

City of Colton

650 N. La Cadena Drive, Colton, CA. 92324

LEGISLATIVE AFFAIRS COMMITTEE MEETING

May 15, 2014 - Thursday

5:00 p.m.

**City Council Chambers, 650 N. La Cadena Drive
Staff Liaison: City Manager, City Clerk, City Council Office**

1. Meeting: General Business
 - A. Call to Order, Roll-Call, Proper Notice
 - B. Minutes:
 - C. Correspondence:
2. Public Comment:
3. Old Business:
 - A. Curb Painting – Preparation of Ordinance assigned to Development Services – Work Plan
 - B. Landscaping – Follow-up by Code Compliance, Public Works and presentations for Channel 3
4. New Business:
 - A. Municipal Code Review:
 1. Chapters for Reviews Chapters, 1, 2 and 3, (Already in Binder)
 2. Municipal Code – Developing New Legislation:
 - Animal Control
 - a. City of San Bernardino - ACO Presentation
 - b. Ordinance against “Pet Stores” or “Puppy Mills” (Toro)
 - c. Ordinance related to “Fowl” Chickens (Bennett)
 3. Fees: Non-Profits Discussion (Navarro)
 - a. Memorandums from City Departments
 - B. Manual of Operations (MOP):
 1. Discuss Commission/Appointments - Application for City Service.
 - C. Presentation – Legislative Actions:
 1. Legislation Report – (Navarro, Compton)
 2. Southern California Council of Governments (SCAG)
 3. National League of Cities
 - D. Grant Writing – Update:
5. Committee Member Comments
6. Staff Comments
7. Adjournment: Next Meeting Date: _____ / _____ /2014

City of Colton

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ATTACHMENTS:

ITEM: A-2a: PowerPoint Presentation from City of San Bernardino

ITEM: A-2b: No Report

ITEM: A-2c: From Police Department:

18.54.010 Fowl and similar animals.

- A. It is unlawful to keep fowl, rabbits, guinea pigs or similar animals in the City except as follows:
 - 1. In an R-1, R-2, R-3 or R-E Zone to keep a total combination thereof of three or less and providing all of them are kept at least twenty feet from any house built or Used for human residence;
 - 2. In an R-E Zone to keep a total combination thereof of twelve or less and providing all of them are kept at least forty feet from any house built or Used for human residence;
 - 3. In an A Zone.
- B. Even those animals which are Permitted by this section May not be allowed if the Design Review Committee finds that the animals create an unsanitary condition or Nuisance.
- C. Variation from the conditions stated in this section May be Approved by the Design Review Committee. (Ord. 0-14-92 § 1 (Exh. A) (part), 1992)

18.54.040 Prohibition of slaughtering.

There Shall be no slaughtering Permitted within all sections of the City, of any type of animal. (Ord. 0-14-92 § 1 (Exh. A) (part), 1992)

18.54.050 Penalty for Violations.

Any Person, firm or corporation violating any of the provisions of this chapter is guilty of a misdemeanor and upon conviction thereof Shall be punishable by a fine of not more than one thousand dollars, or by imprisonment in the County Jail for a period of not more than six Months, or by both such fine and imprisonment.

ITEM: A-3a: FEES: Non-Profits

Memorandum - From Development Services:

Memorandum - From Community Services:

ITEM: B: Colton Commission Appointment Application

ITEM: C: Verbal Reports

ITEM: D: Verbal Report

LEGISLATIVE AFFAIRS COMMITTEE MEETING MINUTES
CITY OF COLTON
Monday, March 17, 2014
5:00 P.M.

