

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 18, 2013

The Regular Meeting of the Colton City Council was held on the above-given date and was called to order at 5:04 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 as follows:

CITY COUNCIL ROLL CALL

Council Members Present

Sarah S. Zamora, Mayor
David J. Toro, Mayor Pro Tem
Frank A. Gonzales (arrived at 5:18)
Frank J. Navarro
Susan M. Oliva
Isaac T. Suchil

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

Deirdre H. Bennett

City Attorney Marco Martinez read Closed Session title A into the record.

CLOSED SESSION

A. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to California Government Code, Section 54956.8

Property Address: Along B Street, between 10th Street & 12th Street (APN No. 016-120-307)

Negotiating Parties: Stephen Compton, Amer Jakher

Under Negotiation: Price and Terms of Sale

CLOSED SESSION PUBLIC COMMENT

None.

Mayor Zamora adjourned the meeting to Closed Session at 5:04 p.m. and at 6:03 p.m., the meeting reconvened. Roll Call was announced by City Clerk Gomez with all members present as heretofore, with CM Bennett being absent from this meeting.

City Attorney Martinez announced that the City Council did meet in Closed Session and did discuss Item A, with no reportable action.

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

June 18, 2013

Open Session of the Regular Meeting was called to order on the above-given date at 6:03 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 (arrived at 5:18)
Frank J. Navarro
Susan M. Oliva
Isaac T. Suchil

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

Deirdre H. Bennett

INVOCATION

Pastor Jonathan Florez, First Assembly of God

FLAG SALUTE

Steve Ferrance, Louie Barrera, and Richard Alvarado, the newly elected American Legion Post 155 Commander

CEREMONIAL MATTERS Presentations, Awards, Proclamations

- Presentation - CPR Demonstration by Diana McCafferty from AMR

Diana McCafferty and Medical Response Team members from American Medical Response (AMR) provided a video and hands-on CPR training for Council Members and staff at the dais.

- Presentation - Business Focus – Yum Yum Restaurant

Council Member Suchil read and presented a Certificate of Recognition to Mrs. Helen Liu, owner of Yum Yum Restaurant as the Business Focus of the Month.

MAYOR AND COUNCIL ITEMS

POSSIBLE CONFLICT OF INTEREST DISLOSURES FOR THE COUNCIL MEETING OF JUNE 18, 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.

AB 1234 ORAL REPORTS

Council Member Oliva reported that she attended the League of California Cities Conference in Sacramento with Council Member Bennett and gave a brief overview of the issues discussed in their meetings. She also acknowledged Assemblymember Cheryl Brown for her support of the San Bernardino Valley Enterprise Zone funds for this area.

MAYOR AND COUNCIL DISCUSSION ITEMS

- David Turch & Associates for Legislative Advocacy

Interim City Manager Stephen Compton provided the background on David Turch & Associates and their background in legislative advocacy. Mr. David Turch presented a brief overview of his company and their services, and thanked the Council for allowing his organization to serve as federal advocates for Colton for a decade. Mr. Compton informed the Council that he would follow up and provide the Council with a recommendation.

- San Bernardino International Airport Authority

Interim City Manager Stephen Compton introduced Christy Elshof, Economic Development Project Manager, as the presenter for this item. Ms. Elshof provided the Council with information regarding the agenda process for the San Bernardino International Airport Authority (SBIAA). There was discussion regarding the relationship with the SBIAA and the City of Colton.

APPOINTMENTS

- Designate League Voting Delegate and Alternates

Motion and second by CM Suchil/Oliva, to designate Council Member Navarro as the Voting Delegate for the League of California Cities Annual Conference to be held September 18 – 20, 2013. Council Member Oliva was nominated as the First Alternate and Mayor Sarah Zamora was nominated as the Second Alternate. Motion carried with CM Bennett being absent.

