

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

November 1, 2016

Regular Meeting held on the above-given date at 6:04 p.m. in the Council Chambers of City Hall, with Mayor DeLaRosa presiding.

INVOCATION

Pastor Ron Hamann – Centerpoint 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 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, City Attorney
Carolina R. Padilla, City Clerk

Council Members Absent

None

CEREMONIAL MATTERS

- Presentation - Introduction of New Employees

The following new employees were introduced by their Managers/Supervisors by Department/Division:

Environmental Sustainability & Conservation Division:

Jessica Sutorus, Environmental Conservation Supervisor
New Employee: Rob Waner, Water Conservation Specialist

Customer Service

Nicole Mihld, Customer Service Manager
New employee: Makayla Lichtengberg, Customer Service Representative (FT)
New Employee: Linda Gallardo, Customer Service Representative (PT)

Transmission & Distribution Division

Tim Lunt, T&D Superintendent
New Employee: Johnathan Vega, Powerline Technician Apprentice

- Proclamation - Veteran's Day - American Legion, Post 155

CM González presented a Veteran's Day Proclamation to American Legion, Post 155; accepted by Commander Ken Lebron and Members Louis Barrera and Steve Ferrance of American Legion, Post 155.

MAYOR AND COUNCIL ITEMS

POSSIBLE CONFLICT OF INTEREST DISCLOSURES FOR THE COUNCIL MEETING OF NOVEMBER 1, 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: Dan Flores; Charles Martinez; and Guadalupe Galvec.

CONSENT CALENDAR

Mayor DeLaRosa presented the Consent Calendar Items 1 through 12.

Councilmembers present selected items for discussion and clarification by staff: CM Jorrin/MPT Suchil, Item 4.

Motion and Second by CM Navarro/CM González to approve the Consent Calendar Items 1 through 12 with correction to Item 4 – Second Reading of Ordinance No. O-20-16: 10.60.020 DESIGNATED. (B) Remove the following public streets designates as “Truck Routes”: 1. Mill Street (within Colton City Limits) and 9. San Bernardino Avenue (Westerly City Limit to Pepper Avenue)

Vote: Unanimous vote.

- (1) Minutes – Approval of Minutes for the City Council Regular Meeting Held October 18, 2016 on File in the Office of the City Clerk.
- (2) Warrants – Approval of Payable Warrants dated 09/14/2016 and totaling \$29,529.64; voucher numbers 158856 to 158966 dated 10/13/2016 and totaling \$695,204.50; voucher numbers 158967 to 159085 dated 10/20/2016 and totaling \$2,109,158.23; less voided checks totaling \$1,695.50 and a payroll disbursement listing for the period 09/10/2016 to 09/23/2016 and totaling \$780,695.90.
- (3) Second Reading of Ordinance No. O-19-16 - Waive full reading and pass second reading of Ordinance No. O-19-16, an Ordinance of the City Council of the City of Colton adding Chapter 6.25: Regulation of Butane Resale to the Health and Safety Section of the City of Colton Municipal Code, ORDINANCE NO. O-19-16.
- (4) Second Reading of Ordinance No. O-20-16 - Waive full reading and pass second reading of Ordinance No. O-20-16, an Ordinance of the City Council of the City of Colton amending Chapter 10 of the Colton municipal code by adding chapter 10.60, truck route, ORDINANCE NO. O-20-16.