LOCATION: City of Colton Council Chambers
650 N. La Cadena Drive, Colton, CA 92324

1. GENERAL BUSINESS

A. Call to Order/Roll-Call

The Legislative Affairs Committee meeting was held on the above-given date and was called to order at 5:05 p.m. in the Council Chambers of City Hall, with Council Member David Toro presiding. Roll Call was taken by City Clerk Eileen Gomez as follows:

ROLL CALL

Committee Members Present

David Toro, Chair
Frank Navarro, Council Member

Staff Liaisons/Representatives Present

Stephen Compton, City Manager
Eileen Gomez, City Clerk
Adelfa Flores, Council Office Manager
Steve Ward, Police Chief
Lt. Joe Gutierrez, Police Department
Lt. Mike Hadden, Police Department
Roberta Wickman, Police Department Manager
Rachel Carnell, Lead Code Compliance Officer
Dr. David Kolk, Electric Utility Director
Mark Tomich, Development Services Director

Committee Members/Staff Absent

None.

B. Minutes

The minutes for the Legislative Affairs Committee meeting held on March 10, 2014, were recorded as "Receive and File" without dissent by Committee Members.

C. Correspondence

None.

2. PUBLIC COMMENT

City Manager Stephen Compton approached the podium during public comment regarding an item that was not on the agenda. He stated that at the last meeting it was discussed at the LAC meeting on March 10, 2014 that the item regarding the Massage Therapy and Prevention of Human Trafficking be continued to this meeting. Lt. Gutierrez gave a brief presentation and provided information regarding this item. He reported that in 2009, legislation was passed creating a process for voluntary state certification of professional massage therapist. Due to the creation of the California Massage Therapy Council (CAMTC) a voluntary certification program for massage therapists was created. Lt. Gutierrez

stated that this legislation had a negative impact on cities throughout California and has even caused an overconcentration of massage establishments, human trafficking, prostitution, and the inability of local jurisdictions to regulate the industry.

Lt. Gutierrez reported that Mayor Zamora signed a letter of support in January 2014, addressed to State Assembly Member Gomez regarding AB1147, the Human Trafficking Clean-up Bill. Lt. Gutierrez continued to provide information and answered questions from committee members regarding massage parlors in the City. Mr. Compton stated that this item was brought to the LAC to inform members about the letter of support that was sent in January and if there was anything we would need to do at this time to move forward. He also stated that this matter will be addressed once we receive information from the League of California Cities.

3. OLD BUSINESS

Discussion of programs of the Legislative Affairs Committee/Municipal Code Review:

A. Code Compliance Ordinances – Landscaping

Mr. Compton stated that he will be working with Code Compliance on how our existing ordinances can be modified to address the water conservation issue. Lt. Hadden stated that there is a misconception that the City requires grass and he provided a brief overview of various drought resistant plants and other landscaping alternatives that would suffice. He also stated that Code Compliance continues to work with residents regarding dying or dead landscaping. There was discussion regarding this matter and CM Navarro expressed an interest in having information on water conservation and landscaping alternatives handed out to residents. Mr. Compton reminded committee members that there will be a drought presentation at tomorrow night’s Council meeting. He also recommended that Code Compliance work on a hand out that provides an explanation and pictures of various types of ground cover which could also be included as part of the ordinance. Chair Toro also stated that we can put this information on Channel 3 for the public.

B. Curb Painting on Public Property

Chair Toro explained his recent experience with a curb painting company. Development Services Director Tomich provided a brief overview of his research and correspondence with local jurisdictions on how they addressed this issue. He explained that those that do require that these companies be registered with their city have restrictions on how they collect payment and some cities prohibit curb painting altogether. Mr. Tomich stated that there are several directions we can go and he recommended that we do include this issue in our business license ordinance. He also stated that he discussed this issue with Public Works and apparently this has been an issue for several years, especially with personalized logos and teams being covered up.

