contract to Elrod Fence Company – Award of construction contract for fencing of Delhi Sands Flower-Loving Fly Habitat, in the amount of \$153,620, and approve and adopt Resolution R-08-18 authorizing appropriation of \$93,090 from the General Fund Reserves to Development Services/Planning/Professional Services Account (100-6300-6301-2350) for the purpose of habitat fencing. RESOLUTION NO. R-08-18.
- (8) Award of Construction Contract to Borden Excavating, Inc. - Approve the award of the construction contract to Borden Excavating, Inc. for the Construction of 24 Inch Transmission Pipeline Project in an amount of \$ 4,496,575.
- (9) Parcel Map 19471 – Approve Parcel Map 19471 for 1600 Agua Mansa Road Development Project.
- (10) Notice of Completion for the Community Development Block Grant C Street Improvement Project -

Authorize the execution and recordation of the Notice of Completion for the Community Development Block Grant C Street Improvement Project (Project No. Colt -15-2-03k-7504).

- (11) Award of RFP for Maintenance Services Agreement for Valley Boulevard Landscape Rehabilitation Project - Award the Maintenance Services Agreement for the Valley Boulevard Landscape Rehabilitation Project to Conserve Landcare, Inc. in the amount of \$295,200.
- (12) Award of Contract for the Community Development Block Grant (CDBG) Improvement Projects Authorize the award of construction contract for the CDBG Ivy, Vista Way, and C Street Improvement (Colt-16-1-03k-7529) Project to D.M. Contracting, Inc. in the amount of \$164,362, and approve and adopt Resolution R-12-18 increasing capital improvement funding for CDBG Ivy, Vista Way, and C Street Improvement (Colt-16-1-03k-7529) Project. RESOLUTION R-12-18.
- (13) Soccer Complex Project – Approve Resolution R-14-18 authorizing the appropriation of \$50,000 from the Park Development Fund to address the Interim Closure Plan. RESOLUTION R-14-18.

### PUBLIC HEARINGS

- (14) Prioritization of the final priority list of CDBG projects for FY 18/19  
TIME AND PLACE FIXED TO CONSIDER A PUBLIC HEARING TO ACCEPT ALL PUBLIC TESTIMONY AT THE DULY NOTICED PUBLIC HEARING CONCERNING THE COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING (CDBG) PROPOSALS, DETERMINE THE FINAL PRIORITIZED LIST OF CDBG PROJECTS FOR FISCAL YEAR 2018-19, AND APPROVE AND ADOPT A RESOLUTION APPROVING THE FINAL PRIORITIZED LIST OF CDBG PROJECTS FOR FY 2018-19.

Mayor DeLaRosa declared the Public Hearing Open.

City Clerk Padilla submitted the Notice of Public Hearing (*on file in the City Clerk's Office*) and announced no protest or objections received thereto.

### Staff Presentation

Art Morgan, Economic Development Manager, presented for Council consideration; overview of the agenda report; and requested approval of staff's recommendation;

### PUBLIC COMMENT

None

Motion and Second by CM Suchil/CM Navarro to close the public hearing.

Vote: Motion carried with Toro absent.

### Council Discussion

Discussion with Councilmembers present; clarification provided by staff: Deb Farrar, Community Services Director;

Motion and Second by CM González/CM Navarro to approve and adopt Resolution No. R-13-18.

Vote: Motion carried with Toro absent.

### BUSINESS ITEMS

- (16) Ordinance No. O-04-18 Amending Chapter 6.32 Relating to Fireworks – Waive Full Reading, Read by

Title Only and Introduce Ordinance No. O-04-18 Amending Chapter 6.32 of the Colton Municipal Code Relating to Fireworks in its Entirety. ORDINANCE NO. O-04-18.

Staff Discussion

Fire Chief McHargue presented for Council consideration and approval of staff's recommendation;

Council Discussion

Discussion with Councilmembers presented; clarification provided by staff: Fire Chief McHargue.

Motion and Second by CM Suchil/CM Navarro to waive full reading, read by title only and introduce Ordinance No. O-04-18.

Vote: Motion carried with CM Toro absent.

- (17) Special Event Process – Consider request to co-sponsor Special Event Application “Paint the Night” by waiving fees.

Staff Discussion

Deb Farrar, Community Services Director presented for council consideration.

PUBLIC COMMENT

The following community members addressed the Council: Rosie Renteria.

Council Discussion

Discussion with Councilmembers present; clarification provided by staff and applicant: Director Farrar and Rosie Renteria.

No action taken by Council.

- (18) Commercial Marijuana Operator Permit Application Procedure and Selection Process - Adopt a Resolution No. R-16-18 establishing Commercial Marijuana Operators Permit Application Procedure and Selection Process. RESOLUTION R-16-18.

Staff Discussion

Victor Ponto, Deputy City Attorney, presented to the Councilmembers a PowerPoint slide demo:

- Background
- CMOP Application and Selection Procedures
- CMOP Application and Selection Criteria
- Condition Use Permit (CUP)
- Where do we go from here? (*Timeline*)

PUBLIC COMMENT

The following community members addressed the Council: Gem Montes.

Council Discussion

Discussion with Councilmembers presented; clarification provided by staff: Director Tomich; City Manager Smith; and Attorney Ponto;

Motion and Second by CM Suchil/MPT Woods to approve and adopt Resolution No. R-16-18.

Vote: Motion carried with CM Toro absent.

PUBLIC HEARINGS (cont'd)

- (15) User Fee Update for Development Services Department: Commercial Marijuana Operator Permit Application Fees – It is recommended that the City Council adopt Resolution No. R-15-18, establishing Commercial Marijuana Operators Permit Application Fees. RESOLUTION R-15-18.

TIME AND PLACE FIXED TO CONSIDER A PUBLIC HEARING TO APPROVE AND ADOPT A RESOLUTION ESTABLISHING COMMERCIAL MARIJUANA OPERATOR PERMIT APPLICATION FEES RESOLUTION R-15-18

Mayor announces the Public Hearing.

STAFF PRESENTATION

Director Tomich presented for council consideration and approval of staff's recommendation.

PUBLIC COMMENT

The following community members addressed the Council: Gary Grossich; and Dino DeFazio.

Motion and Second by CM González/CM Navarro to close the public hearing.

Vote: Motion carried with CM Toro absent.

COUNCIL DISCUSSION

Discussion with Councilmembers present; clarification provided by staff: Attorneys Ponto and Campos.

Motion and Second by CM Suchil/MPT Woods to approve and adopt Resolution No. R-15-18.

Vote: Motion carried with CM Toro absent.

MAYOR AND COUNCIL ORAL REPORTS AND COMMENTS

*Comments from Mayor and Council on various issues and activities throughout the community.*

CITY MANAGER'S REPORTS

City Manager Smith reminded Council to review the recommended changes to the Manual of Procedure; and to submit items for the Priority List for Assembly Member Gomez-Reyes.

ADJOURNMENT

At 8:19 p.m., Mayor DeLaRosa adjourned the Regular Council Meeting in memory of Brenda Granado; Ted Robles; and Krystal Ramirez;



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Carolina R. Padilla  
City Clerk