

CITY OF COLTON
CITY COUNCIL/REDEVELOPMENT AGENCY/
COLTON UTILITY AUTHORITY/COLTON PUBLIC FINANCING AUTHORITY/COLTON
HOUSING AUTHORITY
REGULAR MEETING MINUTES

November 15, 2011

Closed Session meeting was held on the above-given date at 5:06 p.m. in the City Manager's Conference Room in City Hall, with Mayor Sarah S. Zamora presiding.

CITY COUNCIL ROLL CALL

Council Members Present

Sarah S. Zamora, Mayor
Deirdre H. Bennett, Mayor Pro Tem
David J. Toro
Frank A. Gonzales
Vincent Yzaguirre
Susan M. Oliva
Alex G. Perez

Staff Present

Rod Foster, City Manager
Dean Derleth, City Attorney
Eileen C. Gomez, City Clerk
Aurelio De La Torre, City Treasurer

Council Members/Staff Absent

None.

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

CLOSED SESSION

A. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8
Property Description/Site: APN # 0276-144-48, 49, 52, 53
Agency Negotiator(s): Rod Foster, City Manager
Negotiating Parties: Aaron Hodgdon, East Valley Land Company
Under Negotiation: Price & terms of payment

B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8
Property Description/Site: APN # 0162-052-20, 06
Agency Negotiator(s): Rod Foster, City Manager
Negotiating Parties: Eagle Colton, LLC
Under Negotiation: Price & terms of payment

PUBLIC COMMENT ON CLOSED SESSION

None.

Mayor Sarah S. Zamora adjourned the meeting to Closed Session at 5:06 p.m. and at 6:13 p.m., the meeting reconvened. The meeting was called to order by Mayor Pro Tem Bennett, announcing Roll Call as all members were present. Mayor Sarah S. Zamora arrived at the dais at 6:15 p.m.

City Attorney Dean Derleth reported that they did meet on Items A and B with no reportable action.

- A. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Pursuant to Government Code Section 54956.8
Property Description/Site: APN # 0276-144-48, 49, 52, 53
Agency Negotiator(s): Rod Foster, City Manager
Negotiating Parties: Aaron Hodgdon, East Valley Land Company
Under Negotiation: Price & terms of payment

- B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Pursuant to Government Code Section 54956.8
Property Description/Site: APN # 0162-052-20, 06
Agency Negotiator(s): Rod Foster, City Manager
Negotiating Parties: Eagle Colton, LLC
Under Negotiation: Price & terms of payment

CITY OF COLTON
CITY COUNCIL/REDEVELOPMENT AGENCY/
COLTON UTILITY AUTHORITY/COLTON PUBLIC FINANCING AUTHORITY/COLTON
HOUSING AUTHORITY
REGULAR MEETING

November 15, 2011

Regular Meeting was held on the above-given date at 6:15 p.m., in the Council Chambers of City Hall, with Mayor Pro Tem Bennett presiding. Mayor Sarah S. Zamora arrived at the dais at 6:17 p.m.

INVOCATION

Pastor Jonathan Florez, First Assembly of God

FLAG SALUTE

Cecilia Enriquez, American Legion Post 155

CITY COUNCIL ROLL CALL

Council Members Present

Sarah S. Zamora, Mayor
Deirdre H. Bennett, Mayor Pro Tem
David J. Toro
Frank A. Gonzales
Vincent Yzaguirre
Susan M. Oliva
Alex G. Perez

Staff Present

Rod Foster, City Manager
Dean Derleth, City Attorney
Eileen C. Gomez, City Clerk
Aurelio De La Torre, City Treasurer

Council Members/Staff Absent

None.

CEREMONIAL MATTERS *Presentations, Awards, Proclamations*

- Presentation - Update by Mike Burrows of Inland Valley Development Agency (IVDA)

Mike Burrows of Inland Valley Development Agency (IVDA) presented an update on the IVDA annual budget process, current allocations to various agencies and answered questions from Council.

