

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

June 19, 2012

The Regular Meeting of the Colton City Council 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 Mayor Sarah S. Zamora presiding. Roll Call was announced by City Clerk Eileen C. Gomez as follows:

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
Alex G. Perez
Deirdre H. Bennett

Staff Present

Rod Foster, City Manager
Dean Derleth, City Attorney
Eileen C. Gomez, City Clerk

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 LEGAL COUNSEL – ANTICIPATED LITIGATION
Pursuant to Government Code section 54956.9(c)
Number of cases: 1
- 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: SBPEA General Unit, SBPEA Mid-managers Unit, IBEW Electric, IBEW Water/Wastewater, Colton Fire Fighters Association, Colton Police Officers Association, Colton Police Management Association, and Colton Police Dispatchers Association

PUBLIC COMMENT ON CLOSED SESSION

Stan Stosel, IBEW representative.

Mayor Zamora adjourned the meeting to Closed Session at 5:12 p.m. and at 6:23 p.m., the meeting reconvened. Roll Call was announced by City Clerk Gomez with all members present as heretofore.

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

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REGULAR MEETING

June 19, 2012

Open Session of the Regular Meeting was called to order on the above-given date at 6:23 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
Dean Derleth, City Attorney
Eileen C. Gomez, City Clerk
Aurelio De La Torre, City Treasurer

Council Members/Staff Absent

None.

INVOCATION

Chaplain Bob Johnson, Colton Community Church

FLAG SALUTE

Thomas Leon and Joe Mojica, VFW Post 6476

CEREMONIAL MATTERS *Presentations, Awards, Proclamations*

- Proclamation – National Park & Recreation Month

Council Member Toro read and presented a proclamation to Deborah Farrar, Recreation Services Manager, in recognition of National Park & Recreation Month.

- Proclamation – Hope Luna, Historical Preservation Commissioner – District 3

Council Member Yzaguirre read and presented a proclamation to Hope Luna and thanked her for 19 years of service as a Historical Preservation Commissioner – District 3, and for her many years of community service and volunteerism in Colton.

- Recognition – Kohl's A-Team

Council Member Bennett presented Certificates of Recognition to Virginia Rodriguez and Linda Alva on behalf of the Relay For Life volunteers representing the Kohl's "A" Team and thanked them for their volunteerism, helping the elderly and their dedication to this worthy cause. Council Member Bennett also recognized Vince Castro and The Castro Family for all their outstanding dedication to our community and for their volunteer work.

- Presentation – Colton Joint Unified School District Update – Colton High School Math & Science Building by Jaime Ayala, Assistant Superintendent and Darryl Taylor, Director

Darryl Taylor recognized members of the Citizens Oversight Committee and thanked them for their service. Committee members gave comments regarding the Colton High School project. Mr. Taylor also provided an update on the tour of the new facility and continued with his presentation of the new math and science wing at Colton High School. Mayor Zamora also gave comments and thanked Dr. Tom and Lily Rivera for their fundraising efforts for the beautification project.

- Presentation – Arrowhead Regional Medical Center – Patrick Petre, CEO

Mr. Petre presented a video highlighting the Arrowhead Regional Medical Center (ARMC) projects and thanked the Colton Police and Fire Departments and the City for their ongoing partnership. Council Members also gave comments on

MAYOR AND COUNCIL ITEMS

POSSIBLE CONFLICT OF INTEREST DISCLOSURES FOR THE COUNCIL MEETING OF JUNE 19, 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

None.

PUBLIC COMMENT

The following community members addressed the Council:

Karen DiCarlo, John Anaya, Sr., Christine Irish-Ré, Gary Mitchell and Alex Torres.

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 April 2012.

CONSENT CALENDAR

City Manager Foster presented Consent Calendar Item Nos. 1 through 10 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 10, with the following actions as noted:

Mayor Zamora pulled Item No. 8 for comment.

CM Bennett pulled Item Nos. 5 and 6 for comment.

CM Yzaguirre pulled Item No. 3 for comment.