There was discussion regarding this matter and Chair Toro stated that there needs to be written consent from the property owner to paint the curb and should be a requirement. Lt. Gutierrez stated that if we are going to allow these types for curb painting businesses to continue, we should be able to ask for insurance. This would help in the event they transpose numbers which would not be good in an emergency situation. He also indicated that having numbers on both the curb and the house helps with the correct location when the Police and Fire Departments and other agencies respond to calls. CM Navarro suggested that possibly some type of identification card or tag could be given to them once they

obtain a city license. CM Navarro also suggested that they carry a roster of the addresses that they are working so the residents can sign off on it authorizing the painting which would help with tracking. Chair Toro indicated that this would also help with overlapping services with other companies. There was discussion regarding this matter and Mr. Compton informed committee members that he will continue to work with Mr. Tomich on an information booth containing a three-ring binder with a script on how to answer calls pertaining to this issue, particularly for itinerant vendors trying to conduct business in Colton. Mr. Tomich stated that a minimum fee for a license for itinerant vendors is typically \$95 based on the annual revenue. Mr. Compton stated that a list of itinerant vendors should be available for Police Dispatch that could be kept on the City server as a review only that the Police Department and other departments would have access to.

Animal Services Report:

C. Enforcement function and City of San Bernardino Animal Control contract

Chair Toro provided a brief overview of the last LAC meeting, reporting that there were many animal advocates present in support of an animal shelter in Colton. He also stated that they met with Supervisor Josie Gonzales regarding a shelter in the high desert which is in the works at this time. Mr. Compton provided a financial handout and reported that Mrs. Gonzales informed them that they have identified \$10 million for a high desert structure and that they have been in contact with two other cities. Mr. Compton stated that he will be in contact with Greg Devereaux, Chief Executive Officer for the County regarding the City's participation in a Joint Powers Agreement (JPA). Mr. Compton indicated that he will be contacting Ken Hunt, City Manager with the City of Fontana, as he has been conducting research on animal shelters and will obtain his report to share with the Police Department. There was discussion regarding changing the ordinance to include a spay and neutering provision and moving from a kill to no kill facility.

CM Navarro stated that one of the strengths that Supervisor Gonzales reported on was the importance of a JPA which would be the governing board in the beginning stages and then through grants and volunteers, allow a 501(c)3 non-profit organization to become a partner and continue to oversee the operation. CM Navarro asked if there was something else we could do in the short term since it would take around two to three years to get to that point. Chair Toro stated that Supervisor Gonzales and the County have experience in this area and they have been trying to work towards better animal services. Chair Toro agreed that there are models that are currently working and it would be in our best interest to reach out to those model organizations to see how we could get something started in our city. There was discussion regarding a no kill facility in the future and members and staff agreed that for now, we need to move forward and even possibly look into improving the San Bernardino shelter. Chair Toro stated that there are no kill shelter models throughout the country that are working and he is interested in reaching out to those cities.

Lt. Hadden reported that he spoke with staff at the San Bernardino shelter and attended a meeting in August of last year in Fontana with representatives from the San Bernardino, Fontana, Rialto and Colton Police departments regarding the shelter. Lt. Hadden stated that all agreed that the only way the shelter would be successful would be if all agencies worked together as partners and shared the costs and risk. He also stated that the facility would be a state of the art facility which was put on hold at this time.

PUBLIC COMMENT

The following community members addressed the Council:

Dora Maze, Animal Alliance Foundation; Christine Irish-Ré; Gary Grossich; and Susan Onuma, Stray Cat Alliance.

Mr. Compton gave a brief overview of the revenue and expense sheet he provided and stated that he is planning on inviting representatives from the City of Downey and Riverside to meet with us to discuss this issue. The next step would be to coordinate our own feasibility study which would be beneficial. Chair Toro stated that he would like for Mr. Compton to set up a roundtable meeting to discuss the possibility of purchasing land for a facility and to start with trailers similar to Lake Elsinore. Lt. Gutierrez stated that two years ago, the municipal code was changed regarding licensing dogs. He stated that this began research on the implementation of a lifetime permanent dog license tag that stays with the dog and so does the number which also tracks the vaccination expiration date and owner information. Lt. Gutierrez continued to provide an overview of the process and stated that the Health and Safety Code, the California Code of Regulations, as well as the Business and Professions Code, prohibit the issuance of a dog license past the expiration date. There was discussion regarding this item and the renewal process and Lt. Gutierrez and Mr. Compton answered questions from committee members.

