

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

August 16, 2016

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 (*appeared at 5:18 p.m.*), Jorrin, Navarro, González, Bennett (*appeared at 5:10 p.m.*), MPT Suchil (*appeared at 5:03 p.m.*), 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 and B.

A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Pursuant to Government Code section 54957(b)

Title: Executive Administrator to the Mayor and City Council

B. CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code Section 54957.6

Agency designated representatives: Bill Smith, City Manager

Employee Groups: General Unit, Mid-Management Unit, Confidential Group, Colton Police Officers Association, Colton Police Dispatchers Association, Colton Fire Association; International Brotherhood of Electrical Workers (IBEW), Water and Wastewater

Mayor DeLaRosa 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.

Asst. City Attorney Martinez announced that the City Council met in Closed Session and discussed Item A and Item B; with direction given 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

August 16, 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 Jonathon Florez, First Assembly of God

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, Asst. City Attorney
Carolina R. Padilla, City Clerk

Council Members Absent

None

CEREMONIAL MATTERS *Presentations, Awards, Proclamations*

- Presentation - Business Focus – Garcia Tires

Councilmember González presented a You Make a Difference Recognition Certificate to Owners Jair and Armida Garcia of Garcia's Tire Shop.

- Presentation - GFOA Award to Finance

Mayor DeLaRosa presented to Stacey Dabbs, Finance Manager the following awards to the Finance Department of the City of Colton:

- ❖ The Government Finance Officers Association (GFOA) Certificate of Achievement for Excellence in Financial Reporting was awarded to the City for its comprehensive annual financial report (CAFR).
- ❖ An Award of Financial Reporting Achievement was awarded to the Finance Department for its primary responsibility in preparing the award-winning CAFR.

MAYOR AND COUNCIL ITEMS

- Discussion regarding Ballot Measure for Transient Occupancy Tax (TOT)

City Manager Smith presented this item for discussion as it related to the recent approval of Resolution R-72-16; requires Council to authorize designated individuals as outlined in said Resolution.

Discussion and consensus by Council the following individuals are to file a written argument in favor of the City measure:

- ✓ Mayor DeLaRosa
- ✓ Jimmy Ramirez, Youth Soccer President and Recreation & Parks Commission
- ✓ Joe Perez, City of Colton Resident
- ✓ Gary Grossich, Business Owner

POSSIBLE CONFLICT OF INTEREST DISCLOSURES FOR THE COUNCIL MEETING OF AUGUST 16, 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.

PUBLIC COMMENT

The following community members addressed the Council: Carlos Gonzales and Gary Grossich.

CONSENT CALENDAR

Mayor DeLaRosa presented the Consent Calendar Items 1 through 5.

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

Vote: Unanimous.

- (1) Warrants – Approval of Payable Warrants #157333 to 157457 dated 07/28/2016 and totaling \$6,763,121.13; voucher numbers 157458 to 157612 dated 08/04/2016 and totaling \$1,188,167.22; and a payroll disbursement listing for the period 07/16/2016 to 07/29/2016 and totaling \$755,718.94.
- (2) Set Public Hearing Pertaining to Weed Abatement – Set a Public Hearing for the Meeting of September 6, 2016 and consider a resolution adopting the Report of Costs for weed abatement and confirming those costs provided to the County for placement on the tax rolls for payment.
- (3) Notice of Completion - Authorize the execution and recordation of Notice of Completion for the CDBG Community Development Block Grant (CDBG) Projects; Citywide Concrete/CDBG 104-40105-5264, Johnson Street Paving/CDBG 104-40205-5265 and Alleys Paving/CDBG 104-40305-5266.
- (4) First Amendment to Maintenance Agreement with CSR Air Conditioning and Heating – Approve the First Amendment to the Maintenance Services Agreement with CSR Air Conditioning and Heating (CSR), increasing the total compensation by \$5,312.34 for repairs to air conditioning (AC) units at various City facilities through June 30, 2016. The new Total Compensation for work performed is \$30,312.34.
- (5) Acceptance of Equipment – Authorize the City Manager to sign and execute all documents to accept ownership of (2) 60” Mean Green Riding Mowers valued at \$47,985.00 and up to \$4,000.00 for cordless electric handheld lawn care equipment.

PUBLIC HEARINGS

(6) Sensitive Development Area-Overlay Zone

Mark Tomich, Development Services Director, announced the Public Hearing continued to the City Council Meeting of September 20, 2016.

