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

September 1, 2015

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

CITY COUNCIL ROLL CALL
Councilmembers present were, Toro, Jorrin *(appeared at 5:10 p.m.)*, González, Bennett *(appeared at 5:45 p.m.)*, Suchil, MPT Navarro, and Mayor DeLaRosa.

STAFF PRESENT
City Manager Smith, Asst. City Attorney Martinez, and City Clerk Padilla.

PUBLIC COMMENT
None.

Asst. City Attorney Martinez announced that the City Council would meet in Closed Session to Discuss Items A through C.

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

B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Initiation of Litigation, Pursuant to Government Code Section 54956.9(d)(4)
One (1) potential case

C. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)
Largo Concrete, Inc., v. City of Colton, el al.
San Bernardino Superior Court, Case No. CIVDS 1400406

Mayor DeLaRosa adjourned the meeting to Closed Session at 5:01 p.m. and at 6:05 p.m., the meeting reconvened, with all members present as heretofore.

Assistant City Attorney Martinez announced that the City Council met in Closed Session and discussed Items A through C. Item A: Direction given to staff with no reportable action.; Councilmember Bennett was not present at the discussion of this item. Item B and C: The City Council by a vote of 5 to 2, with Mayor DeLaRosa and Councilmember Jorrin voting in the negative, authorized the City Attorney to pursue an immediate appeal and/or stay of the Largo writ order and a subsequent appeal. As a result, the Resolution contained in the Agenda as Item 13 is being taken off-calendar, pending such an appeal.

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

September 1, 2015

Regular Meeting held on the above-given date at 6:07 p.m. in the Council Chambers of City Hall, with Mayor Richard DeLaRosa presiding.

INVOCATION/FLAG SALUTE
Pastor Tim Isom, Faithway Fellowship

CITY COUNCIL ROLL CALL

Council Members Present
Richard A. DeLaRosa, Mayor
David J. Toro
Summer Jorrin
Frank J. Navarro, Mayor Pro Tem
Dr. Luis S. González
Deirdre H. Bennett
Isaac T. Suchil *(appeared at 6:09 p.m.)*

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

Council Members Absent
None.

CEREMONIAL MATTERS *Presentations, Awards, Proclamations*

- Presentation – Recognition of Colton's 128th Birthday Sponsors

MPT Navarro with the assistance of staff *(Deb Farrar, Community Services Director/Acting)* recognized the following Sponsors who were present to accept their Certificates of Recognition: Dave Prieto of SA Recycling; Marco Martinez of Best, Best, & Krieger; and Al Padilla of C.R. England. In addition, MPT Navarro announced the names of all those Sponsors who contributed to the success of the event *(42 sponsors in total; $35,700 – total contribution amount)* and acknowledged 'without everyone's support, this fantastic community event would not have taken place.'

- Presentation – Introduction of the Colton At-Risk Teens (C.A.R.T) Program

Officer Rich Randolph of the Colton Police Department, presented an overview of the CART Program which is administered by the Colton Police Department staff under the direction of Chief Mark Owens. Officer Randolph (PowerPoint presentation) informed Council on the following points of interest: What is the CART Academy; Community and Clients Served; Program Benefits; Total number of Referrals and Total number of Graduates; Curriculum Standards; CART Academy Facts; and concluded with a Graduate analysis-Evidence Based Statistics.

- Presentation – Business Focus – C J Tire Shop

Mayor DeLaRosa announced this item forwarded to the meeting of October 6, 2015.

MAYOR AND COUNCIL ITEMS

POSSIBLE CONFLICT OF INTEREST DISCLOSURES FOR THE COUNCIL MEETING OF SEPTEMBER 1, 2015.

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

- District 6 – Recreation & Parks Commission – Diane Valdez

Mayor DeLaRosa introduced the name of Diane Valdez for ratification by Council appointment to the Recreation and Parks Commission by CM Suchil; no opposition; appointment ratified.

MAYOR AND COUNCIL DISCUSSION ITEMS

- Discussion and possible direction to consider formation of an Animal Services Ad Hoc Committee.

Council Presentation

CM Toro presented the above entitled subject matter for consideration and consensus by Council. The purpose of the committee would be to review and consider amending and updating Municipal Codes relating to animal services. The proposed committee would be comprised of three members of Council and designated staff. The Committee would meet on an as needed basis.