Chair Toro explained that the City of Beaumont issues a lifetime license if the owner provides a vaccination certificate and any other requirements. He also talked about possibly looking for a 501(c)3 organization to work with and stated that he would like to present this item to the full Council to ask for their support. Chair Toro asked Ms. Maze to approach the podium to provide information regarding the cost to run a shelter. Ms. Maze indicated that it would cost approximately \$600,000 if we owned the building and utilized volunteers to help. There was discussion on how to proceed and Mr. Compton stated that he would set up a round table discussion group with Downey and Fontana about potentially being involved in a feasibility study. Chair Toro also expressed an interest in meeting with representatives from Riverside and stated that if the representatives are unable to come here then he would like to be involved in going there to meet with them. Mr. Compton stated that as the Chair he would be the primary representative.

4. NEW BUSINESS

Colton Wildlands Conservancy

- A. Tentative approval of support for the Colton Wildlands Conservancy until conditions of a City business license and 501(c)(3) status are obtained

Mr. Compton provided a follow-up summary of his review of the Colton Wildlands Conservancy and their presentation to the Council. He summarized some of the positive aspects and also stated that their current 501(c)3 status is currently suspended and are not in the City's business license data base. Mr. Compton recommended that this be approved tentatively and had a date set on August 31, 2014 to meet with Mr. Zurn to assist him with moving in the right direction and to help him as a conservancy to understand some of the bigger issues associated with the purchase of 40 acres from the County. Mr. Compton stated that he recently made a presentation at the Colton Public Library regarding this issue.

Committee Goals & Objectives

- B. Legislative Program
- C. Grants

Mr. Compton provided an overview of the information provided with the agenda regarding the Legislative Program and grants. He stated that Art Morgan, Redevelopment Manager, will be making a presentation regarding the need for a grant writer and how it will benefit the City. He asked committee members to fill out the questionnaire for grants and the legislative program so their goals and comments can assist with future LAC agendas and also for coordinating the budget for the next year.

Chair Toro reported that he attended a WeTip meeting and received information from Deputy District Attorney Claudia Swing regarding a task force meeting that is held once a month where they discuss various subjects such as animal cruelty and human trafficking. He offered to attend a meeting scheduled for April 11th in Ontario and suggested that this would be beneficial for staff and animal control officers to attend. Mr. Compton asked the city clerk to provide the minutes for the last two LAC meetings at a future Council meeting. Toro also reminded members that at the last budget meeting, there was a potential dog park which was cut from the CIP funding he asked that this be brought back to the table.

5. COMMITTEE MEMBER COMMENTS

None.

6. STAFF COMMENTS

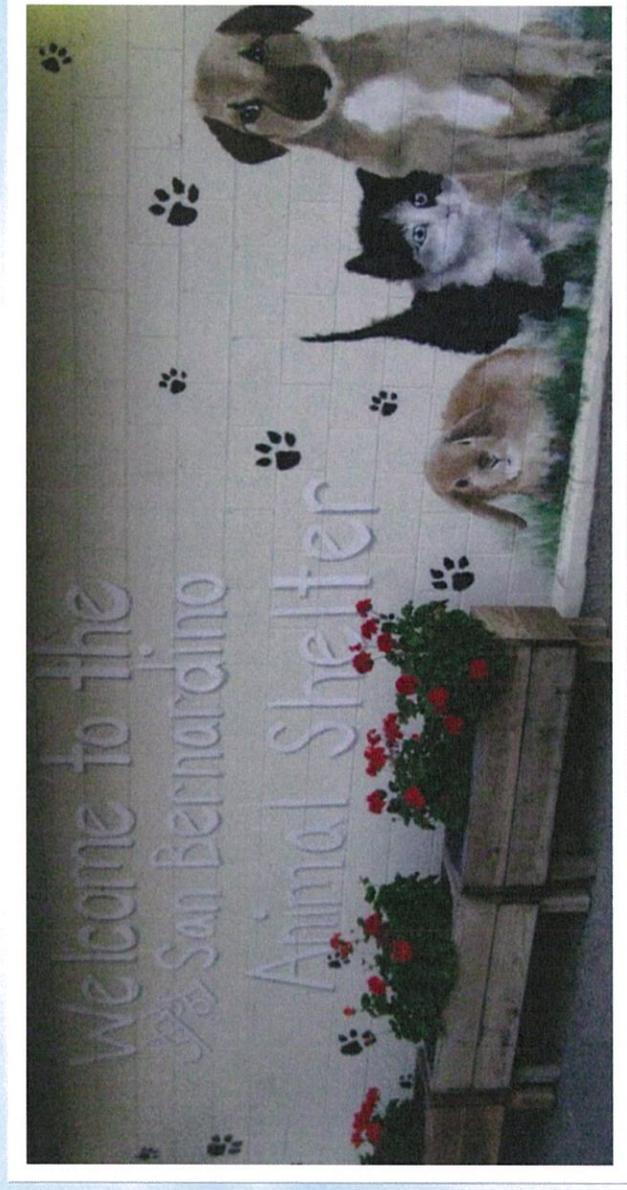
None.