- (5) Second Reading of Ordinance No. O-21-16 - Waive full reading and pass second reading of Ordinance No. O-21-16, an Ordinance of the City Council of the City of Colton Amending Title 5 (Business Licenses and Regulations) of the Colton Municipal Code to address unattended donation & collection bins, ORDINANCE NO. O-21-16.
- (6) Use of City Logo Policy – Approve and Adopt a Resolution establishing a policy and procedures regarding the use of the City of Colton’s official logo, RESOLUTION NO. R-107-16.
- (7) Conflict of Interest Code Update – Approve and Adopt a Resolution amending the City of Colton’s Conflict of Interest Code (Form 700), RESOLUTION NO. R-108-16.
- (8) 2017 Legislative Program – Adopt the 2017 Colton Legislative Program.
- (9) Third Amendment to the PSA with Leidos - Approve the Third Amendment to the Professional Services Agreement (PSA) with Leidos Engineering, LLC (Leidos) for electrical engineering services for additional compensation in the amount not-to-exceed \$31,000 and to extend the term through June 30, 2017, and authorize the City Manager to execute the contract documents.
- (10) Award of Contract to TSR Construction – 1) Approve the award of construction contract for the Traffic Signal Installation Project along La Cadena Drive at the intersections of M Street and La Loma Avenue to TSR Construction and Inspection, Inc. as the lowest responsive and responsible bidder in the amount of \$369,400, 2) Authorize the City Manager or his designee to approve Change Orders not to exceed 10% of the awarded contract, and 3) Approve a Resolution amending the Fiscal Year 2016-2017 Capital Improvement Program (CIP) Budget to include Traffic Signal Installation Project at the intersection of La Cadena Drive and La Loma Avenue, RESOLUTION NO. R-109-16.
- (11) Award of Contract to Denali Water Solutions, LLC – 1) Approve the award of contract agreement to Denali Water Solutions to provide hauling and disposal services for Class B Bio-solids at the Wastewater Treatment Plant as the lowest responsive and responsible bidder at an annual amount not to exceed \$335,600.00, and 2) Authorize the City Manager to extend the Agreement on an annual basis for up to four, one-year terms on the same terms and conditions at the City’s discretion.
- (12) Final Report for 2014 Sustainable Communities Planning Grant - Adopt a Resolution approving and certifying as accurate the Final Report for the 2014 Sustainable Communities Planning Grant, RESOLUTION NO. R-110-16.

PUBLIC HEARINGS

- (13) Regulate the personal, medical and commercial use of marijuana - **[City Attorney]**

TIME AND PLACE FIXED TO CONSIDER A PUBLIC HEARING TO WAIVE FURTHER READING, READ BY TITLE ONLY AND INTRODUCE ORDINANCE No. O-22-16, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COLTON AMENDING SECTION 18.48.130 OF THE COLTON MUNICIPAL CODE TO REGULATE THE PERSONAL, MEDICAL, AND COMMERCIAL USE OF MARIJUANA. IT IS FURTHER RECOMMENDED THAT THE CITY COUNCIL ADOPT INTERIM URGENCY ORDINANCE NO. O-23-16 WITH SUBSTANTIALLY THE SAME PROVISIONS TO PROTECT THE CITY IN THE GAP BETWEEN ORDINANCE NO. O-22-16’S ENACTMENT AND ITS EFFECTIVE DATE.

Mayor DeLaRosa declared the Public Hearing Open.

City Clerk Padilla submitted the Affidavit of Publication (*on file in the City Clerk's Office*) and there were no protests or objections thereto.

Staff Presentation

City Attorney Campos introduce Jordan Ferguson, Associate, City Attorney's Office, who outlined in detail for Council consideration, action as it relates to the possible effect of Tax Adult use of Marijuana Act ("AUMA") Proposition 64 for the November 8, 2016 ballot; if the proposition should pass it would be effective November 9, 2016. In conclusion staff recommended: (a) the City Council adopt an ordinance banning or regulating these uses (*personal marijuana uses*); (b) that the Ordinance regulate or ban to the extent allowable (personal marijuana use and cultivation, (2) medical marijuana uses, and (3) commercial marijuana uses; and (c) that the City Council adopt an interim urgency Ordinance so that the provision of the adopted ordinance are in place prior to November 9, 2016.

Council Discussion

Council inquiry as to why there are two ordinances; how long can we extend the urgency ordinance: clarification provided by Associate Ferguson.

Public Comment

None

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

Vote: Unanimous

Council Discussion (cont'd)

Detailed input and discussion continued by Councilmembers present which included dialogue with City Attorney Campos and Associate Jordan Ferguson.

Motion and Second by CM González/CM Jorrin to waive full reading, read by title only, and introduce Ordinance No. O-22-16.

Vote: Unanimous

Motion and Second by CM Navarro/CM Bennett to waive full reading and pass Urgency Ordinance No. O-23-16.

Vote: Unanimous

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 7:07 p.m. Mayor DeLaRosa adjourned the Regular Council Meeting; in memoriam: Albert 'Veto' Negrete; and Lee Gonzales.



Carolina R. Padilla
City Clerk