CM Toro outlined in detail the proposed Ad Hoc Committee responsibilities as follows:

1. Begin work to amend and update municipal codes regarding animal services.
   (This is in alignment with the priorities of City Council for FY 2015/16)
2. Planning and strategy to hire a Cadet for license checking and canvassing.
3. Outline responsibilities and Job Description for the Cadet.
4. Work on the licensing & billing portion through the Utilities billing system.
5. Address needs and concerns of the Animal Services Officer(s).
6. Public Education on Responsible Pet Ownership.

Council Discussion

Discussion by Council with CM Bennett requesting to be a member of the Committee. CM Toro expressed the effectiveness of the Committee would best be served if the third member should have law enforcement background; CM Suchil presented his name for consideration.

Direction of Council

With no opposition/consensus/support from Council the following three Councilmembers will be the Council representatives of the Animal Services Ad Hoc Committee: CM Toro, CM Bennett, and CM Suchil. City Manager Smith will determine the appropriate staff to represent the balance of the committee group.

CITY TREASURER'S REPORTS

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

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

PUBLIC COMMENT

General
The following community members addressed the Council: Paul Rasso, Merza Andrade Martinez, Maria Benitez, Paula Flores, Christina Arroyo and Daughter Victoria Sanchez, Mary Ann Soto, Darby Osnaya, Kathy Brauer, and Christine Irish-Ré.

Consent Calendar
None.

CONSENT CALENDAR

Mayor DeLaRosa presented the Consent Calendar Items 1 through 11.

Councilmembers present selected items for discussion and clarification by staff: CM González/CM Bennett, Item 4; CM Bennett/MPT Navarro/Mayor DeLaRosa, Item 10; CM Jorrin/CM Bennett/CM Suchil/MPT Navarro/Mayor DeLaRosa, Item 11.

Motion and Second by CM Suchil/MPT Navarro to approve the Consent Calendar Items 1 through 10 with Item 11 pulled for separate vote.
Vote: All answered 'Aye'. Unanimous Vote.

(1) Minutes – Approval of Minutes for the City Council Regular Meeting Held August 18, 2015, on File in the Office of the City Clerk.

(2) Vouchers – Approve voucher numbers 151035 to 151110, dated 08/13/2015 totaling $1,261,326.30; voucher numbers 151111 to 151275, dated 08/20/2015 totaling $5,689,230.09; less voided checks totaling $29.71; a payroll disbursement listing for the period 07/18/2015 to 07/31/2015 totaling $770,175.20; and a payroll disbursement listing for the period 08/01/2015 to 08/14/2015 totaling $861,081.01, on file in the Finance Department.

(3) Donation of Surplus Fire Engine – Approve Donation of One Surplus 1986 Van Pelt Fire Engine to the Crafton Hills College Foundation.

(4) Purchase of Electric Meters – Approve the annual purchase of Itron electric meters from McAvoy & Markham Engineering & Sales Company, Inc., in an amount not to exceed $250,000, in accordance with the Colton Municipal Code 3.08.140(b)(e).

(5) Program Supplement Agreement for Active Transportation Plan (ATP) Grant – Authorize the Execution of the Program Supplement Agreement with Caltrans for the Active Transportation Plan (ATP) Grant; Approve and Adopt a Resolution Authorizing the City Manager to execute the Program Supplement Agreement No. N-90 including any future amendments; Approve and Adopt a Resolution to establish the account expenditures for the Citywide Active Transportation Plan project, RESOLUTION NOS. R-101-15 and R-102-15.

(6) Application for Recreational Trails Program Grant Fund – Approve and Adopt a Resolution for the submittal of application for the Recreational Trails Program Grant Fund, RESOLUTION NO. R-104-15.

(7) Amendment to Agreement/EZ Sunnyday Landscape – Authorize amendment No. 1 to the EZ Sunnyday Landscape agreement increasing the amount by $90,000 for weed abatement services; Approve and Adopt a Resolution to increase the Storm Water Professional Services account by $90,000, RESOLUTION NO. R-108-15.

(8) CDBG Plan Modification – Approve and adopt Resolution No. R-110-15 to add an alleyway and a community garden project through an amendment to the County of San Bernardino's Community Development Block Grant Consolidated Plan. RESOLUTION NO. R-110-15.