7. ADJOURNMENT

At 6:33 p.m., Chair Toro adjourned the meeting to May 19, 2014.

Eileen C. Gomez, CMC
City Clerk//Secretary

The San Bernardino City Animal Shelter

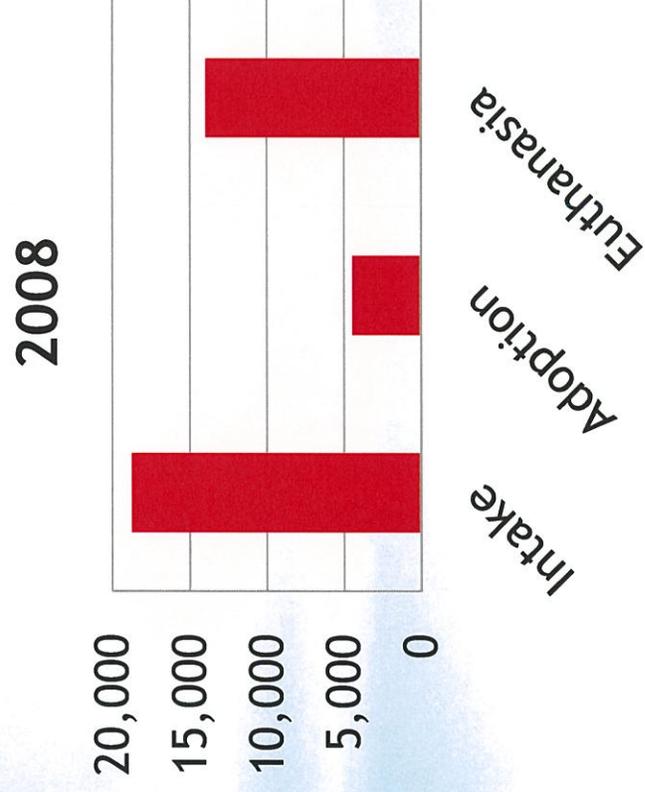


- * The San Bernardino City Animal Shelter is currently staffed with 23 full-time positions, 2 part-time, and about 10 volunteers. The Shelter is open to the public five days a week from 10:00 a.m. to 5:00 p.m. with field coverage 24 hours a day.
- * We have 108 dog kennels, 86 cat kennels, and 3 large animal corrals.
- * We contract with 4 outside cities, and house animals for a service area covering about 161 square miles
- * 15% of contracts are set aside for shelter improvement
- * Last year we received 16,045 animals



