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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
REGULAR MEETING MINUTES

July 17, 2012

The Regular Meeting of the Colton City Council was held on the above-given date and was called to order at 5:00 p.m., in the Council Chambers of City Hall, with Mayor Pro Tem Frank A. Gonzales presiding. Roll Call was announced by City Clerk Eileen C. Gomez as follows:

CITY COUNCIL ROLL CALL

Council Members Present

Sarah S. Zamora, Mayor (arrived at 5:07 p.m.)
David J. Toro
Frank A. Gonzales, Mayor Pro Tem
Susan M. Oliva
Alex G. Perez
Deirdre H. Bennett

Staff Present

Rod Foster, City Manager
Rahsaan Tilford, City Attorney
Eileen C. Gomez, City Clerk

Council Members/Staff Absent

Vincent Yzaguirre

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

CLOSED SESSION

(A) CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Government Code Section 54956.9(a)
Case Name: IBEW v. City of Colton (PERB Administrative Claim)
Case Number: LA-CE-741-M

(B) CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code Section 54957.6
Agency Designated Representative: Bonnie Johnson, Management Services Director and Ted Cooper, Human Resources Manager
Employee Organizations: IBEW Electric, IBEW Water/Wastewater

PUBLIC COMMENT ON CLOSED SESSION

None.

Mayor Zamora adjourned the meeting to Closed Session at 5:10 p.m. and at 6:04 p.m., the meeting reconvened. Roll Call was announced by City Clerk Gomez with all members present as heretofore.

City Attorney Rahsaan Tilford reported that they did meet and did discuss on Items A and B with no reportable action.

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COLTON HOUSING AUTHORITY
REGULAR MEETING

July 17, 2012

Open Session of the Regular Meeting was called to order on the above-given date at 6:06 p.m., in the Council Chambers of City Hall, with Mayor Sarah S. Zamora presiding. Roll Call was announced by City Clerk Eileen C. Gomez with all members present as heretofore.

CITY COUNCIL ROLL CALL

Council Members Present

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

Staff Present

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

Council Members/Staff Absent

None.

INVOCATION

David Mlynarski

FLAG SALUTE

Steve Ferrance and Louie Barrera, American Legion Post 155

CEREMONIAL MATTERS *Presentations, Awards, Proclamations*

- Presentation: Colton High School Beautification Project – Dr. Tom Rivera

Dr. Rivera, Mrs. Lily Rivera, Tobin Brinker and Louie Hernandez gave a presentation regarding the Colton High School Beautification project and announced that they were currently raising funds for this worthy project. They encouraged Council Members and residents to be partners in this project and asked students and community members to help keep the high school clean.

- Proclamation: Dorene Dominguez, Latina Style Magazine 2012 Entrepreneur of the Year

Before presenting the proclamation, Council Member Yzaguirre acknowledged former Council Members Jim Miller, Tobin Brinker, Max Lofy and Roy Roman, who were in attendance. MPT Gonzales also acknowledged former Colton Joint Unified School District Board Member and Superior Court Judge Donald Alvarez also in attendance.

Council Member Yzaguirre presented a proclamation to Dorene Dominguez, in recognition of being awarded the Latina Style Magazine 2012 Entrepreneur of the Year award, and of her accomplishments and community involvement in Colton.

- Proclamation: Max Lofy – Former Parks & Recreation Director/Commissioner

MPT Gonzales presented a proclamation to Max Lofy in recognition of receiving the Man of the Year award from Senator Gloria Negrete-McLeod for his 37 years of service to the Parks & Recreation Commission and to the City of Colton. Mr. Lofy was also presented with a Certificate of Recognition from Assembly Member Wilmer Amina Carter.

- Proclamation: City of Colton 125th Birthday Celebration

Mayor Zamora read a proclamation in honor of the City of Colton's 125th Birthday on July 21, 2012. The 125th Birthday Celebration Committee members joined her in receiving the proclamation and wishing the City of Colton many more prosperous years. Council Member Oliva informed the public of the items that will be given away and sold at the birthday celebration event to be held on Saturday, July 21, 2012 and first ever Birthday Celebration Car Show on Sunday, July 22, 2012.

MAYOR AND COUNCIL ITEMS

POSSIBLE CONFLICT OF INTEREST DISCLOSURES FOR THE COUNCIL MEETING OF MAY 15, 2012.

