

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
CLOSED SESSION MINUTES

December 2, 2014

Closed Session Meeting was held on the above given date at 5:00 p.m., in the Council Chambers of City Hall, with Mayor Zamora presiding.

CITY COUNCIL ROLL CALL

Councilmembers present were, Toro (*appeared at 5:05 p.m.*), Navarro, Oliva, Bennett, MPT Suchil and Mayor Zamora. CM Gonzales absent.

STAFF PRESENT

Acting City Manager Smith, City Attorney Campos, and City Clerk Padilla.

PUBLIC COMMENT

None.

City Attorney Campos announced that the City Council would meet in Closed Session to Discuss items A, B, and C.

CLOSED SESSION

- A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Pursuant to Government Code section 54957(b)
Title: City Attorney

- B. PUBLIC EMPLOYEE APPOINTMENT
Pursuant to Government Code Section 54957
Title: Interim City Manager/City Manager

- C. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Pursuant to Government Code section 54956.9(d)(1)
Name of Case: Stephen P. Compton v. City of Colton
Case Number: San Bernardino Superior Court No. CIVDS1415329

Mayor Zamora adjourned the meeting to Closed Session at 5:02 p.m. and at 6:00 p.m., the meeting reconvened, with all members present as heretofore.

City Attorney Campos announced that the City Council did meet in Closed Session and discussed Items A, B, and C with direction to Staff and 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 MINUTES

December 2, 2014

Regular Meeting held on the above-given date at 6:02 p.m. in the Council Chambers of City Hall, with Mayor Sarah S. Zamora presiding.

INVOCATION

Pastor Jonathon Florez, First Assembly of God
Pastor Dane Aaker, Centerpoint Church

FLAG SALUTE

Seth Kevin Zamora-Johnson
Selah Elizabeth Zamora-Johnson
Raquel Zamora Jorin
Joaquin Zamora Jorin

CITY COUNCIL ROLL CALL

Council Members Present

Sarah S. Zamora, Mayor
David J. Toro
Frank J. Navarro
Susan M. Oliva
Deirdre H. Bennett
Isaac T. Suchil, Mayor Pro Tem

Staff Present

Bill Smith, Acting City Manager
Carlos Campos, City Attorney
Carolina R. Padilla, City Clerk

Council Members/Staff Absent

Frank A. Gonzales

CITY CLERK ITEMS

CANVASS OF ELECTION

- (1) Approve and Adopt a Resolution of the City Council Reciting the Fact of the General Municipal Election held on November 4, 2014, Declaring the Result and such other matters as provided by Law, RESOLUTION NO. R-110-14.

Motion and Second by CM Navarro/CM Oliva to approve and adopt Resolution No. R-110-14. No Opposition to the motion. Motion Carried with CM Frank Gonzales absent.

PRESENTATION TO OUTGOING CITY OFFICIALS BY INVITED DIGNITARIES/REPRESENTATIVES.

San Bernardino County Board of Supervisors

Presentation by Dan Flores, Chief of Staff for Supervisor Josie Gonzales, Fifth District, San Bernardino County Board of Supervisors and John Futch, Field Representative for Supervisor James Ramos, Third District, San Bernardino County Board of Supervisors; Resolutions adopted by the full board of the San Bernardino County Board of Supervisors: First Presentation: Councilmember Frank Gonzales, accepted on his behalf by the Colton City Treasurer, Aurelio De La Torre; Second Presentation: Councilmember Susan Oliva, accepted by CM Oliva.

Presentation

Presentation by Mayor-Elect DeLaRosa a Gavel/Sound Board with the inscription of her name and term of office (*August 2011 through December 2014*); on behalf of the full Council; Accepted by Mayor Zamora.

COMMENTS FROM OUTGOING CITY OFFICIALS

Personal Comments from outgoing City Officials.

Each leaving Councilmember/Mayor shared/presented comments as to the successful projects occurred during their term of office and related representation for their particular district/city as a whole. Acknowledgement included specific staff members and all inclusive involvement with all employees of the City of Colton. Individual citizens of the City of Colton were also recognized.

