

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

July 16, 2013

The Regular Meeting of the Colton City Council was held on the above-given date and was called to order at 5:00 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 5:13)
Frank J. Navarro
Susan M. Oliva
Isaac T. Suchil

Staff Present

Stephen P. Compton, Interim City Manager
Sonia Carvalho, City Attorney
Eileen C. Gomez, City Clerk

Council Members/Staff Absent

Deirdre H. Bennett

City Attorney Sonia Carvalho read Closed Session titles A through D into the record.

CLOSED SESSION

- A. CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION
Pursuant to Government Code Section 54956.9(c)
Over-pumping of the Rialto-Colton Basin
- B. 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)
- C. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Initiation of Litigation Pursuant to Government Code Section 54956.9(d)(4)
Number of Potential Cases: 1 (Dispute with Lucky Oil Regarding Past Due Electric Charges)
- D. 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

CLOSED SESSION PUBLIC COMMENT

None.

Mayor Sarah S. Zamora adjourned the meeting to Closed Session at 5:01 p.m. and at 6:09 p.m., the meeting reconvened, with Mayor Sarah S. Zamora presiding. Roll Call was announced by City Clerk Eileen C. Gomez with all members present as heretofore.

City Attorney Carvalho announced that the City Council did meet in Closed Session and did discuss Items A, B and D, with no reportable action. City Attorney Carvalho reported that Council will reconvene to discuss Item C regarding Lucky Oil at the end of open session.

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

July 16, 2013

Open Session of the Regular Meeting was called to order on the above-given date at 6:09 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 5:13)
Frank J. Navarro
Susan M. Oliva
Isaac T. Suchil

Staff Present

Stephen P. Compton, Interim City Manager
Sonia Carvalho, City Attorney
Eileen C. Gomez, City Clerk
Aurelio De La Torre, City Treasurer

Council Members/Staff Absent

Deirdre H. Bennett

INVOCATION

Gilbert Arrieta, Colton First Assembly

FLAG SALUTE

Steve Ferrance, American Legion Post 155

CEREMONIAL MATTERS *Presentations, Awards, Proclamations*

Assemblymember Cheryl Brown, representing the 47th Assembly District, presented a Proclamation to the Council in honor of the City of Colton's 126th Birthday celebration.

MAYOR AND COUNCIL ITEMS

POSSIBLE CONFLICT OF INTEREST DISCLOSURES FOR THE COUNCIL MEETING OF JULY 16, 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

None.

PUBLIC COMMENT

The following community members addressed the Council:

John Anaya, Sr.; Alfonso Mendoza; Rene Cespedes, Congressman Gary Miller Field Representative; Richard Prieto; Paula Flores and Randy Rivera, Relay For Life; Tawni Serrano, Active Youth Scholars Association; Stan Stosel, IBEW 47; and Christine Irish-Ré.

APPOINTMENTS

None.

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 May 2013.

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

CONSENT CALENDAR

Interim City Manager Compton presented Consent Calendar Item Nos. 1 through 10 for action by Council.

The following action was taken on the Consent Calendar:

CM Gonzales had questions and comments on Item Nos. 2, 3, 4, 7, 8 and 9.

MPT Toro commented on Item Nos. 7 and 8, and asked that Item No. 8 be pulled for a separate vote.

CM Oliva had questions on Item No. 1.

Item No. 8 - Public Works Director Amer Jakher provided information and answered questions from Council Members regarding the installation of the stop sign at the intersection of La Cadena Drive and Litton Avenue. CM Suchil commented that direction was previously given regarding lighting and a traffic report. There was discussion regarding this item and Mayor Zamora opened Public Comment.

PUBLIC COMMENT

The following community members addressed the Council on Item No. 8:

Ron Lawrence

Motion and second by CM Suchil/Oliva, to approve the Consent Calendar as presented.

Amended Motion and second by CM Navarro/MPT Toro, to approve the Consent Calendar as presented, and to pull Item No. 8 until further information is provided. Motion carried with CM Bennett being absent.

- (1) Warrants – Approved Payable Warrants #135839 to #135999, Dated 5/23/13, Totaling \$1,527,940.78; Payable Warrants #136000 to #136118, Dated 5/30/13, Totaling \$1,123,837.69; Payable Warrants #136119 to 136279, dated 6/6/13, Totaling \$1,082,613.88; Payable Warrants #136280 to 136399, dated 6/13/13, Totaling \$2,128,102.16, a Payroll Disbursement listing for the period 5/25/13 to 6/7/13, totaling \$616,958.65; and a Payroll Disbursement listing for the period 6/8/13 to 6/21/13, totaling \$715,811.54, on File in the Finance Department.
- (2) Contract with Department of Education for Preschool Services – Approved and Adopted a Resolution Approving the State of California Contract CSPP-3401 for the Provision of Preschool Education Services in the Early Childhood Education Division of the Community Services Department for Fiscal Year 2013-14, RESOLUTION NO. R-57-13.
- (3) Agreement with Riverside Land Conservancy - Authorized the City Manager to Execute the Agreement with Riverside Land Conservancy to Conduct Phase I Evaluation of Proposed Conservation Parcels within the West Valley Habitat Conservation Plan.
- (4) Professional Services Agreement with RBF Consulting – Approved a Professional Services Agreement with RBF Consulting to Complete the West Valley Habitat Conservation Plan in the Amount Not-to-Exceed \$15,000.
- (5) Amendment to Professional Services Agreement with Hall and Foreman, Inc. - Approved Amendment to the Professional Services Agreement with Hall and Foreman, Inc., to Complete Colton’s Hub City Centre Specific Plan.
- (6) Amendment to Professional Services Agreement with The Altum Group – Approved Amendment to the Professional Services Agreement with The Altum Group to Complete Colton’s Hub City Centre Specific Plan Environmental Impact Report.
- (7) Beautification Committee – City Wide, Colton Pride – Approved the Creation of a Beautification Program Campaign to be called “City-wide – Colton Pride” Campaign for FY 2013-14; and Adopt a Resolution Establishing a Separate Fund Account for Receipt of Monetary Support and Community Donations for the Program, RESOLUTION NO. R-62-13.