PUBLIC COMMENT

The following community members addressed the Council:

Beverly Powell, Southern California Edison; Lesley Stevens, Sales Manager at Hampton Inn; Deidre Rodriguez, San Bernardino Public Employees Association; Dr. Luis Gonzales; Annette Lira, Senior Customer Service Representative; Gabriel Corral, Knights of Columbus Council 4017; Jose Olivar; Christine Irish-Ré; Susan Patane, CalPortland; Rick Garcia, IBEW #47; and Robert Gomez.

MAYOR AND COUNCIL ORAL REPORTS AND COMMENTS

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

At 8:47 p.m., Mayor Zamora called for a recess of the Regular Council meeting.

At 9:00 p.m., the Regular Council meeting reconvened and was called to order by Mayor Zamora with all members present as heretofore.

CITY TREASURER'S REPORTS

- Receive and File City Treasurer's Report for April 2013.

It was a consensus of the Council to receive and file the City Treasurer's reports for April 2013.

CONSENT CALENDAR

Interim City Manager Compton presented Consent Calendar Item Nos. 1 through 15 for action by Council.

CM Suchil had comments on Item Nos. 4, 7 and 8.

CM Gonzales had comments on Item Nos. 7 and 8.

Motion and second by CM Suchil/Navarro, to approve Consent Calendar Item Nos. 1 through 15, as presented. Motion carried with CM Bennett being absent.

- (1) Warrants – Approved Payable Warrants #135574 to #135709, Dated 5/9/13, Totaling \$1,013,426.53; Payable Warrants #135710 to #135838, Dated 5/16/13, Totaling \$23,378,283.78; and a Payroll Disbursement listing for the period 5/11/13 to 5/24/13, totaling \$702,991.29, on File in the Finance Department.
- (2) Second Reading of O-02-13 – Waived Further Reading and Approved Second Reading of Ordinance to Amend Chapter 18.28 of Title 18 of the Colton Municipal Code Pertaining to Automobile-Related Uses in the M-2 Heavy Industrial Zone (File Index No. DAP-001-094), ORDINANCE NO. O-02-13.
- (3) Fireworks Booth Allocations for Civic Groups – Approved and Adopted a Resolution to Repeal Resolution No. R-38-09, Amending Fireworks Booth Allocations for Civic Groups, RESOLUTION NO. R-45-13.
- (4) City Clerk's Department Staffing Plan - Authorized a Temporary Part-time Position in the City Clerk's Office.
- (5) 2013-14 Annual Special Tax for Community Facilities Districts (CFDs) - Approved and Adopted Resolutions Authorizing 2013-14 Annual Special Tax Levy for CFDs 87-1, 88-1, 89-1, 89-2 and 90-1, RESOLUTION NOS. R-40-13, R-41-13, R-42-13, R-43-13, R-44-13.

