

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

June 5, 2018

Closed Session Meeting was held on the above given date at 5:02 p.m., in the Council Chamber of City Hall, with Mayor DeLaRosa presiding.

CITY COUNCIL ROLL CALL

Councilmembers present were, Toro (*appeared at 5:15*), Cisneros, Navarro, González, Mayor Pro Tem Woods, Suchil, 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 Item A, B, and C.

A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(d)(1)
O'Duffy Construction v. KAD Paving, City of Colton
San Bernardino Superior Court, Case no. CIVDS 1506733

B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(d)(1)
Carissa Green v. City of Colton, et al.
San Bernardino Superior Court, Case No. CIVDS 1705686

C. CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code Section 54957.6
Agency designated representatives: Haydee Sainz, Human Resources Director
Employee Groups: Teamsters - General Unit and Mid-Management Unit

Mayor DeLaRosa adjourned the meeting to Closed Session at 5:03 p.m. and at 6:07 p.m., the meeting reconvened, with all members present heretofore.

City Attorney Campos announced that the City Council did meet in Closed Session and discussed Item A, B, and C; with direction 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

June 5, 2018

Regular Meeting held on the above-given date at 6:08 p.m. in the Council Chamber of City Hall, with Mayor DeLaRosa presiding.

INVOCATION: Chaplain Tom Isom, Faithway, Fellowship Church of the Nazarene

FLAG SALUTE: American Legion Post #155; Member Steve Ferrence.

CITY COUNCIL ROLL CALL

Council Members Present

Richard A. DeLaRosa, Mayor
David J. Toro
Ernest R. Cisneros
Frank J. Navarro
Dr. Luis S. González
Jack R. Woods, Mayor Pro Tem
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

- Proclamation – Colton Youth Leadership Program

CM González introduced the graduates of the 2018 Colton Youth Leadership Program:

- ❖ Breanna Garcia
- ❖ Kevin Hernandez
- ❖ Natalie Jimenez
- ❖ Alberto Lopez
- ❖ Fabian Lopez
- ❖ Ricardo Olivas
- ❖ Daniel Soria-Ochoa
- ❖ Evelin Soria-Ochoa
- ❖ Tabitha Vasquez
- ❖ Viviana Vasquez

- 29TH Annual California Transportation Foundation – Transportation Awards
Interchange Project of the Year – I-10 Pepper Avenue Interchange

CM Navarro presented the above mentioned award; accepted by Mayor DeLaRosa on behalf of the City of Colton.

- APA CA Inland Empire
Inland Empire Section California Chapter American Planning Association
2018 Transportation Planning Merit Award
Colton Active Transportation Plan

CM Navarro presented the above mentioned award; accepted by Mayor DeLaRosa on behalf of the City of Colton.

MAYOR AND COUNCIL ITEMS

POSSIBLE CONFLICT OF INTEREST DISCLOSURES FOR THE COUNCIL MEETING OF JUNE 5, 2018

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)*).

CM Navarro announce he attended ICSC (International Council of Shopping Centers) held in Las Vegas, NV on May20, 2018 through May 23, 2018.

PUBLIC HEARINGS

(1) Deemed Approved Ordinance

TIME AND PLACE FIXED TO CONSIDER A PUBLIC HEARING TO ADOPT A RESOLUTION APPROVING AN AMENDMENT TO THE GENERAL PLAN LAND USE ELEMENT, LAND USE PLAN TO DESIGNATE “ROQUET RANCH SPECIFIC PLAN, AND TO CERTIFY THE FINAL ENVIRONMENTAL IMPACT REPORT WITH STATEMENT OF OVERRIDING CONSIDERATIONS AND ADOPT A MITIGATION AND MONITORING AND REPORTING PROGRAM AND WAIVE FULL READING, READ BY TITLE ONLY AND INTRODUCE AN ORDINANCE TO AMEND SECTION 18.34.050 PERTAINING TO LAND USE AND DEVELOPMENT STANDARDS OF TITLE 18 OF THE COLTON MUNICIPAL CODE (FILE INDEX NO. DAP-001-228).

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

Mark Tomich, Development Services Director, presented for Council consideration; and conclude with staff's recommendation to waive full reading, read by title only and introduce Ordinance No. O-08-18.

PUBLIC COMMENT

None

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

Vote: Unanimous

COUNCIL DISCUSSION

Discernment and discussion between Councilmembers; with clarification provide by staff: Director Tomich; Police Chief Owens; and City Attorney Campos.

Motion and Second by Mayor DeLaRosa/CM González to waive full reading, read by title only and introduce Ordinance O-08-18.