TIME AND PLACE FIXED TO CONSIDER A CONTINUED PUBLIC HEARING FROM AUGUST 2, 2016, TO (1) APPROVE AND ADOPT RESOLUTION NO R-81-16 APPROVING A GENERAL PLAN AMENDMENT TO CHANGE THE LAND USE DESIGNATIONS ON THE LAND USE PLAN FOR PROPERTIES LOCATED AT 1070 S. LA CADENA DRIVE FROM “LIGHT INDUSTRIAL” TO “GENERAL COMMERCIAL” & 271 EAST CONGRESS DRIVE FROM “LOW DENSITY RESIDENTIAL” TO “OPEN SPACE-RESOURCE”. (FILE INDEX NO. DAP-001-277); (2) WAIVE FULL READING, READ BY TITLE ONLY AND INTRODUCE ORDINANCE NO. O-15-16 TO AMEND THE COLTON MUNICIPAL CODE TO AMEND CHAPTER 18.30 OF TITLE 18 (ZONING) OF THE COLTON MUNICIPAL CODE, PERTAINING TO THE SDA-O, SENSITIVE DEVELOPMENT AREA OVERLAY, ZONE, AND THE ZONING MAP TO APPLY THE SDA-O ZONE TO CERTAIN PROPERTIES AND REZONE THREE INDUSTRIALLY ZONED AREAS TO OTHER ZONES, AND ADOPT A NEGATIVE DECLARATION. (FILE INDEX FILE NO. DAP-001-277)

CEQA COMPLIANCE

ENVIRONMENTAL ASSESSMENT: Negative Declaration. A draft Initial Study has been prepared to assess environmental impacts for the proposed project. The draft Initial Study determined that the project would not create any significant adverse impacts on the environment and therefore a Negative Declaration was prepared for the project.

BUSINESS ITEMS

- (7) Amendment to Title 8 of the Municipal Code relating to abandoned and distressed residential property - Waive Full Reading, Read by Title Only and Introduce an Ordinance of the City Council of the City of Colton, Amending portions of Chapter 8.05 relating to abandoned and distressed residential property, and adding Chapter 8.16 relating to the registration and maintenance of vacant and abandoned commercial and industrial property, ORDINANCE NO. O-16-16.

CEQA COMPLIANCE

ENVIRONMENTAL REVIEW: Adoption of the ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15308 of the CEQA Guidelines (Actions for the protection of the environment).

Staff Presentation

City Attorney Campos presented for Council discussion and consideration an overview of the two main sections amending the Municipal Code Title 8 – Property Maintenance and Enforcement Procedures; (1) amends existing Chapter 8.05 to clarify that it pertains exclusively to residential properties; and (2) adds new Chapter 8.16 which focuses on vacant and abandoned commercial and industrial properties.

Public Comment

None

Council Discussion

Discussion by Councilmembers present with clarification provided by staff: City Attorney Campos, Director Tomich, Police Chief Owens, and City Manager Smith.

Motion and Second by MPT Suchil/CM Jorin to waive full reading, read by title only, introduce Ordinance No. O-16-16.

Vote: Unanimous.

- (8) Medical Marijuana Regulations - Discuss and provide direction regarding possible regulations of recreational marijuana in the event of legalization.

Staff Presentation

City Attorney Campos presented for discussion and requested direction from Council regarding possible regulations of recreation marijuana in the event of legalization; with the assistance of a PowerPoint presentation by Jordan Ferguson, Associate, City Attorney's Office: 'Recreation Marijuana – Regulatory Considerations'; emphasis on what are recent Marijuana trends, what is Proposition 64, and what are the Regulatory Options for the City.

Council Discussion

There was detailed input and discussion by Councilmembers present which included dialogue with City Attorney Campos and Associate Jordan Ferguson.

Consensus by Councilmembers resulted in the following direction to City Attorney Campos: to prohibit recreational marijuana (in all aspects) to the extent it is unlawful under state law. In other words, they would ban all recreational use, possession, transport, etc. of marijuana unless the state allows it. The council also directed that to the extent indoor recreational cultivation is allowed under state law, which the proposition allows if passed, then individuals would need to obtain a permit for indoor cultivation. The details of what would be required to obtain an indoor cultivation permit would be drafted if and when the state proposition passes. As a side note, since we will have to amend the zoning code to make recreational marijuana unlawful (unless certain aspects are allowed by the state, such as indoor cultivation under the proposition), we will be taking the ordinance to Planning Commission first before going to the City Council.

At 7:35 p.m. CM Bennett left the dais for the balance of the meeting.

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 7:42 p.m., Mayor DeLaRosa adjourned the Regular Council Meeting.



Carolina R. Padilla
City Clerk