- Recognition - Washington High School Youth for Community Helping Hands in Action Never Giving Up on Education (C.H.A.N.G.E) Skit students

Certificates of Recognition were presented to the students from Washington High School. These students performed a special skit produced by Maria Fernanda Torres, Youth Advocate for C.H.A.N.G.E., which stands for Community Helping Hands in Action Never Giving Up on Education. The skit was performed at the Youth Health & Safety Planning Committee Meeting held on October 24th at Colton High School. Certificates were also presented to representatives from the Central Valley Prevention Program.

MAYOR AND COUNCIL ITEMS

POSSIBLE CONFLICT OF INTEREST DISCLOSURES FOR THE COUNCIL MEETING OF NOVEMBER 15, 2011.

Mayor Sarah S. Zamora asked the members present if there were any agenda items that were a conflict of interest pursuant to CMC Section 2.04.030. None.

AB 1234 ORAL REPORTS

None.

APPOINTMENTS

- District 4 – Utilities Commission - Apolinar Espudo
- District 6 – Code Enforcement & Housing Advisory Appeals Board - Glen Bautista

Motion and second by CM Bennett /Oliva. Unanimous vote.

PUBLIC COMMENT

The following Community Members addressed the Council:

Linda Tripp, Fred Cordova, Chris Mardis, Eufemia Reyes, Ron Lawrence, Jose Olivar, and John Anaya, Sr.

MAYOR AND COUNCIL ORAL REPORTS AND COMMENTS

Council Members made comments on various issues and activities throughout the community.

CITY TREASURER'S REPORTS

It was a consensus of the Council to receive and file the City Treasurer's report for September 2011 as presented by City Treasurer De La Torre.

- Receive and File City Treasurer's Report for September 2011.

Community Member Gary Grossich addressed the council and gave Public Comment on this item.

CONSENT CALENDAR

City Manager Foster presented Consent Calendar Item Nos. 1 through 7 for action by Council.

The following action was taken on the Consent Calendar:

CM Yzaguirre thanked Amer Jakher, Rod Foster and Planning Commissioner Gary Mitchell, for their work and diligence on bringing forward Item No. 3, the Lincoln Elementary School drop-off zone project.

CM Gonzales had questions for Amer Jakher on Item No. 5, regarding staff recommendations and approval of the Master Agreement. Rod Foster clarified that the agreement numbers were different and it is two different documents.

Motion and second by Council Members Yzaguirre /Oliva, to approve Consent Calendar Item Nos. 1 through 7, as presented. Unanimous Vote.

- (1) Minutes – Approval of Minutes for the City Council Special Meeting Held August 23, 2011; Minutes for the City Council Regular Meeting Held September 20, 2011; Minutes for the City Council Regular Meeting Held October 4, 2011; Minutes for the City Council Regular Meeting Held October 18, 2011, on File in the Office of the City Clerk. **[Staff Person: E. Gomez]**
- (2) Warrants – Approval of Payable Warrants #124887 to #124986, Dated 10/6/11, Totaling \$1,220,108.41; Payable Warrants #124987 to #125129, Dated 10/13/11, Totaling \$708,632.30; Payable Warrants #125130 to #125230 Dated 10/20/11, Totaling \$493,740.87; Payable Warrants #125231 to #125390, Dated 10/27/11, Totaling \$3,007,826.77; Payable Warrants #125391 to #125570, Dated 11/3/11, Totaling \$976,107.39; Payroll Disbursement Listing for 10/1/11 to 10/14/11, Totaling \$554,756.12; and Payroll Disbursement Listing for 10/15/11 to 10/28/11, Totaling \$548,388.72, on File in the Finance Department. **[Staff Person: B. Johnson]**

