

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

February 19, 2013

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 Pro Tem David J. Toro 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, Mayor Pro Tem
Frank A. Gonzales
Frank J. Navarro
Susan M. Oliva
Deirdre Bennett (arrived at 5:30 p.m.)
Isaac T. Suchil

Staff Present

Rod Foster, City Manager
Roger Crawford, City Attorney
Eileen C. Gomez, City Clerk

Council Members/Staff Absent

None.

City Attorney Crawford announced that the City Council would meet in Closed Session to discuss Items A through E and read the titles for the record.

CLOSED SESSION

- (A) PUBLIC EMPLOYEE RELEASE
Pursuant to California Government Code, Section 54957
Title: City Manager
- (B) PUBLIC EMPLOYEE APPOINTMENT
Pursuant to California Government Code, Section 54957
Title: Acting/Interim City Manager
- (C) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to California Government Code, Section 54956.9(a)
Case Name: Gaylor Singletary v. City of Colton
Case No. San Bernardino County Superior Court CIVSS 800216
- (D) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Pursuant to California Government Code, Section 54956.9(c)
One (1) Potential Case: County of San Bernardino
Re: Property Tax Administration Fee (PTAF)

(E) 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

Mayor Zamora adjourned the meeting to Closed Session at 5:08 p.m. and at 6:05 p.m., the meeting reconvened. Roll Call was announced by City Clerk Gomez with all members present as heretofore.

City Attorney Crawford announced that the City Council did meet in Closed Session and did discuss and approve Item A, with a 6-0 vote (CM Bennett was absent), to accept City Manager Rod Foster's resignation effective March 14, 2013. City Attorney Crawford then reported that Item D was approved by a 6-0 vote (CM Bennett was absent), to enter into a Settlement Agreement with the County of San Bernardino (County) over payment of Property Tax Fees (PTF), requiring the County to pay the City of Colton \$207,300 within 30 days to cover the PTF payment for Fiscal Year 2009-2010. City Attorney Crawford stated there was no further reportable action. City Manager Foster stated that City Attorney Martinez pulled Item 12 from the February 19th agenda and it will be brought forward at a later date.

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CITY OF COLTON/COLTON UTILITY AUTHORITY/
COLTON PUBLIC FINANCING AUTHORITY AND
COLTON HOUSING AUTHORITY
REGULAR MEETING

February 19, 2013

Open Session of the Regular Meeting was called to order on the above-given date at 6:07 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, Mayor Pro Tem
Frank A. Gonzales
Frank J. Navarro
Susan M. Oliva
Deirdre Bennett
Isaac T. Suchil

Staff Present

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

Council Members/Staff Absent

None.

INVOCATION

Pastor Jonathan Florez, First Assembly of God Church

FLAG SALUTE

Steve Ferrance & Louie Barrera, American Legion Post 155

CEREMONIAL MATTERS *Presentations, Awards, Proclamations*

None.

MAYOR AND COUNCIL ITEMS

POSSIBLE CONFLICT OF INTEREST DISLOSURES FOR THE COUNCIL MEETING OF FEBRUARY 19, 2013.

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

- Richard De La Rosa – District 1 Planning Commission

Motion and second by MPT Toro/CM Navarro, to approve the appointment of Richard De La Rosa to the Planning Commission, District 1. Unanimous vote.

PUBLIC COMMENT

The following community members addressed the Council:

John Anaya, Sr., Rene Cespedes representing Congressman Gary Miller, Rachel Warner, Amador Roman, David Draper, Christine Irish-Ré, Jose Olivar, Ashley Jones representing Assemblymember Cheryl Brown, and Chris Mardis representing Supervisor Josie Gonzales.

MAYOR AND COUNCIL ORAL REPORTS AND COMMENTS

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

CITY TREASURER'S REPORTS

- Receive and File City Treasurer's Report for December 2012

It was a consensus of the Council to receive and file the City Treasurer's reports for December 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:

Council Member Gonzales had a question on Item No. 3.

Motion and second by CM Oliva/Bennett, to approve Consent Calendar Item Nos. 1 through 10. Unanimous vote.