(9) Measure I Five-Year Capital Improvement Program (CIP) Plan/Capital Project Needs Analysis (CPNA) – Approve: (1) Resolution No. R-105-15 Reaffirming and Adopting Fiscal Year 2015/2016 Measure I Five-Year Capital Improvement Program and Expenditure Strategy Plan; (2) Resolution No. R-106-15 Approving Submittal of the Fiscal Year 2016/2017-2020/2021 Five-Year Capital Projects Needs Analysis to the San Bernardino Associated Governments, as Required by the Measure I Strategic Plan, RESOLUTION NOS. R-105-15 and R-106-15.

(10) Arrowhead Regional Medical Center (ARMC) Contract – Authorize the City Manager to execute a Professional Services Agreement with The County of San Bernardino – Arrowhead Regional Medical Center, for law enforcement services; and approve and adopt a resolution to amend the FY 2015-16 budget to accept the increase in revenue, RESOLUTION NO. R-103-15.

(11) Street Sweeping and Tree Trimming Services – Approve and Adopt a Resolution amending Fiscal Year 2015-16 budget to include account for street sweeping and tree trimming services; authorize Republic Services to provide street sweeping services on a month to month basis until the City completes the procurement of street sweeping services vendor, RESOLUTION NO. R-107-15. *Item pulled from Consent Calendar for separate vote.*

CONSENT CALENDAR (Cont'd)

(11) Street Sweeping and Tree Trimming Services – Approve and Adopt a Resolution amending Fiscal Year 2015-16 budget to include account for street sweeping and tree trimming services; authorize Republic Services to provide street sweeping services on a month to month basis until the City completes the procurement of street sweeping services vendor, RESOLUTION NO. R-107-15.

Discussion by Councilmembers presented the issues of concern with clarification provided by staff with a Motion and Second by Mayor DeLaRosa/CM Jorrin to approve Item 11 as it is written as staff's recommendation.

Roll Call Vote: YES – CM Toro/CM Jorrin/Mayor DeLaRosa; NO – MPT Navarro/CM González/CM Bennett/CM Suchil. Item 11 not approved. Motion failed.

Substitute Motion and Second by MPT Navarro/CM González to take back the Item *(Item 11)*; remove the month to month contract; and move forward with the RFP.

Roll Call Vote: YES – CM Toro/CM Jorrin/MPT Navarro/CM González/CM Bennett/CM Suchil/Mayor DeLaRosa; NO – NONE.

PUBLIC HEARING

(12) Weed Abatement Program

TIME AND PLACE FIXED TO CONSIDER A PUBLIC HEARING FOR CONSIDERATION OF ANY OBJECTIONS OR PROTESTS FROM PROPERTY OWNERS FOR WEED ABATEMENT SERVICES PERFORMED DURING THE 2015 ANNUAL WEED ABATEMENT PROGRAM, AND; APPROVE AND ADOPT RESOLUTION NO. R-109-15, ADOPTING A REPORT AND STATEMENT OF EXPENSES FOR THE CITY'S WEED ABATEMENT PROGRAM AND IMPOSING A LIEN UPON PROPERTY FOR PAYMENT THEREOF.

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
Alan Sork, Fire Marshal, presented an over review of the Agenda Report as it relates to the Annual Weed Abatement Program of 2015 and in conclusion requested approval of staff's recommendation.

PUBLIC COMMENT
None.

Motion and Second by CM Bennett/Suchil to Close the Public Hearing.
Vote: All answered 'Aye'. Unanimous Vote.

COUNCIL DISCUSSION
NONE.

Motion and Second by CM Suchil/Bennett to approve staff's recommendation with approval and adoption of Resolution No. R-109-15.
Vote: All answered 'Aye'. Unanimous Vote.

BUSINESS ITEMS

(13) Approve and Adopt a Resolution of the City Council of the City of Colton Rescinding Resolution No. R-22-15 - a Resolution Adopted on April 7, 2015 to Uphold the Director's Determination that a Pallet Manufacturing and Storage use does not authorize a contractor's storage yard as a stand-alone use as part of approved Conditional Use Permit No. DCV-77-01 for on property located at 240 E. Congress Street, RESOLUTION NO. R-111-15.

Item taken off calendar as announced by Asst. City Attorney Martinez as a result of direction by Council as reported out of Closed Session.

MAYOR AND COUNCIL ORAL REPORTS AND COMMENTS
Council Members made comments on various issues and activities throughout the community.

CITY MANAGER'S REPORTS
None.

ADJOURNMENT
At 8:57 p.m., Mayor DeLaRosa Adjourned the Regular Council Meeting in Memoriam of Frank C. Montano.

Carolina R. Padilla
City Clerk