- (6) 2013 Byrne Memorial Justice Assistance Grant (JAG) – Approved and Adopted a Resolution Authorizing the Acceptance of the 2013 Edward Byrne Memorial Justice Assistance Grant (JAG) in the Amount of \$14,006, along with Its Accompanying Memorandum of Understanding (MOU) with the County of San Bernardino, RESOLUTION NO. R-55-13.
- (7) Extension of Contract with Willdan Engineering – Authorized the Interim City Manager to Execute a First Amendment to the Professional Services Agreement with Willdan Engineering to Continue Providing Building Official, Plan Check and Building Inspection Services for 90-Days to Allow for an Open Bidding Process to Occur, as per the Terms of the Professional Services Agreement Amendment.
- (8) Award of Bid to Fairview Ford - Awarded Bid for the Purchase and Delivery of Four (4) New City Vehicles for the Water/Wastewater Division to Fairview Ford in the Amount Not-to-Exceed \$195,180.46.
- (9) Annual Levy of Tax Assessments for Improvement District “A” - Approved and Adopted a Resolution Authorizing the 2013-14 Annual Levy of Tax Assessments for Improvement District “A” (James Sullivan Mutual Water Company), RESOLUTION NO. R-47-13.
- (10) Professional Services Agreement with Minagar and Associates, Inc. – Authorized Execution of a Professional Services Agreement with Minagar and Associates, Inc., for Traffic Engineering Services for Fiscal Year 2013-14 in the Amount Not-to-Exceed \$50,000 with an Option to Renew for Two Additional One-Year Term.
- (11) Set Public Hearing for Basic Fee for Storm Water Services and Storm Water Management User Fee – Set Public Hearing for July 2, 2013 to Approve and Adopt a Resolution Approving the Basic fee for Storm Water Services and the Storm Water Management User Fee as Provided for in Chapter 14.01 of the Colton Municipal Code.
- (12) Notice of Completion for Community Development Block Grant (CDBG) “C” Street Underpass Landscaping Project – Approved the Execution and Recordation of a Notice of Completion for CDBG “C” Street Underpass Landscaping Project; Approve and Adopt a Resolution to Transfer Savings from CDBG #104-37105/3625 Mt. Vernon Ave Pavement Rehabilitation Project in the Amount of \$17,109.18 and \$10,000 of CDBG Unprogrammed Funds to CDBG #104-37305-3654 “C” Street Landscaping Project, RESOLUTION NO. R-38-13.
- (13) Professional Services Agreement with Hye City Engineering - Authorized the Award of Professional Services Contract to Hye City Engineering for Project Management Services for the Agua Mansa Sewer Project in the Amount Not-to-Exceed \$53,770.
- (14) Vehicle Services Maintenance Contract with Fire Apparatus Solutions – Approved an Award of a Piggyback Contract with Fire Apparatus Solutions for the Fire Department Vehicle Services Maintenance in an Amount Not-to-Exceed \$125,000 per Year; Authorize the Interim City Manager to Sign the Contract.

- (15) Used Oil Payment Program Fiscal Year 2013/2014 – Approved and Adopted a Resolution Authorizing the County of San Bernardino Household Hazardous Waste Department to be the Lead Agency in the Used Oil Payment Program Fiscal Year 2013/2014 and Authorizing the City Manager, or His Designee to Sign the Authorization Letter, RESOLUTION NO. R-46-13.

PUBLIC HEARING

- (16) Landscape Lighting Maintenance District 1 (LLMD-1) – Fiscal Year 2013-14

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 2013-14 FOR THE LANDSCAPE LIGHTING AND MAINTENANCE DISTRICT 1.

Mayor announces the Public Hearing Open.

City Clerk submits the Affidavit of Publication and reports on protests or objections thereto.

Mayor Zamora read the titles of Resolution Nos. R-48-13 and R-49-13 into the record. City Clerk Gomez announced that the Affidavit of Publication is on file in the City Clerk's Office and no protests or objections were received.

Public Works Director Amer Jakher provided an oral report on this item and answered questions from Council Members.

Mayor Zamora opened the Public Hearing.

PUBLIC COMMENT

None.

Motion and second by CM Oliva/CM Gonzales, to close the public hearing. Interim City Manager Stephen Compton asked that the Public Hearing remain open to hear remarks from a representative from Willdan Engineering. Mr. Jakher provided further information regarding this item.

Council Member Oliva rescinded her original motion, then restated her motion to close the public hearing. Council Member Navarro seconded this motion. Motion carried with CM Bennett being absent.

After further discussion, the following action was taken on this item:

Motion and second by CM Gonzales/Suchil, to approve this item with necessary revisions to be completed by staff, with City Manager and City Attorney review. Motion carried with CM Bennett being absent.

(17) Landscape Lighting Maintenance District 2 (LLMD-2) – Fiscal Year 2013-14

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 2013-14 FOR THE LANDSCAPE LIGHTING AND MAINTENANCE DISTRICT 2.

Mayor announces the Public Hearing Open.

City Clerk submits the Affidavit of Publication and reports on protests or objections thereto.

Mayor Zamora read the titles of Resolution Nos. R-50-13 and R-51-13 into the record. City Clerk Gomez announced that the Affidavit of Publication is on file in the City Clerk's Office and no protests or objections were received.