- (1) Minutes – Approved Minutes for the City Council Regular Meeting Held February 5, 2013, on File in the Office of the City Clerk.
- (2) Warrants – Approved Payable Warrants #133168 to #133237, Dated 01/03/2013, Totaling \$2,011,778.86; Payable Warrants #133238 to #133367, Dated 01/10/2013, Totaling \$271,297.08; Payroll Disbursement Listing for 01/19/2013 to 02/01/2013, Totaling \$575,187.77, on File in the Finance Department.
- (3) License Agreement for Colton Police Activities League Boxing Program – Approved a Licensing Agreement with the Colton Police Activities League (PAL) for usage of the Savas Robledo Boxing Facility at the Art Thompson Teen Center to administer a boxing program for youth participants.
- (4) Phase II of the Southern California Public Power Authority Renewable Development Agreement - Approved Phase II of the Southern California Public Power Authority Renewable Development Agreement.
- (5) Richard Heath and Associates, Inc. Professional Services Agreement - Authorized the City Manager to execute a Letter of Participation for the Professional Services Agreement between Southern California Public Power Authority (SCPPA) and Richard Heath and Associates, Inc. (RHA) to complete residential and small business energy audits.
- (6) Notice of Completion for Citywide Concrete Repair Project - City Council approved the execution and recordation of notice of completion for the Citywide Concrete repair Project.
- (7) Approval of a Recognized Obligation Payment Schedule (ROPS) IV for July 1, 2013 through December 31, 2013 - Adopted a Resolution of the Successor Agency to the Redevelopment Agency for the City of Colton, approving a Recognized Obligation Payment Schedule (ROPS) IV for the period covering July 1, 2013 through December 31, 2013, pursuant to Health and Safety Code section 34177(m), RESOLUTION NO. SAR-01-13.
- (8) Set Public Hearing for Fiscal Year 2013-2014 Community Development Block Grant Funds – City Council set a public hearing date for March 5, 2013 for Fiscal Year 2013-2014 Community Development Block Grant Funds.

- (9) Restated Services Agreement with Shell Energy North America - Approved the Fourth Amendment to the Second Amended and Restated Services Agreement with Shell Energy North America.
- (10) Vacation of Public Right of Way and Alley along "F" Street and "E" Street between La Cadena Drive and 9th Street - Adopted a Resolution of Intent to vacate a portion of the public right of way and alley located along portions of "F" Street and "E" Street, between La Cadena Drive and 9th Street, pursuant to Streets and Highways Code Section 8300, et seq., RESOLUTION NO. R-08-13.

PUBLIC HEARING

None.

BUSINESS ITEMS

- (11) Code Enforcement Uniforms -- Consider and provide direction on the use of the City logo on Code Enforcement uniforms and vehicles, as well as a potential name change to Code Compliance.

Motion and second by CM Bennett/Suchil, to approve the use of the City logo on Code Enforcement uniforms and vehicles, as well as a name change to Code Compliance. Unanimous vote.

City Attorney Crawford reported that there will be one more Closed Session item discussed after the meeting closes, which is Item B – the appointment of the Acting/Interim City Manager.

CITY COUNCIL DISCUSSION ITEMS

- (12) Oral Report and Consideration of a Resolution Affirming and Preserving the Second Amendment – Council Member Bennett requests consideration of a Resolution affirming and preserving the Second Amendment to the United States' Constitution and requesting that Congress take appropriate actions thereon.

This item was pulled by City Attorney Martinez to be brought back at a later date.

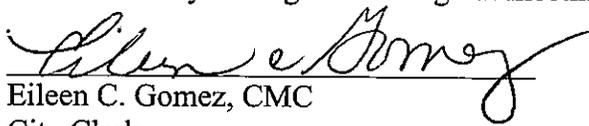
CITY MANAGER'S REPORTS

None.

ADJOURNMENT

At 7:56 p.m., Mayor Zamora adjourned the meeting to Closed Session in memory of Officers Jeremiah MacKay and Michael Crane.

Closed Session Roll Call was taken by City Attorney Roger Crawford with all members present as heretofore. There was reportable action on Item B, with the appointment of Mayor Pro Tem Toro, and Council Members Gonzales and Suchil, to an ad hoc committee for the recruitment of an Interim City Manager. The Regular meeting adjourned at 10:12 p.m.


Eileen C. Gomez, CMC
City Clerk