- (8) Traffic Control Device for La Cadena Drive and Litton Avenue Intersection – Provide Direction to Staff Concerning the City of Grand Terrace’s Request that the City of Colton Enter into an Agreement Indemnifying Grand Terrace from any Claims related to the Installation of the Stop Signs at La Cadena Drive and Litton Avenue; and Authorize the City Attorney to Draft the Indemnification Agreement and Authorize the City Manager to Execute the Agreement. **ITEM WAS PULLED FOR SEPARATE VOTE**
- (9) Landscape Lighting Maintenance District 1 and 2 Staffing - Approved and Adopted a Resolution Transferring the \$65,082 Savings from the Landscape Lighting and Maintenance Districts (LLMD) Utilities Account to the Salary and Benefits Account, RESOLUTION NO. R-63-13.
- (10) Minutes – Approved Minutes for the Regular City Council Meeting Held June 4, 2013, on File in the Office of the City Clerk.

PUBLIC HEARING

- (11) Arbor Terrace Multi-Family Housing Project

TIME AND PLACE FIXED TO CONSIDER A PUBLIC HEARING REGARDING ISSUANCE OF MULTIFAMILY REVENUE BONDS BY THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$17,000,000 REGARDING ACQUISITION AND REHABILITATION OF THE ARBOR TERRACE APARTMENTS; APPROVE AND ADOPT A RESOLUTION APPROVING THE PROPOSED FINANCING BY THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY (CSCDA).

Mayor Zamora read the title of Resolution No. R-58-13 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.

Redevelopment Manager Art Morgan provided a brief summary of the project history and introduced the developer Seth Gellis, Senior Project Manager for WNC and Caitlin Lanctot, Program Manager for California Statewide Communities Development Authority (CSCDA). Mr. Gellis provided a report on the project and answered questions from Council Members.

Mayor Zamora opened the Public Hearing.

PUBLIC COMMENT

None.

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

Motion and second by CM Gonzales/Oliva, to move the item and approve staff recommendation. Motion carried with CM Bennett being absent.

(12) General Plan Amendment

TIME AND PLACE FIXED TO CONSIDER APPROVING A RESOLUTION ADOPTING A GENERAL PLAN AMENDMENT FOR COMPREHENSIVE UPDATES TO THE LAND USE ELEMENT, HOUSING ELEMENT AND CIRCULATION ELEMENT OF THE GENERAL PLAN AND RESOLUTION CERTIFYING THE FINAL EIR AND ADOPTING A MITIGATION MONITORING PROGRAM.

Council Member Suchil asked that this item be pulled and placed on a future agenda as a workshop item. Motion and second by CM Oliva/MPT Toro, to have staff present this item and provide the PowerPoint presentation in a workshop format at a future Council meeting. Motion carried with CM Bennett being absent.

BUSINESS ITEMS

(13) Renewable Portfolio Standard Compliance and Enforcement Program - Approved and Adopted a Resolution Amending and Restating Resolution No. R-103-11 Relating to the City's Renewables Portfolio Standard Policy in Compliance with SB X 1 2, the Renewables Portfolio Standards Guidebook, and the Enforcement Procedures for Local Publically Owned Utilities, RESOLUTION NO. R-59-13.

Electric Utility Director David Kolk provided an oral report and answered questions from Council Members regarding the City's Renewables Portfolio Standard Policy.

Motion and second by CM Suchil/MPT Toro, to move the item forward and approve Resolution No. R-59-13. Motion carried with CM Bennett being absent.

CITY COUNCIL DISCUSSION ITEMS

None.

CITY MANAGER'S REPORTS

Interim City Manager Compton provided a brief overview of his current working projects as outlined in the handout he provided to Council.

ADJOURNMENT

At 9:15 p.m., Mayor Zamora adjourned the Regular Council meeting to Closed Session to continue discussion on Item C regarding the City's dispute with Lucky Oil.

At 9:55 p.m., City Attorney Carvalho reported that there was discussion on Item C with no reportable action, and at 9:56 p.m., Mayor Zamora announced that the Regular Council meeting was adjourned.



Eileen C. Gomez, CMC
City Clerk