Public Works Director Amer Jakher provided an oral report on this item and answered questions from Council Members.

Mayor Zamora opened the Public Hearing.

PUBLIC COMMENT

None.

Motion and second by MPT Toro/CM Oliva, to close the public hearing. Motion carried with CM Bennett being absent.

Motion and second by MPT Toro/CM Navarro, to move this item forward and with necessary revisions to be completed by staff, with City Manager and City Attorney review. Motion carried with CM Bennett being absent.

(18) Solid Waste Rates

TIME AND PLACE FIXED TO CONSIDER APPROVING A RESOLUTION ESTABLISHING THE FISCAL YEAR 2013/2014 MUNICIPAL SOLID WASTE RATES.

Mayor announces the Public Hearing Open.

City Clerk submits the Affidavit of Publication and reports on protests or objections thereto.

Mayor Zamora read the title of Resolution No. R-52-13 into the record. City Clerk Gomez announced that the Affidavit of Publication is on file in the City Clerk's Office and 13 protests were received.

Public Works Director Amer Jakher provided an oral report on this item and answered questions from Council Members.

Mayor Zamora opened the Public Hearing.

PUBLIC COMMENT

None.

Motion and second by CM Gonzales/Oliva, to close the public hearing. Motion carried with CM Bennett being absent.

Motion and second by CM Oliva/Suchil, to move this item and approve staff recommendation. Motion carried with Council Member Gonzales voting no and CM Bennett being absent.

BUSINESS ITEMS

- (19) Fiscal Year 2013-14 Budget - Approved and Adopted Fiscal Year 2013-14 Budget Resolution for City Council, RESOLUTION NO. R-53-13; RESOLUTION CUA 2013-02; RESOLUTION NO. CHA-03-13; Approved and Adopted a Resolution Approving and Adopting the Annual Gann Limit for Fiscal Year 2013-14, RESOLUTION NO. R-54-13; Approved and Adopted the Final Resolution Amending the Existing Electric Rates and Charges, Creating a New Electric Rate Structure, RESOLUTION NO. R-39-13.

Motion by CM Suchil/Navarro, to move the item forward and approve staff recommendations, directing staff to provide a list of positions with salaries and qualifications to the Council. Motion carried with CM Bennett being absent.

COUNCIL WORKSHOP

- (20) Disposition of the Design Review Committee - Discussed the Future Disposition of the Design Review Committee; Reported on the History of Creating the Design Review Committee, its Purpose and Function, and the Feasibility of Eliminating it. *(Continued from 6/4/13 meeting)*

Development Services Director Mark Tomich provided the background on the creation and history of the Design Review Committee. There was discussion regarding this item and Mr. Tomich continued to answer questions from the Council.

Council Member Suchil recommended the creation of an ad hoc committee to determine the future of the Design Review Committee. It was a consensus of the Council to appoint Council Members Suchil, Oliva and Gonzales to serve on this committee and to schedule a meeting to discuss this issue.

PUBLIC COMMENT

The following community members addressed the Council:

Gary Grossich, Nickelodeon Pizza.

CITY MANAGER'S REPORTS

- (21) ICSC RECon 2013 Report/AB 1234 (GC Section 53232.3(d)). *(Continued from 6/4/13 meeting)*

Interim City Manager Compton reported that he attended the ICSC ReCon Conference in Las Vegas, and provided a brief summary of his field work with staff and Council Members that attended.

- (22) Discussion Surrounding July 2, 2013 Meeting. *(Verbal Report)*

Interim City Manager Compton asked the Council to determine whether they would like to proceed with the scheduled Regular Council meeting on July 2, 2013 or if they chose to go dark on this date. It was determined that there will be a Regular Council meeting on July 2, 2013.

ADJOURNMENT

At 11:06 p.m., there was a motion and second by CM Gonzales/CM Navarro, to adjourn the Regular meeting. Motion carried with CM Bennett being absent.



Eileen C. Gomez, CMC
City Clerk