

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

April 2, 2013

The Regular Meeting of the Colton City Council was held on the above-given date and was called to order at 5:02 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, Mayor Pro Tem
Frank A. Gonzales
Frank J. Navarro
Susan M. Oliva
Deirdre H. Bennett
Isaac T. Suchil (arrived at 5:15 p.m.)

Staff Present

Stephen P. Compton, Interim City Manager
Bonnie Johnson, Management Services Director
Marco Martinez, City Attorney
Eileen C. Gomez, City Clerk

Council Members/Staff Absent

None.

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

CLOSED SESSION

- (A) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Initiation of litigation pursuant to Government Code section 54956.9(d)(4)
Number of potential cases: 1 (City of Grand Terrace - Sewer Agreement)
- (B) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to California Government Code, Section 54956.9(d)(1)
Case Name: Gaylor Singletary v. City of Colton
Case No. San Bernardino County Superior Court CIVSS 800216
- (C) 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

CLOSED SESSION PUBLIC COMMENT

None.

Mayor Zamora adjourned the meeting to Closed Session at 5:05 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 Martinez announced that the City Council did meet in Closed Session and did discuss Items A through C. With respect to Item C, there was no reportable action. Mr. Martinez stated that Item A involved discussion of potential litigation concerning an existing sewer agreement with the City of Grand Terrace. The Council voted unanimously with all members present, to authorize the extension of an existing tolling agreement for sewer services with the City of Grand Terrace for an additional six-month period. With respect to Item B, relating to a lawsuit filed by Mr. Singletary in regards to the recovery of promises from illegal bribes that Mr. Singletary made to former Council Members. The Council voted unanimously with all members present, to authorize the filing of a cross appeal in this case, after Mr. Singletary already filed an appeal in the case that he lost.

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CITY OF COLTON/COLTON UTILITY AUTHORITY/
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REGULAR MEETING

April 2, 2013

Open Session of the Regular Meeting was called to order on the above-given date at 6:04 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 H. Bennett
Isaac T. Suchil (arrived at 5:15 p.m.)

Staff Present

Stephen P. Compton, Interim City Manager
Bonnie Johnson, Management Services Director
Marco Martinez, City Attorney
Eileen C. Gomez, City Clerk

Council Members/Staff Absent

None.

INVOCATION

Pastor Dane Aaker, Centerpoint Church

FLAG SALUTE

Stephen Compton, Interim City Manager

CEREMONIAL MATTERS *Presentations, Awards, Proclamations*

- Proclamation -- National Library Week

Mayor Zamora read and presented a Proclamation in honor of National Library Week from April 14 through April 20, 2013. Library Board Trustee Pete Carrasco accepted the Proclamation on behalf of the Library Board and asked Library Manager Ed Pedroza and Library Board Trustee Patricia Chavez to approach the podium to provide information on future Library events.

- Proclamation – Earth Day 2013

Council Member Navarro read and presented a Proclamation honoring April 22, 2013 as Earth Day 2013. Adrienne Rogers, Energy Services Specialist, accepted the Proclamation and invited the community to attend the Earth Day celebration.

- Proclamation – Autism Awareness Month

Mayor Pro Tem Toro and Council Member Bennett read and presented a Proclamation of Autism Awareness Month.

MPT Toro thanked Mrs. Lillian Vasquez for the information regarding Autism Month. CM Bennett read and joined MPT Toro in presenting the Proclamation to Mr. Keith Weisgarver and his autistic 19-year-old son Grant, who was unable to attend the meeting. Mr. Weisgarver read a prepared statement on behalf of his wife Lillian Vasquez and thanked the Council for their support and recognition of Autism Month. CM Bennett also gave comments regarding the students she teaches that have special needs.

MAYOR AND COUNCIL ITEMS

POSSIBLE CONFLICT OF INTEREST DISLOSURES FOR THE COUNCIL MEETING OF APRIL 2, 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

None.

PUBLIC COMMENT

The following community members addressed the Council:

Sara Garcia, Field Representative for Assemblymember Cheryl Brown.

MAYOR AND COUNCIL ORAL REPORTS AND COMMENTS

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

CITY TREASURER'S REPORTS

None.

CONSENT CALENDAR

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

The following action was taken on the Consent Calendar:

Mayor Zamora asked that Page 4 on Item No. 1 be changed to reflect Acting City Manager Bonnie Johnson as presenting the Consent Calendar, and remove City Manager Foster.

CM Gonzales and CM Bennett pulled Item Nos. 3, 5 and 7 for questions.

Motion and second by CM Suchil/Oliva, to approve Consent Calendar Item Nos. 1 through 7, as presented with revisions to Item No. 1. Motion carried with CM Oliva recusing herself from the vote on Item No. 3 due to her relationship with Union Pacific.

