

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

December 1, 2015

Closed Session Meeting was held on the above given date at 5:01 p.m., in the Council Chambers of City Hall, with Mayor Pro Tem Navarro presiding.

CITY COUNCIL ROLL CALL

Councilmembers present were, Toro, Jorin (*appeared at 5:03 p.m.*), González, Bennett (*appeared at 5:02 p.m.*), Suchil, MPT Navarro, and Mayor DeLaRosa (*appeared at 5:45 p.m.*).

STAFF PRESENT

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

PUBLIC COMMENT

None.

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

CLOSED SESSION

A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(d)(1)

Lawrence Villegas v. City of Colton

Case Number: WCAB No. ADJ7974939 / ADJ7974943

B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(d)(1)

Frank Ojeda v. City of Colton

Case Number: WCAB No. ADJ9538011

Mayor Pro Tem Navarro adjourned the meeting to Closed Session at 5:03 p.m. and at 6:00 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 A and B. 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

December 1, 2015

Regular Meeting held on the above-given date at 6:01 p.m. in the Council Chambers of City Hall, with Mayor DeLaRosa presiding.

INVOCATION/FLAG SALUTE

Invocation: Pastor Danny Fuentes, Colton Christian 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 Jorrin  
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.

CEREMONIAL MATTERS *Presentations, Awards, Proclamations*

- Recognition - Paula Flores as Honorable Citizen of the Year  
CM Jorrin presented a You Make A Difference Recognition as Honorable Citizen; accepted by Mrs. Paula Flores.
- Recognition - Honorary Citizen Award to Colton Junior High Students  
CM Toro presented a Exemplary Citizen Plaque(s) to David Zuniga, Daniel Zuniga, Cesar Lopez, and Ricardo Del Toro; Colton Junior High Students; accepted by each student.
- Recognition - City of Colton, Police and Fire Department by Jerry Almendarez Superintendent, Colton Joint Unified School District  
Jerry Almendarez, Superintendent, Colton Joint Unified School District/School Board Members presented plaques to City of Colton Police Department, Fire Department, and City Council for their participation as Members of the Community Cabinet of the Colton School District; Accepted by Fire Chief Tim McHargue, Police Chief Mark Owens, and Mayor DeLaRosa on behalf of the City Council.

## MAYOR AND COUNCIL ITEMS

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

### 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.

MPT Navarro and Mayor DeLaRosa attended the soft opening of the WSS Shoe Store on November 28, 2015; MPT Navarro received (7) \$10.00 Gift Cards and he transferred them over to Charity; Mayor DeLaRosa received (5) \$10.00 Gift Cards and at the Arrowhead Regional Center Christmas Tree Lighting on December 1, 2015 gave the Gift Cards to the nurses in attendance.

### 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)*).

CM Jorin and Mayor DeLaRosa attended the League of California Inland Empire Division Meeting held in the City of Yucaipa on November 12, 2015.

### CITY TREASURER'S REPORTS

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

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

### PUBLIC COMMENT

#### General

The following community members addressed the Council: Marven Norman and Christine Irish-Ré.

#### Consent Calendar

None.

### CONSENT CALENDAR

Mayor DeLaRosa presented the Consent Calendar Items 1 through 5.

Councilmembers present selected items for discussion and clarification by staff: CM Jorin/MPT Navarro, Item 2; CM Toro, Item 3; and CM Jorin, Item 4.

Motion and Second by CM Suchil/MPT Navarro to approve Consent Calendar Items 1 through 5.

Vote: All answered 'Aye'. Motion Carried with CM Jorin and CM Bennett abstaining on Item 1.

- (1) Minutes – Approval of Minutes for the City Council Regular Meeting Held November 17, 2015, on File in the Office of the City Clerk.