On behalf of Councilmember Frank Gonzales, City Treasurer Aurelio De La Torre shared a synopsis of a statement from Councilmember Gonzales.

Presentation (cont'd)

Presentation by Mayor-Elect DeLaRosa to Mayor Zamora and family members present a Gavel/Sound Board with the inscription naming Mayor David Zamora and term of office (*December 2010 through July 2011*) in memoriam; on behalf of the full Council and staff.

Mayor Zamora presented to outgoing CM Oliva (*2006 through 2014*) and CM Gonzales (*2010 through 2014*) (*accepted by City Treasurer De La Torre*) a plaque for distinguished service; on behalf of the full Council.

Presentation by Dan Flores, Chief of Staff for Supervisor Josie Gonzales, Fifth District, San Bernardino County Board of Supervisors and John Futch, Field Representative for Supervisor James Ramos, Third District, San Bernardino County Board of Supervisors; Resolution adopted by the full board of the San Bernardino County Board of Supervisors to Mayor Sarah Zamora.

Personal Comments to outgoing City Officials from the sitting Council

Each sitting elected official (MPT Suchil/CM Bennett/CM Toro/CM Navarro/City Treasurer De La Torre and Mayor Zamora) acknowledged and commented on the service and dedication of the outgoing city officials.

OATH OF OFFICE

The newly elected City Officials were called forward. The Oath of Office was administered by City Clerk Padilla to Councilmember-Elect David J. Toro and Councilmember-Elect Luis S. González.

Former Mayor Sarah Zamora administered the Ceremonial Oath of Office to Councilmember-Elect Summer Jorin;

Warden Cynthia Y. Tampkins administered the Ceremonial Oath of Office to Mayor-Elect Richard DeLaRosa;

The Certificate of Election was issued by City Clerk Carolina R. Padilla.

Recess: 7:27 p.m.

Reconvened: 7:49 p.m.

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 (*cont'd*)

December 2, 2014

Regular Meeting continued on the above-given date at 7:50 p.m. in the Council Chambers of City Hall, with Mayor Richard DeLaRosa presiding.

CITY COUNCIL ROLL CALL

Council Members Present

Richard DeLaRosa, Mayor
David J. Toro
Summer Jorrin
Frank J. Navarro
Luis González
Deirdre H. Bennett
Isaac T. Suchil, Mayor Pro Tem

Staff Present

Bill Smith, Acting City Manager
Carlos Campos, City Attorney
Carolina R. Padilla, City Clerk

Council Members/Staff Absent

None.

COMMENTS FROM INCOMING CITY OFFICIALS

New sitting members of Council made comments that acknowledged the different experiences that resulted in being elected and a synopsis of their goals and objectives going forward as a member of the city council.

CEREMONIAL MATTERS *Presentations, Awards, Proclamations*

None

MAYOR AND COUNCIL ITEMS

POSSIBLE CONFLICT OF INTEREST DISCLOSURES FOR THE COUNCIL MEETING OF DECEMBER 2, 2014.

Mayor DeLaRosa asked the members present if there were any agenda items that were a conflict of interest pursuant to CMC Section 2.04.030. None disclosed.

AB 1234 ORAL REPORTS

Mayor DeLaRosa asked the members present if there were any brief reports on meetings attended at the expense of the City. (*GC Section 53232.3(d)*). None disclosed.

MAYOR AND COUNCIL DISCUSSION ITEMS

None.

APPOINTMENTS

Intergovernmental Agency Appointments

a. Inland Valley Development Agency (IVDA)

The appointments are to include: two primary board members and one alternate board member.

Motion and Second by CM Bennett/MPT Suchil nominating Mayor DeLaRosa (*Primary*)/CM Jorin (*Primary*); No Opposition to the Motion. Unanimous vote.