- (1) Minutes – Approved Minutes for the City Council Regular Meeting Held March 19, 2013, on File in the Office of the City Clerk.
- (2) Warrants – Approved Payable Warrants #134126 to #134247, Dated 02/21/2013, Totaling \$773,325.19; Payable Warrants #134248 to #134372, Dated 02/28/2013, Totaling \$2,363,120.82; and a Payroll Disbursement listing for the period 03/02/2013 to 03/15/2013, totaling \$572,652.39, on File in the Finance Department.
- (3) Laurel Street Grade Separation Project Agreement – Approved recommendation that the City Council approve the execution of First Amendment to the Trade Corridor Improvement Fund (TCIF) Baseline Agreement for Laurel Street Grade Separation Project between the City of Colton, California Transportation Commission (CTC) and San Bernardino Associated Governments (SANBAG).
- (4) Notice of Completion for Mount Vernon Avenue Pavement Rehabilitation Project - Approved recommended that the City Council approve the execution and recordation of a Notice of Completion for the Community Development Block Grant (CDBG) Mount Vernon Avenue Pavement Rehabilitation Project.
- (5) First Amendment to Contract with Houston & Harris for Sewer Collection System Cleaning - Approve recommendation that the City Council authorize and amend the contract, in the form of the City's Standard Professional Services Agreement, to Houston & Harris in an amount not-to-exceed \$66,000 for the on-going Sewer Collection System Cleaning with the total contracts aggregate amount not-to-exceed \$291,000.

- (6) Contract Amendment to Best Drilling & Pump Inc. for Well Plant No. 13 Repair - Approve recommendation that the City Council declare that the failure of Well Plan No. 13 is an emergency repair and amend the contract, in the form of the City's Standard Maintenance Services Agreement, to Best Drilling & Pump Inc., in an amount not-to-exceed \$56,000 for repair work on Well Plan No. 13, with the total contract aggregate amount not-to-exceed \$81,567.
- (7) Acceptance of Fiscal Year 2010 Homeland Security Grant -- Approve recommendation that the City Council accept the Fiscal Year 2010 California Governor's Office of Homeland Security Grant for additional allocation of funds in the amount of \$13,898 and adopt a Resolution amending the Fiscal Year 2012-2013 Budget to include the grant revenue, RESOLUTION NO. R-16-13.

PUBLIC HEARING

- (8) Annual Weed Abatement

TIME AND PLACE FIXED TO CONSIDER A PUBLIC HEARING TO CONSIDER THE 2013 ANNUAL WEED ABATEMENT PROGRAM.

Mayor Zamora opened the Public Hearing. City Clerk Gomez announced that the Notice of Continuance is on file in the City Clerk's Office and no protests or objections were received.

Fire Marshall Alan Sork gave a brief summary on the 2013 Annual Weed Abatement Program.

PUBLIC COMMENT

None.

Motion and second to close the Public Hearing by CM Oliva/Suchil. Unanimous vote.

Motion and second by CM Suchil/Bennett, to approve the 2013 Annual Weed Abatement Program. Unanimous vote.

BUSINESS ITEMS

- (9) Wire and Metal Thefts Reward Program - Approved recommendation that the City Council establish a reward program for information leading to the identification, apprehension and conviction of person(s) responsible for wire and metal thefts from city-owned property.

City Attorney Martinez provided a summary on the reason for the program to deter wire and metal theft on City property. He explained that the program was coordinated by the Electric and Police Departments and would be monitored by the Police Department. He also stated that the Police Department will report back to the City Manager and there was discussion regarding a log of the individuals that received rewards for their information leading to identification, apprehension and conviction of individuals responsible for wire and metal theft.

Lt. Chuck deDianous provided information and answered questions from Council. There was discussion regarding this item.

Motion and second by CM Bennett/Suchil, to approve Staff's recommendation to establish a reward program for information leading to the identification, apprehension and conviction of person(s) responsible for wire and metal thefts from city-owned property, and that a log be provided by the Police Department when reward funds are distributed. Unanimous vote.

(10) Oral Report on current working projects including the Rancho Mediterrania Mobile Home Estates (Rancho Med) Assessment Costs

Interim City Manager Compton provided an overview of current working projects, stating that his two main tasks are the City Manager recruitment and the budget process to include workshops. He also provided a summary of a 16-unit fire that occurred at the apartments on Meadow Lane, and the way he will handle future situations in Colton. He also asked Chief McHargue to give a brief overview of the situation.

CITY COUNCIL DISCUSSION ITEMS

(11) Discussion and Direction Regarding Rancho Mediterrania Mobile Home Estates (Rancho Med) Assessment Costs – Approved staff's recommendation that the City Council review the information in this report and directed staff and the City Attorney to further review and refine the preliminary options for reducing the Rancho Med assessments.

Motion and second by CM Navarro/Suchil, to approve staff's recommendation that the City Council review the information provided and direct staff and the City Attorney to further review and refine the preliminary options for reducing the Rancho Med assessments. Unanimous vote.

CITY MANAGER'S REPORTS

Interim City Manager Compton informed the Council that he will be going on field trips with various department directors and will be a guest speaker with Colton Rotary. He also indicated that he will report out on the recruitment of the permanent City Manager and that he will be working with Bob Murray & Associates.

ADJOURNMENT

At 7:57 p.m., Mayor Zamora adjourned the Regular meeting in memory of Mr. Ernie Grossich, father of Gary Grossich; Mr. Warner Hodgdon, father of Aaron Hodgdon, prominent developers in Colton, and Shannon Michelle Martinez, Mayor Zamora's niece.


Eileen C. Gomez, CMC
City Clerk