- (2) Warrants – Approval of voucher number 152587 to 152697, dated 11/12/15, totaling \$785,108.89; voucher number 152698 to 152852, dated 11/19/15, totaling \$4,151,873.83; and payroll disbursement listing for the period of 10/10/15 to 10/23/15, totaling \$698,873.35, on file in the Finance Department.
- (3) Shelter Pet as the Official State Pet - Approve and Adopt Resolution No. R-122-15 in support of the California State Legislature’s Assembly Concurrent Resolution No. 56 (ACR 56), September 21, 2015, declaring a Shelter Pet as the Official State Pet, RESOLUTION NO. R-122-15.
- (4) First Amendment to Professional Services Agreement with Criterion Automation - Approve a first amendment to the City’s existing Professional Services Agreement with Criterion Automation in an additional amount not to exceed \$50,000 for ongoing Water and Wastewater Supervisory Control and Data Acquisition (SCADA) System maintenance, retrofit and upgrade services, with the total aggregate amount not to exceed \$75,000.
- (5) Disposition of surplus firearms for credit toward purchase of Taser International X2 Systems - Approve the proposal bid from Arms Unlimited to exchange those same surplus (obsolete) firearms from the Police Department inventory for store credit in the amount of \$80,000. It is further recommended that the Police Department subsequently earmark that store credit to obtain electric control devices systems (Taser) through Arms Unlimited.

#### PUBLIC HEARING

- (6) Sewer System Management Plan (SSMP) Revision

TIME AND PLACE FIXED TO CONSIDER A PUBLIC HEARING TO APPROVE AND ADOPT A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLTON ESTABLISHING A SEWER SYSTEM MANAGEMENT PLAN AND REPEALING RESOLUTION NO. R-39-09.

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

Dave Kolk, Utilities Director, present a synopsis of the Agenda Item before the City Council and requested approval of staff’s recommendation

#### Public Comment

None.

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

Vote: All answered ‘Aye’. Unanimous Vote.)

#### Council Discussion

Discussion by Councilmembers present with clarification provided by staff: Director Kolk and City Manager Smith.

Motion and Second by CM González/CM Bennett to approve and adopt Resolution No. R-124-15.

Vote: All answered ‘Aye’. Motion carried with CM Jorin absent from the dais.

## BUSINESS ITEMS

- (7) Amending Title 5 of the Colton Municipal Code (Business Licenses & Regulations) - Waive Further Reading, Read by Title Only and Introduce Ordinance No. O-11-15, 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-11-15.

### 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

### Council Discussion:

Discussion by Councilmembers centered on Mobile Food Vehicles, House Numbers on Curbs, and Peddlers Solicitors and Canvassers; clarification provided by Director Tomich.

With no objection from Council Mayor DeLaRosa gave direction to staff to continue the item for Council consideration to the council meeting of January 19, 2016. This will allow staff sufficient time to clarify/address sections of concern as outlined by Council.

- (8) Water Efficient Landscape Ordinance - Waive Further Reading, Read by Title Only and Introduce 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, and set up a public hearing for the second reading for January 5, 2016, ORDINANCE NO. O-12-15.

City Attorney Campos announced date change for the Public Hearing for second reading of Ordinance No. O-12-15 to January 19, 2016.

### Staff Presentation:

Jennifer Shimmin, Water Conservation Specialist, presented an overview of the Agenda Report and requested approval of staff's recommendation;

### Public Comment

None

### Council Discussion:

Discussion by Councilmembers with clarification provided by staff; Jennifer Shimmin, Water Conservation Specialist and Director Tomich.

Motion and Second by CM Bennett/CM Jorin to waive full reading and introduce by title only Ordinance No. O-12-15: an Ordinance of the City Council of the City of Colton 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 updated 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; and Public Hearing for second reading of Ordinance No. O-12-15 to January 19, 2016.

Vote: All answered 'Aye'. Unanimous Vote.

## 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 reported the Finance Sub-Committee met on November 24, 2015; primary agenda topic was the ballot initiative that staff is working on pursuant to the direction during the Budget Workshop of October 13, 2015. Staff has learned that an April Election would cost the City over \$250,000 as a Stand Alone Election as opposed to a June Election which would cost much less likely \$30,000; the Finance Committee agreed with staff that a June Election would be the best alternative; staff plans to bring the Resolution forward during the Mid-Year Budget Process and take care of this all at once; most likely in January or February 2016.

City Manager Smith announced effective December 5, 2015 Interim Police Chief removes the Interim from his title and will actually become our permanent Police Chief.

### ADJOURNMENT

At 8:08 p.m. Mayor DeLaRosa Adjourned the Regular Meeting;



Carolina R. Padilla  
City Clerk