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 6 Utilities Commissioner – Bob Stephens

Motion and second by Council Members Bennett/Oliva, to appoint Bob Stephens as District 6 Utilities Commissioner. Unanimous vote.

Before Public Comment, City Manager Rod Foster announced changes to the agenda as follows:

Items 12 and 13 will be pulled from Consent Calendar and referred back to staff for revisions.

PUBLIC COMMENT

The following community members addressed the Council:

Monique Barrios, Pauline Mejia, Michael De La Rosa, Christina Chavez, Chris Mardis, Paul Rasso, Tobin Brinker, Fred Cordova and Christine Irish-Ré.

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 reports for May 2012.

CONSENT CALENDAR

City Manager Foster presented Consent Calendar Item Nos. 1 through 20 for action by Council.

The following action was taken on the Consent Calendar:

Motion and second by CM Yzaguirre/CM Perez, to approve Consent Calendar Item Nos. 1 through 20, with the following actions as noted:

City Manager Foster pulled Item Nos. 12 and 13 and referred back to staff for revisions.

CM Bennett pulled Item Nos. 14, 15 and 20 for discussion and separate vote.

CM Toro had questions on Item No. 16.

MPT Gonzales had questions on Item No. 18.

Mayor Zamora pulled Item No. 4, with revisions to Resolution No. R-43-12.

City Attorney Tilford asked that the original motion be amended to reflect the changes.

PUBLIC COMMENT

The following community members addressed the Council:

Roy Roman (Item No. 15), Rick Shield (Item No. 15), Gary Grossich (Item No. 20),

- (1) Minutes – Approved Minutes for the City Council Regular Meeting Held May 15, 2012, on File in the Office of the City Clerk.
- (2) Warrants – Approval of Payable Warrants #129176 to #129270, Dated 05/31/2012, Totaling \$722,830.59; Payable Warrants #129271 to #129418, Dated 06/07/2012, Totaling \$898,118.97; Payable Warrants #129419 to #129556 dated 06/14/2012 and totaling \$2,162,377.25; Payroll Disbursement Listing for 05/26/2012 to 06/08/2012, Totaling \$666,935.32; and Payroll Disbursement Listing for the period of 06/09/2012 to 06/22/2012, Totaling \$618,773.92, on File in the Finance Department.
- (3) Set Public Hearing for Basic Fee for Storm Water Services for August 7, 2012 – Set a Public Hearing on the Basic Fee for Storm Water Services and the Storm Water Management User Fee for Fiscal Year 2012/2013 for August 7, 2012, as provided for in Chapter 14.01 of the Colton Municipal Code, **RESOLUTION NO. R-45-12.**
- (4) Used Oil Payment Program Fiscal Year 2012-2013 – Approved and Adopted a Resolution of the City Council of the City of Colton authorizing the County of San Bernardino Household Hazardous Waste Department to be the lead agency in the Used Oil Payment Program Fiscal Year 2012-2013 and authorizing the City Manager, or his or her designee to sign the authorization letter, **RESOLUTION NO. R-43-12.**
- (5) Bridge Seismic Retrofit Project – Approved and Adopted a Resolution of the City Council of the City of Colton, approving the Program Supplement Agreement to the

Administering Agency – State Master Agreement No. 5065R, for the Seismic Retrofit Project for Bridge No. 54C-078 (STPLZ 5065-015), 54C-0079 (STPLZ 5065-016), 54C-0100 (STPLZ 5065-017), 54C-0375 (STPLZ 5065-018), 54C-0384 (STPLZ 5065-019) and 54C-0599 (STPLZ 5065-020), and Authorized the City Manager or his Designee to Sign the Agreement and Future Amendments. **RESOLUTION NO. R-37-12.**