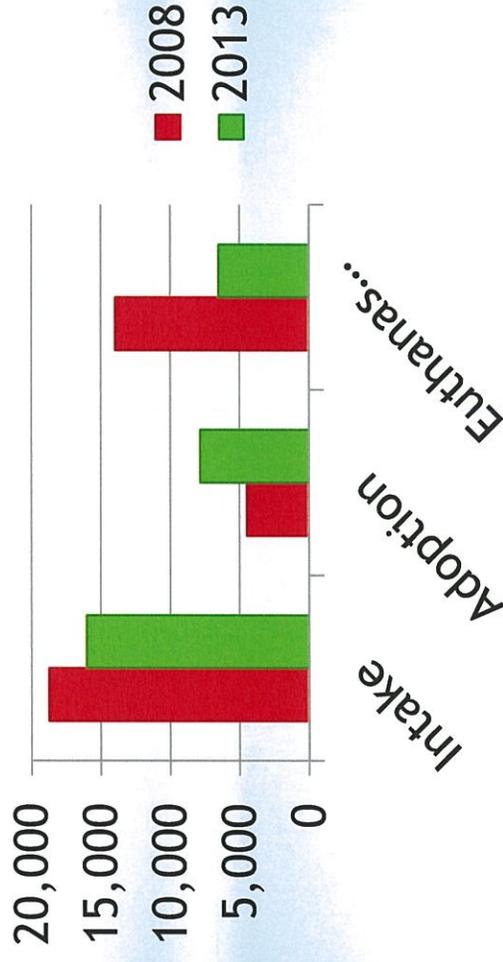
In 2008, before the Police Department took over the City Shelter:

- * Animal intake was 18,721
- * 4,446 animals were adopted, with 1,314 of those going to Rescue organizations
- * 13,946 animals were euthanized - a rate of 74%



In 2013, after building relationships with Rescues, increasing spay/neuter enforcement, and changing the culture of the department:

- * Animal intake was 16,045 - a decrease of 14%
- * 7,858 animals were adopted - an increase of 76%
- Rescues accounted for 4,435 - a 238% increase
- * Euthanasia decreased by 34% - to 6,513
This is a decrease from 74% overall to only 40%
- * Over \$100,000 received in donated materials and supplies



CHANGES

- * Accountability
 - Enforcement
 - Revenue
 - Rescue/Adoption
- * Low Cost Spay/Neuter
- * Euthanasia Policy
- * Animal Wellbeing
 - Facility condition/cleanliness
 - Makeshift leash removal
 - Vaccinations
 - Vet walk throughs



Rescue-Based Changes

Though we have increased the accountability and requirements for Rescues, we have fostered a strong relationship with many of them. The 238% increased in rescued animals speaks for itself.

We currently have over 200 Rescue partnerships.

Some Changes:

- Animal photographs
- Updating PetHarbor.com hourly
- Improving our customer service
- New medias to network the animals at the shelter
- Radios to increase communication with staff
- Reduced redundancy
- Events - Adoption, Spay/Neuter, and Licensing