- (1) Minutes – Approved Minutes for the City Council Regular and Special Concurrent Meeting Held May 1, 2012, on File in the Office of the City Clerk.
- (2) Warrants – Approved Payable Warrants #128626 to #128766, Dated 05/03/2012, Totaling \$557,783.02; Payable Warrants #128767 to #128872, Dated 05/10/2012, Totaling \$523,589.47; Warrants # 128873 to 129034 dated 05/17/2012 and totaling \$2,306,956.13; Warrants #129035 to 129175 dated 05/24/2012 and totaling \$1,794,908.05; Payroll Disbursement Listing for 04/28/2012 to 05/11/2012, Totaling \$569,200.75; and Payroll Disbursement Listing for 05/12/2012 to 05/25/2012, Totaling \$621,525.00, on File in the Finance Department.
- (3) Donation from Mr. Jeff Neu to Luque Center – Approved and Adopted a Resolution of the City of Colton, California, authorizing a budget amendment in the amount of \$2,500 for Fiscal Year 2011-12, for the receipt of a donation from Mr. Jeff Neu to the Luque Community Center.
- (4) Memorandum of Understanding with SANBAG – Approved entering into an Memorandum of Understanding (MOU) with the San Bernardino Associated Governments for preparation of San Bernardino County Regional Greenhouse Gas Inventory and Reduction Plan and related Environmental Impact Report.
- (5) Set Public Hearing for Landscape Lighting and Maintenance District 1(LLMD-1) for July 17, 2012 – Approved and Adopted three (3) Resolutions establishing a Public Hearing for LLMD-1 for FY 2012/2013 Assessment for July 17, 2012; 1) Resolution initiating proceedings; 2) Resolution approving the Engineer's Report; and 3) Resolution of Intent.
- (6) Set Public Hearing for LLMD-2 for July 17, 2012 – Approved and Adopted three (3) Resolutions establishing a Public Hearing for LLMD-2 for FY 2012/2013 Assessment for July 17, 2012; 1) Resolution initiating proceedings; 2) Resolution approving the Engineer's Report; and 3) Resolution of Intent.
- (7) Grant of Easement to 1315 N. Mt. Vernon Avenue – Approved the Recordation of a Grant of Easement to 1315 N. Mt. Vernon Avenue for utility purposes from the City of Colton, Assessor's Parcel Numbers 0161-124-30 & 0161-124-31, along North Mt. Vernon Avenue in the City of Colton.

- (8) Application for Participating Transmission Owner - Authorized the Utility Director to file a Letter of Intent to become a Participating Transmission Owner (PTO) with the California Independent System Operator (CAISO).
- (9) Calling the General Municipal Election for November 6, 2012 - Approved and Adopted a Resolution Calling and Giving Notice of a General Municipal Election to be held Tuesday, November 6, 2012, and Requesting that the County of San Bernardino Render Specified Services.
- (10) Amendment to Title 18, Chapter 18.50 – Signs Ordinance – Second Reading and Introduced by Title Only an Ordinance of the City of Colton, Amending Title 18, Chapter 18.50 of the Colton Municipal Code Relating to Signs.

PUBLIC HEARING

- (11) Award of Contract to Solarmax Technology, Inc. for a Photovoltaic System at the Art Thompson Teen Center.

TIME AND PLACE FIXED TO CONDUCT A PUBLIC HEARING TO CONSIDER AN AWARD OF CONTRACT AND APPROVE THE FIRST AMENDMENT FOR THE DESIGN, PROVISION OF EQUIPMENT AND INSTALLATION OF A PHOTOVOLTAIC SYSTEM AT THE ART THOMPSON TEEN CENTER.

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

The following community members addressed the Council:

None.

Mayor Zamora announced Public Comment closed then closed the Public Hearing.

City Manager Foster gave a brief update on this project and Electric Utility Director gave a PowerPoint presentation, provided information and answered questions from Council regarding this item.

Motion and second by CM Bennett/CM Oliva, to approve staff recommendation. Unanimous vote.

BUSINESS ITEMS

- (12) Ordinance regarding Supervision of Executive Assistant to Council/Office Manager - Waived Full Reading and Introduced by Title Only, an Ordinance 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).

City Attorney Derleth presented this item and asked for Council to refer to the revised staff report previously distributed at the dais.

Motion and second by CM Yzaguirre/CM Toro, to approve staff recommendation. Uananimous vote.