- (3) Lincoln Elementary School Project – Approved Change Order No. 1 in the Amount of \$4,430 and Authorized Execution and Recordation of the Notice of Completion for the Safe Routes to School Lincoln Elementary Project.
- (4) Emergency Generator Installation Project – Approved and Authorized the Execution and Recordation of the Notice of Completion for the Police Department Emergency Generator Installation Project.
- (5) Jurisdiction Master Agreement - Authorized and Approved Execution of a Jurisdiction Master Agreement for Funding Allocation for the Measure I 2010-2040 Valley Major Street Program between the City of Colton and San Bernardino County Transportation Authority.
- (6) Tract Map 18250 – Agua Mansa Commerce Center – Approved Final Acceptance of Tract Map 18250 (AMB Properties) and Authorized the Release Performance, Labor and Material Bonds.
- (7) Award of Bid for Ion Exchange Filter Resin - Authorized Award of the Purolite A530E Ion Exchange Filter Resin and Maintenance Services for the Perchlorate Wells 15, 17 and 24, to the Lowest Responsive/Responsible Bidder, Prominent Systems, Inc., in an Amount Not-to-Exceed \$314,184 per Year; Authorized the City Manager to Execute the Agreement.

BUSINESS ITEMS

- (8) Agreement/City of Loma Linda - Approved a Battalion Chief Sharing Agreement with the City of Loma Linda to Share the Services of One Battalion Chief for each City.

Chief Hendrix provided the background and gave a brief presentation on this item.

Motion and second by MPT Bennett/CM Perez. Unanimous vote.

- (9) Amending Title 7 of Municipal Code Relating to Animal Licensing - Waive Further Reading, Reading by Title Only and Introduce an Ordinance Amending Title 7, Chapter 7.08 of the Colton Municipal Code Relating to Dogs and Cats – Dangerous Animals, **ORDINANCE NO. O-07-11.**

Chief Ward provided the background on the reason the ordinance refers to Dangerous Animals and explained that is related to licensing.

Motion and second by MPT Bennett/CM Toro. Unanimous vote.

- (10) Amending Municipal Code to Add Chapter 12.26 - Adopted an Urgency Ordinance and a Regular Ordinance of the City Council of the City of Colton, California, Adding Chapter 12.26 to the Colton Municipal Code Regulating Camping and Storage of Personal Property on Public Property, **URGENCY ORDINANCE NO. O-08-11 AND REGULAR ORDINANCE NO. O-09-11.**

Community Members Christina Irish-Re, Hector Guzman, Michael Dale, Dan Segel, Jose Olivar, and Gilbert Arrieta addressed the Council and gave Public Comment on this item.

First Ordinance: Motion and second by CM Yzaguirre/Toro. Unanimous vote.

Second Ordinance: Motion and second by CM Yzaguirre/Gonzales. Unanimous vote.

CITY COUNCIL DISCUSSION ITEMS

- Military Banner Update.

Rod Foster gave comments and asked City Clerk Gomez and Council Member Toro to present this item.

Mayor Zamora pulled this item and CM Toro made a Point of Order to continue discussion.

Mayor Zamora took a vote to move forward with this item. It was a consensus of the Council for CM Toro and City Clerk Gomez to continue the presentation of the Military Banner Program.

CM Toro gave a PowerPoint presentation with the assistance of City Clerk Gomez, and provided a brief history of the program and various banner samples. City Clerk Gomez proceeded to give the background on the program and announced that it is still a work in progress. Once the details have been worked out, this item will be presented to Council at a later date.

Mayor Zamora exercised her right to create an ad hoc committee for the Military Banner Program. The Military Banner Program Ad Hoc Committee will consist of Council Members Toro, Oliva and Perez, with City Clerk Gomez as an advisor.

Planning Commissioner Gary Mitchell asked City Attorney Derleth to ensure that the provisions needed for banners in the rights of way are addressed in our local ordinance, which Mr. Derleth confirmed.

CITY MANAGER'S REPORTS

None.

ADJOURNMENT

At 9:08 p.m., Mayor Sarah S. Zamora adjourned the meeting in Memory of Colton Resident Jean Davila Galvan Romo, who passed away on October 27, 2011. Council Member Yzaguirre gave a brief background of her history in Colton.

Eileen C. Gomez, CMC
City Clerk