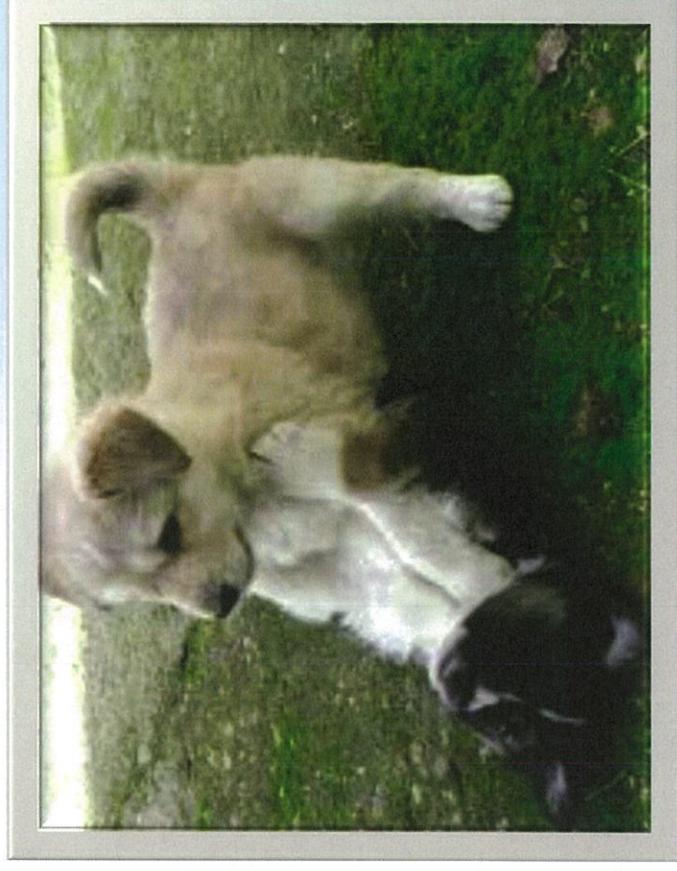
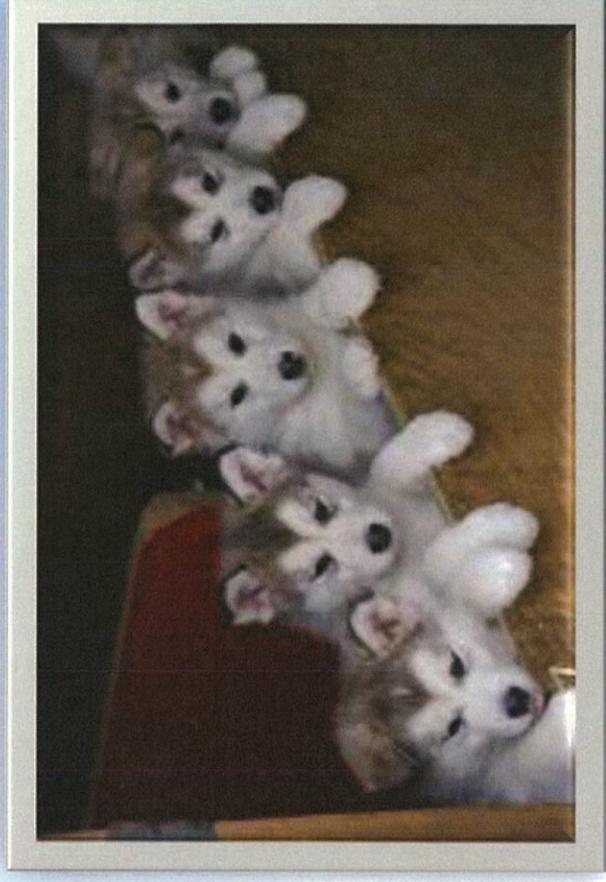
Underlying Concern

The shelter is surrounded with intense emotional ties. This can be a great attribute because it leads to the dedication and selflessness we see from many volunteers and staff; however, with intense emotions can also come intense frustration.

- ❖ More time for each animal
- ❖ Both fiscal and humane
- Euthanasia on Sundays and Mondays
- Receiving 24/7
- Euthanasia when there are open kennels
- Space for receiving/issues
- Euthanasia in quarantine
- Quarantine has its own requirements
- Euthanasia the day after an animal is made available
- Needed space/new report to get info out sooner

In Summary

We have come a long way in the last couple of years. There is still much room for growth, and the shelter staff is doing everything in their power to strive for perfection. It is not realistic to think we will ever get there, but the staff is dedicated to the humane treatment of each and every animal we take in and working hard to place as many animals as possible into loving forever homes.





CITY OF COLTON

Development Services Department

Memorandum

DATE: April 30, 2014

TO: Stephen P. Compton, City Manager

FROM: Mark Tomich, Development Services Director

SUBJECT: Business License Charges for Non-Profit Organizations

This is in response to your inquiry regarding Business License fees charged to non-profit organizations, including churches. The Business License Ordinance does not exempt non-profit organizations from the Business License tax. The Ordinance defines a business as including “professions, trades, occupations, and all and every kind of calling, whether or not carried on for profit” (CMC Section 5.02.020).

The City charges the minimum annual Business License tax for non-profit organizations: \$26. For a non-profit located outside of the City that is involved in a one-day event in Colton, we charge the “Daily Business License” tax of \$16.00. Please contact me should you need additional information.