Vote: Unanimous

(2) Appeal – File Index No. DAP-001-510

TIME AND PLACE FIXED TO CONSIDER A PUBLIC HEARING AND AN APPEAL OF THE PLANNING COMMISSION DECISION (FILE INDEX NO. 001-447) TO DENY. A REQUEST FOR A CONDITIONAL USE PERMIT TO ESTABLISH A NON-MEDICAL STATE LICENSED AND CERTIFIED 10 BED RESIDENTIAL TREATMENT FACILITY FOR BEHAVIOR DISORDERS WITHIN AN EXISTING 1,950 SQUARE FOOT RESIDENTIAL HOME IN THE R-1 (LOW DENSITY RESIDENTIAL) ZONE.

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

Mark Tomich, Development Services Director, presented for consideration; concluding his presentation with staff's recommendation that Council adopt Resolution N. R-55-18 to deny the appeal and uphold the Planning Commission's denial of the application; or alternative, uphold the appeal, continue the public hearing to the regular City Council meeting of June 19, 2018 and direct staff to prepare a draft resolution approving the application with appropriate findings and proposed conditions of approval recommended by the various departments for consideration by the Council; or provide alternative direction to staff.

PUBLIC COMMENT

Josh LaBarge (Helping Hearts, Board Member) and Christal Hampton (Helping Hearts, Executive Director); spoke in support of the project; and Dan Flores, Chief of Staff for Supervisor Josie Gonzales; spoke in support of the project.

Motion and Second by CM Navarro/MPT Woods to close the public hearing.

Vote: Unanimous

COUNCIL DISCUSSION

Discernment and discussion between Councilmembers; with clarification provide by staff: Director Tomich; City Attorney Campos; Behavioral Health staff from ARMC; Board Member LaBarge; and Executive Director Hampton.

Motion and Second by CM Toro/Mayor DeLaRosa to continue the public hearing and staff will return with conditions of approval as outlined during Council discussion which included: certain restrictions and control for additional beds of 6 to 10; review every ten months or yearly; specifics related to complaints regarding parking and calls for service (PD); and mitigate the Planning Commission concerns;

Vote: Unanimous

(3) Updated Water and Wastewater User/Regulatory Fees and User Fee Study

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

David Kolk, Utility Director, presented for Council consideration and concluded with staff's recommendation to adopt Resolution No. R-43-18.

PUBLIC COMMENT

None

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

Vote: Unanimous

Motion and Second by CM González/CM Navarro to approve and adopt Resolution No. R-43-18.

Vote: Unanimous

PUBLIC COMMENT

The following community members addressed the Council: Breanna Hall; Annette Lira; Gem Montes; Jose Oliva; Gary Grossich; and Mark Garcia.

CONSENT CALENDAR

Mayor DeLaRosa presented the Consent Calendar Items 4 through 21.

Councilmembers present selected items for discussion and clarification by staff: CM Suchil, Item 20.

Motion and Second by CM González /MPT Woods to approve the Consent Calendar Item 4 through 21 with Item 16 pulled for separate vote.

Vote: Unanimous

- (4) Minutes – Approval of Minutes for the City Council Special Meeting held May 9, 2018, Minutes for the City Council Regular Meeting held May 15, 2018, and Minutes for the City Council Special Meeting held May 17, 2018, on File in the Office of the City Clerk.
- (5) Warrants – It is recommended that the City Council approve US Bank voucher dated 04/18/2018 and totaling \$33,370.47; voucher numbers 170803 to 170934 dated 05/10/2018 and totaling \$626,092.52; voucher numbers 170937 to 171062 dated 05/17/2018 and totaling \$1,849,493.73; voucher numbers 171063 to 171167 dated 05/24/2018 and totaling \$535,537.52; voided checks totaling \$228,252.99.
- (6) Second Reading of Ordinance No. O-07-18 - Waive Full Reading, and Approve Second Reading of the Ordinance to amend section to amend Section 18.34.050 pertaining to land use and development standards of Title 18 of the Colton Municipal Code (FILE INDEX NO. DAP-001-228). ORDINANCE NO. 07-18.
- (7) Last and Final Recognized Obligation Payment Schedule (ROPS) for the Period Covering July 1, 2019 through June 30, 2046 (ROPS 19-46) – Approve Successor Agency Resolution SAR-02-18 for Filing Last and Final Recognized Obligation Payment Schedule for the Period Covering July 1, 2019 through June 30, 2046 (ROPS 19-46). SAR-02-18.
- (8) Donation of two K-9 Ballistic Vests – Approve and Adopt Resolution No. R-44-18 to amend the fiscal year 2017/2018 budget and accept the donation of two K-9 ballistic vests. RESOLUTION NO. R-44-18.
- (9) Award of Contract for the Community Development Block Grant (CDBG) Sidewalk Improvement near

Elementary Schools Project – Authorize the Award of Construction Contract for the CDBG Colt-17-2-03K-2988 Citywide Sidewalk Improvement near Elementary Schools Project to D.M. Contracting, Inc. as the lowest responsive and responsible bidder in the amount of \$82,375. RESOLUTION NO. R-54-18.