- (6) Successor Agency List of Assets and Properties for Disposal and Acceptance by the Oversight Board – Approved and Adopted a Resolution of the Successor Agency to designate the list of assets and properties of the Redevelopment Agency for the City of Colton for disposal and for acceptance and approval by the Oversight Board and to direct the transfer of the housing assets to the Colton Housing Authority, **SAR 04-12.**
- (7) Colton Housing Authority Accepting the Transfer of Housing Assets – Approved and Adopted a Resolution of the Colton Housing Authority accepting the transfer of housing assets and functions of the former Redevelopment Agency for the City of Colton.
- (8) Bylaws for the Colton Housing Authority Commission – Approved and Adopted a Resolution Approving and Adopting the Bylaws for the Colton Housing Authority, setting forth the terms of office, qualifications, and method of appointment and removal of the Board of Commissioners, and the Housing Authority’s Procedures and Powers, **RESOLUTION NO. R-13-12.**
- (9) Contract renewal with the California Department of Education for Provision of Preschool Services – Approved and Adopted a Resolution Approving the State of California Contract CSPP-2413 for the provision of preschool education services in the Human Services Division of the Community Services Department for Fiscal Year 2012-13, **RESOLUTION NO. R-30-12.**
- (10) Pole Attachment License Agreement with Freedom Communications – Approved the Pole Attachment License Agreement between the City of Colton and Freedom Communications, Inc., to attach fiber optic lines to City-owned utility poles.
- (11) James Sullivan Mutual Water Company Tax Assessments – Approved and Adopted a Resolution Authorizing the 2012-2013 Annual Levy of Tax Assessments for Improvement District “A” (James Sullivan Mutual Water Company), **RESOLUTION NO. R-18-12.**
- (12) Second Reading of Ordinance No. 0-06-12, Amendment to Title 18, Chapter 18.50 – Signs Ordinance – Waive Full Reading and Pass Second Reading of Ordinance No. 0-06-12, an Ordinance of the City of Colton, Amending Title 18, Chapter 18.50 of the Colton Municipal Code Relating to Signs, with Amendments following Council direction at the May 15, 2012 Council meeting. **ORDINANCE NO. O-06-12. PULLED**
- (13) Second Reading of Ordinance No. O-09-12, regarding Supervision of Executive Assistant to Council/Office Manager - Waive Full Reading and Pass Second Reading of Ordinance No. 09-12, an Ordinance of the City of Colton, Adding Section 2.04.040 to the Colton Municipal Code Relating to the Supervision of the Executive Assistant to the Council/Office Manager and Making Other Clarifying Changes to Section 2.16.070(B). **ORDINANCE NO. O-09-12. PULLED**

- (16) 2012-2013 Annual Special Tax for Community Facilities Districts (CFDs) – Approved and Adopted Resolutions Authorizing the 2012-13 Annual Special Tax Levy for CFDs 87-1, 88-1, 89-1, 89-2 and 90-1, **RESOLUTION NOS. R-31-12, R-32-12, R-33-12, R-34-12 AND R-35-12.**
- (17) Interstate-215 High Occupancy Vehicles (HOV) Project – Approved Utility (Water, Sewer and Electric) Relocation Agreements between the City of Colton and the San Bernardino Associated Governments (SANBAG) for the I-215 High Occupancy Vehicles (HOV) Project.
- (18) Mutual Aid Public Safety Agreement for Joint Police Services – Approved a Professional Services Agreement between the cities of Fontana, Rialto and Colton for public safety Special Weapons and Tactics (SWAT) Team services.
- (19) Solid Waste Rates Public Hearing for September 18, 2012 - Approved and Adopted a Resolution of the City of Colton, California, setting a Public Hearing on Municipal Solid Waste Rates and Approve Reimbursement to Republic Services, Inc. for the Gate Rate Fees paid by the San Bernardino County Disposal Gate Rate for September 18, 2012, **RESOLUTION NO. R-12-12.**

CONSENT CALENDAR(continued for separate vote)

- (14) Second Reading of Ordinance No. O-08-12, relating to the Electric System Revenue Fund – Waived Full Reading and Passed Second Reading of Ordinance No. O-08-12, an Ordinance of the City Council of the City of Colton, California Amending Section 3(iii)(i) of Ordinance No. O-09-02 (Section 3.44.030(iii)(i) of the Colton Municipal Code) Relating to the Electric System Revenue Fund and the Amount Which May be Transferred to the General Fund. **ORDINANCE NO. O-08-12**

Motion and second by CM Yzaguirre/CM Perez, to approve Consent Calendar Item No 14. Motion carried with CM Bennett voting no.