- (13) Fiscal Year 2012-13 Budget - Approved and Adopted Fiscal Year 2012-13 Budget Resolution for City Council; Approve and Adopt a Resolution adopting the Annual Gann Limit for Fiscal Year 2012-13; Approve and Adopt an Ordinance Repealing Ordinance No. O-09-02 and Continuing an Electric System Revenue Fund and Accounts Therein and Providing for the Flow of Funds from the Electric System Revenue Fund; Approve and Adopt an Ordinance Adding Chapter 15.49 to the Colton Municipal Code Relating to the Rental Housing Registration and Inspection Program; Approve and Adopt a Resolution of the Utility Authority Board, Approving an Advance Lease Payment to the City of Colton and Adopting the Budget Commencing July 1, 2012 and ending June 30, 2013; and that the Colton Public Financing Authority Approve and Adopt a Resolution Establishing a Regular Meeting Schedule and Providing for Other Related Matters. RESOLUTION NO. R-26-12; RESOLUTION NO. R-27-12; ORDINANCE NO. O-08-12; ORDINANCE NO. 05-12; RESOLUTION CUA 2012-02; RESOLUTION NO. CPFA-2012-1.

Management Services Director Bonnie Johnson provided a PowerPoint presentation and overview of the 2012-13 Budget, referring to the amended staff report and resolution regarding the General Fund Transfer. Development Services Director Mark Tomich continued with the presentation, with City Manager Foster provided comments and answered Council questions. There was discussion regarding this item.

Mayor Zamora opened public comment on this item with the following community members addressing the Council on this item:

Gary Grossich.

City Attorney Derleth read the titles of the ordinances into the record and explained the revised Resolution No. R-26-12, distributed at the dais. Mayor Zamora asked that each item be voted on separately for clarification. City Attorney Derleth continued to read each motion for a separate vote.

The following was the vote on each item as stated in the staff report:

- 1) Approve and adopt Resolution No. 26-12, approving and adopting the Budget commencing July 1, 2012 and ending June 30, 2013.

Motion and second by MPT Gonzales/CM Toro, to approve staff recommendation including revisions to Resolution No. R-26-12, as distributed by City Attorney Derleth. Motion carried with CM Bennett voting no.

- 2) Approve and adopt Resolution No. R-27-12, approving and adopting the Annual Gann Limit for Fiscal Year 2012-13.

Motion and second by MPT Gonzales/CM Toro, to approve staff recommendation and adopt Resolution No. R-27-12. Motion carried with CM Bennett voting no.

- 3) Waive full reading and introduce by title only, Ordinance No. O-08-12, 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.

Motion and second by MPT Gonzales/CM Toro, to approve staff recommendation to waive full reading and introduce by title only, Ordinance No. O-08-12. Motion carried with CM Bennett voting no.

- 4) Waive full reading and introduce by title only, Ordinance No. O-05-12, adding Chapter 15.49 to the Colton Municipal Code, relating to the Rental Housing Registration and Inspection Program.

Motion and second by MPT Gonzales/CM Toro, to approve staff recommendation to waive full reading and introduce by title only, Ordinance No. O-05-12. Motion carried with CM Bennett voting no.

- 5) Recommend that the Colton Utility Authority Board adopt Resolution No. CUA 2012-02, approving and adopting an advance lease payment to the City of Colton and adopting the budget commencing July 1, 2012 and ending June 30, 2013.

Motion and second by MPT Gonzales/CM Toro, to approve staff recommendation and adopt Resolution No. CUA 2012-02. Motion carried with CM Bennett voting no.

- 6) Recommend that the Board of Directors of the Colton Public Financing Authority approve and adopt Resolution No. CPFA 2012-01, establishing a regular meeting schedule and providing for other related matters.

Motion and second by MPT Gonzales/CM Toro, to approve staff recommendation and adopt Resolution No. CPFA 2012-01. Unanimous vote.

CITY COUNCIL DISCUSSION ITEMS

None.

CITY MANAGER'S REPORTS

None.

ADJOURNMENT

Mayor Zamora adjourned the regular council meeting at 10:23 p.m.

Eileen C. Gomez, CMC
City Clerk