CITY OF COLTON
INTEROFFICE MEMORANDUM

DATE: 1 May 2014
TO: Stephen Compton, City Manager
FROM: Bill Smith, Director of Community Services/ACM *BS*
RE: Special Events – Fees & Fee-Waiver Provisions

Special events requested by applicants, including facility reservations, which are not facilitated by the City of Colton, are handled in conjunction with City Ordinance regarding Special Events, Section 5.44 of the Colton Municipal Code (CMC). The process is administered by the City Special Events Committee, which consists of at least one staff member from each City department, and is coordinated by the Community Services Department, which serves as the point of contact for the applicant.

Special Events are classified into three (3) categories, as defined in CMC 5.44.020. Generally speaking, these categories are defined as follows:

- Major Special Events – Events that affect multiple City departments and have an estimated attendance totaling 500 or more.
- Minor Special Events – Events that affect multiple City departments and have an estimated attendance totaling less than 500.
- Miscellaneous Special Events – Events that affect only one City department. These applications are generally handled directly by the affected department. Facility reservations in the Community Services Department are an example of this classification.

The following is a listing of fees associated with these applications, as authorized by the Ordinance.

- Application Fee (CMC 5.44.050(C))
The Application Fee is currently charged for Major and Minor Special Events, and is established by Resolution of the City Council. The current fee, as set by City Council Resolution R-05-13, is \$100 per application, and \$50 for non-profit groups.
- Departmental Services Charge (CMC 5.44.150)
This fee covers the cost for all City departmental charges incurred in conjunction with the activities under the permit. Each department submits its cost to the Community Services Department, which compiles these costs and coordinates communication and payment with the applicant. Current fees for facility usage are set by City Council Resolution R-05-13.

There are other requirements for Special Event applications, as set forth in the Ordinance, regarding security deposits, insurance, frequency of applications, etc. Staff currently processes all applications in accordance with the provisions of the Ordinance.

FEE REDUCTION/WAIVER

Per CMC 5.44.050(D), a non-profit organization may claim an exemption from the established fee schedule by filing proof of such status and explaining why such an exemption is appropriate. According to this Ordinance, such exemption shall only be granted when the Administrative Authority (City Manager or his/her designee) determines that there is an alternative source of funding available to cover the cost of City services necessitated by the event. As referenced previously, current City Council Fee Resolution R-05-13 provides for an automatic 50% Application Fee reduction for all verified non-profit organizations. Further, Community Services Department facility usage fees are also discounted by 50% for verified non-profit organizations. This provision was provided by the previous Fee Resolution, however was mistakenly omitted from the current Fee Resolution. The practice continues however, and staff will propose to add this provision back to the current Fee Resolution at the next opportunity to do so.

Per CMC 5.44.050(F), any indigent person who cannot apply for a Special Event permit because of an inability arising from such indigence to pay the Application Fee, shall not be required to pay the fee. Application for indigent status shall be made at the time of permit application, including back-up information which may be relevant to enable the Administrative Authority to verify such status.

In the opinion of staff, the overall Special Events process is effective, and in fact, we have received multiple compliments from applicants about the efficiency of the process, compared to similar processes in other jurisdictions. Colton's process facilitates effective communication throughout all City departments, while providing a single point of contact for the applicant for questions, coordination, and assistance.

Please let me know if any further information is needed.

Commission Appointment Application



City Clerk's Office • 650 N. La Cadena Drive, Colton, CA 92324 • TEL: (909) 370-5001 • FX: (909) 370-5154

Complete and submit this application to the City Clerk's Office

Applying as a member of the (name of board or commission):

Name:

Address:

Home Phone:

Cell Phone:

Email:

Registered voter in the City of Colton? Yes No Resident in Councilmanic District 1 2 3 4 5 6

Occupation:

Education (List highest year completed and all degrees):

Are there any workday evenings you could not meet? Yes No If so, please list below:

Why are you interested in this appointment?

What do you consider to be your major qualifications?

References (Name – Address – Phone No.)

1.

2.

3.

Signature:

Date:

Please attach a written statement containing any additional information you feel would be useful to the City Council. Attachment YES NO