- (15) Second Reading of Ordinance No. O-05-12, relating to the Rental Housing Registration and Inspection Program – Waive Full Reading and Pass Second Reading of Ordinance No. O-05-12, an Ordinance of the City of Colton, California Adding Chapter 15.49 to the Colton Municipal Code Relating to the Rental Housing Registration and Inspection Program. **ORDINANCE NO. O-05-12 [Staff Person: M. Tomich]**

Motion and second by CM Yzaguirre/MPT Gonzales, to approve Consent Calendar Item No 15. Motion carried with CM Bennett and CM Toro voting no.

- (20) Conflict of Interest Code - Review of the City’s Conflict of Interest Code and Filing of a Biennial Notice with the City Clerk regarding such review, as required by the Political Reform Act. **[Staff Person: E. Gomez]**

Motion and second by CM Yzaguirre/CM Bennett, to approve Consent Calendar Item No 20. Unanimous vote.

Mayor Zamora announced that Item No. 23 will be moved up to discuss this item prior to the Public Hearings due to community members being present for those items.

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- (23) Military Banner Program - Approved the Colton Military Banner Program Policies and Guidelines to recognize our brave hometown heroes currently serving in the United States Military Armed Forces.

City Clerk Gomez provided background information, in addition to comments from the Military Banner Ad Hoc Committee Members/Council Members Toro, Oliva and Perez, regarding the design and policies.

Motion and second by CM Yzaguirre/CM Toro, to approve the Military Banner Program. Unanimous vote.

Mayor Pro Tem Gonzales left the dais at this point.

PUBLIC HEARING

- (21) Landscape Lighting and Maintenance District No.1

TIME AND PLACE FIXED TO CONSIDER APPROVAL OF RESOLUTIONS TO APPROVE THE FINAL ENGINEER'S REPORT AND APPROVE THE ORDER OF THE LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2012/2013; AWARD A MAINTENANCE SERVICE AGREEMENT TO RP LANDSCAPE FOR LANDSCAPE LIGHTING AND MAINTENANCE DISTRICT (LLMD) NO. 1 FOR LANDSCAPE MAINTENANCE SERVICES IN THE AMOUNT OF \$75,000.

Recommendation: To Continue Public Hearing to August 7, 2012.

Mayor Zamora opened the Public Hearing and the City Clerk announced that no protests or objections were received.

Motion and second by CM Yzaguirre/CM Perez, to continue the Public Hearing to the August 7, 2012 council meeting. Motion carried with MPT Gonzales being absent from this vote.

- (22) Landscape Lighting and Maintenance District No. 2

TIME AND PLACE FIXED TO CONSIDER APPROVAL OF RESOLUTIONS TO APPROVE THE FINAL ENGINEER'S REPORT AND APPROVE THE ORDER OF THE LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2012/2013; AWARD A MAINTENANCE SERVICE AGREEMENT TO RP LANDSCAPE FOR LANDSCAPE LIGHTING AND MAINTENANCE DISTRICT (LLMD) NO. 2 FOR LANDSCAPE MAINTENANCE SERVICES IN THE AMOUNT OF \$75,000.

Recommendation: To Continue Public Hearing to August 7, 2012

Mayor Zamora opened the Public Hearing and the City Clerk announced that no protests or objections were received.

Motion and second by CM Bennett/CM Oliva, to continue the Public Hearing to the August 7, 2012 council meeting. Motion carried with MPT Gonzales being absent from this vote.

- (24) Colton Housing Authority Disposition and Development Agreement with Eagle Colton 55 LLC – Senior Housing Project – Approved and Adopted Resolutions of the Colton City Council and the Colton Housing Authority Commission, approving a Disposition and Development Agreement with Eagle Colton 55, L.P., for the development of one hundred and twenty (120) units of affordable senior rental housing on the property located at the northwest corner of North 9th Street and East “F” Street (former Colton Palms site), **RESOLUTION NO. R-46-12 AND RESOLUTION NO. CHA-02-12.**

Representatives from Eagle Colton 55 LLC presented a PowerPoint for the Council and public, for the development of one hundred and twenty units of affordable senior rental housing.

Motion and second by CM Bennett/CM Toro, to approve staff recommendations. Unanimous vote.

CITY COUNCIL DISCUSSION ITEMS

None.

CITY MANAGER’S REPORTS

None.

ADJOURNMENT

At 10:37 p.m., Mayor Zamora closed the meeting in memory of Ted Macias Aguilar, Christine Irish-Re’s uncle.

Eileen C. Gomez, CMC
City Clerk