

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

October 18, 2011

Closed Session meeting was held on the above-given date at 5:02 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 Item A and B.

CLOSED SESSION

- A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(a)
Case Name: City of Colton v. Ernest Grossich
Case Number: San Bernardino County Superior Court Case No. CIVSS 701112
- B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(a)
Case Name: Gary Grossich, Ernest Grossich, et al. v. City of Colton, et al.
Case Number: San Bernardino County Superior Court Case No. CIVDS 917057

PUBLIC COMMENT ON CLOSED SESSION

None.

Council Member Oliva announced that she would be recusing herself from discussion on Items A and B due to her involvement with the Union Pacific Railroad.

Mayor Zamora adjourned the meeting to Closed Session at 5:02 p.m. and at 6:13 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 on Items A and B with no reportable action.

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CITY COUNCIL/REDEVELOPMENT AGENCY/
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HOUSING AUTHORITY
REGULAR MEETING

October 18, 2011

Regular Meeting was held on the above-given date at 6:13 p.m., in the Council Chambers of City Hall, with Mayor Sarah S. Zamora presiding.

INVOCATION

Dave Mlynarski, Transtech

FLAG SALUTE

Thomas Leon, VFW Post 6476

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*

- Oath of Office - Steve Ward, Chief of Police

Mayor Sarah S. Zamora administered the Oath of Office to Steven Ward, the Newly-Appointed Police Chief. Chief Ward gave comments and graciously accepted his appointment.

- Recognition – Anthony Rodriguez, Honorary Citizen for Heroism

Anthony Rodriguez was recognized as an Honorary Citizen for his heroism and was presented with a certificate by Chief Ward. Anthony risked his own life and saved his mother from a vicious dog attack. He also faced the same confrontation from a vicious dog in his neighborhood last year.

- Recognition - Knights of Columbus Council #4017

Council Member Perez presented a Certificate of Recognition to the Knights of Columbus Council #4017, for being the recipient of the Father McGivney Award, named for the organization's founder, for outstanding membership recruitment and retention efforts during the 2010-2011 fraternal year.

- Recognition - 2011 Colton Birthday Celebration Sponsors

Mayor Sarah Zamora and Council Member Oliva presented plaques to local businesses that donated funds and sponsored the 2011 Colton Birthday Celebration.

- Recognition - Studio 33 celebrating 25 years business in Colton

Council Member Yzaguirre presented a Certificate of Recognition to Brian Saxton, Shop Manager from Studio 33 Productions. Back in August of this year, they celebrated 25 years of business in Colton. During their birthday celebration, they had circus acts and different vignette's of their many services. Studio 33 Productions provides demonstrations and workshops from leading manufacturers for new and used sound, lighting and special effects equipment.

- Recognition - Colton High School Cheerleaders

Council Members Toro and Oliva presented the entire squad with Certificates of Recognition for their participation in the United Spirit Association summer camp at UC Irvine. This year all 4 of divisions earned a Superior rating, that included Mascots, Freshmen squad, JV squad and Varsity squad. Along with earning the Superior rating they also received an invitation to participate in the 2012 Pro Bowl in Hawaii and the 2 captains, Marlene Barraza and Katie Richcreek, received an invitation to participate in the Macy's Thanksgiving Parade. Also, the girls that auditioned and were selected for the All American group received an invitation to perform in London and also to

perform at a UCLA halftime show, which they participated in. The squad performed a few cheers for all in attendance at this meeting.

- Recognition - Tony Morales, Past Utilities Commissioner

Council Member Oliva presented a Certificate of Appreciation to Tony Morales for his service on both the Utilities and Historic Preservation Commissions, and also for his service to the City of Colton.

MAYOR AND COUNCIL ITEMS

POSSIBLE CONFLICT OF INTEREST DISCLOSURES FOR THE COUNCIL MEETING OF OCTOBER 18, 2011.

Mayor Sarah 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 citizens addressed the Council:

Steven Wall, Elsa Aguilar, Ron Lawrence, Fred Cordova, Jose Olivar, John Anaya Sr., Arlin White.

Fire Chief Hendrix gave an update on the derailment at the Colton Crossing that occurred the morning of October 18, 2011. No injuries were reported.

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 July and August 2011 as presented by City Treasurer De La Torre.

CONSENT CALENDAR

City Manager Foster presented Consent Calendar Item Nos. 1 through 7 and stated they were ready for action.

Mayor Pro Tem Bennett pulled Item Nos. 5 and 6 for questions and Item No. 7 for discussion.

The following action was taken on the Consent Calendar:

Motion and second by Council Members Yzaguirre/Gonzales, to approve Consent Calendar Item Nos. 1 through 6, as presented. Unanimous Vote.

Motion and second by Council Member Yzaguirre/MPT Bennett, to approve Consent Calendar Item No. 7, as presented. Unanimous vote.

- (1) Minutes – Approved Minutes for the City Council Regular Meeting Held September 6, 2011, on File in the Office of the City Clerk.
- (2) Warrants – Approved Payable Warrants #124754 to #124886, Dated 9/29/11, Totaling \$1,618,923.85 and Payroll Disbursement Listing for 9/17/11 to 9/30/11, Totaling \$549,844.18, on File in the Finance Department.
- (3) Second Reading of Ordinance No. O-05-11 - Waived Full Reading and Passed Second Reading of Ordinance No. O-05-11, to Amend Title 18, Chapter 18.50 of the Colton Municipal Code Relating to Temporary Promotional Signs (File Index No.: Dap-000-926a), **ORDINANCE NO. O-05-11.**
- (4) Second Reading of Ordinance No. O-06-11 – Waived Full Reading and Passed Second Reading of the Uncodified Ordinance No. O-06-11, Adopting Year-Round Promotional Sign Regulations (File Index No.: Dap-000-926b), **ORDINANCE NO. O-06-11.**
- (5) 2010/2011 Measure I Amendment – Approved and Adopted a Resolution Amending and Adopting Fiscal Year 2010/2011 Measure I Capital Improvement Plan and Expenditure Strategy Plan, **RESOLUTION NO. R-93-11.**
- (6) Omnitrans Free Pass Pilot Program - Approved and Adopted a Resolution to Accept Entering into a Memorandum of Understanding (MOU) with Omnitrans and the City of Colton for One-Year Participation to Assist with a College Free Pass Pilot Program for City College Students attending California State University San Bernardino, Chaffey College, Crafton Hills College and San Bernardino Valley College in the Amount of \$14,895, **RESOLUTION NO. R-89-11.**
- (7) Organizational Structure – Approved and Adopted a Resolution Implementing a New Organizational Structure within the City of Colton; Creating or Modifying Positions and Accompanying Job Descriptions; and Adopting the City’s New Comprehensive Salary

Table, Thereby Repealing Section 6 of Resolution No. R-04-10, **RESOLUTION NO. R-95-11.**

BUSINESS ITEMS

None.

CITY COUNCIL DISCUSSION ITEMS

- Political Signage and Campaign Contributions (Council Member Toro)

Council Member Toro asked that this item be discussed at the workshop scheduled to be held on Saturday, October 29, 2011 at the Gonzales Center. He also asked for council support to direct City Manager Foster to research political reform with surrounding cities. City Attorney Derleth suggested that the Council provide comments on the information they are requesting be brought to the workshop. There was brief discussion regarding this matter.

There were public comments given by Gary Grossich on this item.

CITY MANAGER'S REPORTS

None.

ADJOURNMENT

At 9:35 p.m., Mayor Sarah Zamora adjourned the Regular Meeting.


Eileen C. Gomez, CMC
City Clerk