- (10) Amendment to KOA Professional Service Agreement for Active Transportation Plan – Authorize Amendment No. 1 to the Professional Services Agreement with KOA Corporation increasing the contract amount by \$13,100.
- (11) Professional Services Agreement with Criterion Automation, Inc. for Splash Pad Repairs at Veterans Park – Approve the second amendment to the Professional Services Agreement with Criterion Automation, Inc. for the splash pad repairs at Veterans Park in the amount of \$7,200.
- (12) Award of Contract for Mt. Vernon Avenue Corridor Traffic Signal Upgrade Project – Authorize the Award of Construction Contract for the Mt. Vernon Avenue Corridor Traffic Signal Upgrade Project to PTM General Engineering Service, Inc. as the lowest responsive and responsible bidder in the amount of \$920,020. RESOLUTION NO. R-53-18.
- (13) Authorize the Purchase of a 2018 Dodge 2500 Crew Cab – Approve the purchase of a 2018 Dodge 2500 Crew Cab command vehicle.
- (14) Wildland Protection Reimbursement Agreement – Approve and adopt Resolution R-56-18 authorizing the renewal of the Local Responsibility Area Wildland Protection Reimbursement Agreement, RESOLUTION NO. R-56-18.
- (15) Approval of Award of Bid to Evolution Markets, Inc. – Waive the formal bidding process and authorize the City of Colton to piggyback on to the City of Anaheim’s award contract to Evolution Markets Inc., as a broker for transacting Low Carbon Fuel Standard credits. RESOLUTION NO. R-58-18.
- (16) CR&R Proposed Rate Increase – Approve Resolution R-57-18 allowing CR&R to increase residential, commercial, and industrial customer’s municipal solid waste rates for FY 2017/18. RESOLUTION NO. R-57-18.

PULLED FOR DISCUSSION AND SEPARATE VOTE

- (17) Set Public Hearing for LLMD 1 – Approve and adopt the following resolutions to initiate proceedings for the annual levy of assessments for Landscape Lighting and Maintenance District 1 for FY 2017-18: 1) Resolution No. R-47-18, initiating proceedings; 2) Resolution No. R-48-18, approving the preliminary engineer’s report; and 3) Resolution No. R-49-18, intention to set the public hearing date regarding this matter for June 19, 2018, RESOLUTION NOS. R-47-18, R-48-18, and R-49-18.
- (18) Set Public Hearing for LLMD 2 – Approve and adopt the following resolutions to initiate proceedings for the annual levy of assessments for Landscape Lighting and Maintenance District 2 for FY 2017-18: 1) Resolution No. R-50-18, initiating proceedings; 2) Resolution No. R-51-18, approving the preliminary engineer’s report; and 3) Resolution No. R-52-18, intention to set the public hearing date regarding this matter for June 19, 2018, RESOLUTION NOS. R-50-18, R-51-18, and R-52-18.
- (19) Professional Service Agreement with Blais & Associates - Approve the Professional Services Agreement for Blais and Associates to provide grant writing services for the Active Transportation Program (ATP), Cycle 4 Infrastructure projects.
- (20) Professional Services Agreement with Mayon, LLC – Approve the Professional Services Agreement

with Mayon, LLC for administrative and fiscal services not to exceed \$50,000 annually.

- (21) Fiscal Year 2018-2019 Budget Adoption – Approve Resolution Nos. R-45-18, R-46-18 to adopt the Annual Gann Limit, CUA Resolution No. CUA-02-18, and CHA Resolution No. CHA-02-18 to approve and adopt the Fiscal Year 2018/19 Budget. RESOLUTIONS NOS. R-45-18, R-46-18, CUA-02-18, and CHA-02-18.

CONSENT CALENDAR (cont'd)

- (16) CR&R Proposed Rate Increase – Approve Resolution R-57-18 allowing CR&R to increase residential, commercial, and industrial customers municipal solid waste rates for FY 2017/18. RESOLUTION NO. R-57-18.

Motion and Second by Mayor DeLaRosa/CM González to approve and adopt Resolution No. R-57-18.

Vote: Motion carried with CM Suchil voting NO.

MAYOR AND COUNCIL ORAL REPORTS AND COMMENTS

Comments from Mayor and Council on various issues and activities throughout the community.

CITY MANAGER'S REPORTS

City Manager Smith reported Rotary International donated to the City twenty-five shade trees, including labor; in addition announced the Special Meeting of June 13, 2018 at 5:30 p.m. to discuss the impending Measure D sunset.

ADJOURNMENT

At 8:40 p.m., Mayor DeLaRosa adjourned the Regular Council Meeting.



Carolina R. Padilla
City Clerk