Motion and Second by CM Navarro/MPT Suchil nominating CM Bennett (*Alternate*); No Opposition to the Motion. Unanimous vote.

b. San Bernardino International Airport Authority (SBIAA)

The appointments are to include: one primary board member and one alternate board member.

Motion and Second by CM Bennett/MPT Suchil nominating Mayor DeLaRosa (*Primary*)/CM Jorin (*Alternate*); No Opposition to the Motion. Unanimous vote.

PUBLIC COMMENT

The following community members addressed the Council: Cecilia Castorena.

MAYOR AND COUNCIL ORAL REPORTS AND COMMENTS

With no objection from Councilmembers present, Mayor De La Rosa concurred with request by MPT Suchil to move this item to the end of the agenda and to bring forward Item 10 under Business Items for action by Council.

BUSINESS ITEMS

Item 10

Employment Agreement for Interim City Manager - Consider approval of an employment agreement for Interim City Manager services with Ms. Josefina Kenline.

City Attorney Campos presented for Council an overview of this item and requested approval of staff's recommendation.

Mayor DeLaRosa invited Ms. Josefina Kenline to the podium to make any comments in relation to the item before Council for approval.

Motion and Second by CM Bennett/MPT Suchil to approve staff's recommendation; No Opposition to the Motion. Unanimous vote.

CITY TREASURER'S REPORTS

None.

CONSENT CALENDAR

Mayor DeLaRosa presented Consent Calendar Item Nos. 2 through 9 for action by Council.

Councilmembers present selected items for discussion and clarification by staff: CM Bennett had questions on Item 5 and 6; CM Jorrin had questions on Item 2; CM González had questions on Item 5 and Mayor DeLaRosa had questions on Item 6.

Motion and Second by MPT Suchil/CM González to approve the Consent Calendar Items 2 through 9 with CM Jorrin/CM González and Mayor DeLaRosa abstaining on Item 2; No Opposition to the Motion. Unanimous vote.

- (2) Minutes – Approval of Minutes for the City Council Regular Meeting Held November 18, 2014, on file in the Office of the City Clerk.
- (3) Warrants – Approval of Payable Warrants #145663 to #145785, Dated 10/30/14, Totaling \$570,181.69; Payable Warrants #145786 to #145918, Dated 11/06/14, Totaling \$1,813,395.39; and a Payroll Disbursement Listing for the Period 10/25/14 to 11/07/14, Totaling \$710,103.92, on file in the Finance Department.
- (4) Mailing System Lease - Approve the proposed 60-month lease for an IN700 Digital Mailing System, in the amount of \$337.61 per month and authorize the Interim City Manager to sign the lease agreement.
- (5) Agreement with Taser International, Inc. - Approve the purchase of 50 AXON body worn cameras related equipment and training from Taser International, Inc., with an initial cost not to exceed \$55,000, and authorize the Chief of Police to enter into a three year agreement with Taser International, Inc., for Evidence.com Services for an additional amount not to exceed \$24,000.
- (6) Emission Allowance Auction Proceeds – Approve and Adopt a Resolution amending the FY 2014-15 budget to increase the Electric Utility appropriation by \$20,000; (2) waive the formal bidding process in accordance with the Colton Municipal Code section 3.08.140© and authorize the City to piggyback on the City of Anaheim’s bid award for the lease/purchase of two 2015 Nissan S Leaf electric vehicles from Stadium Nissan; and (3) authorize the Interim City Manager to execute the lease documents with Nissan Motor Acceptance Corporation for a 36 month lease in the amount of \$686.12 per month for both vehicles; (4) purchase and install two electric vehicle charging stations at a cost of approximately \$15,000, RESOLUTION NO. R-111-14.
- (7) Third Amendment to Professional Services Agreement with West Power, Inc. for Agua Mansa Project – Approve the Third Amendment to the Professional Services Agreement with West Power, Inc., increasing the total compensation by \$61,620, for engineering and design services for the Agua Mansa Project.
- (8) Professional Services Agreement with RRM Design Group – Authorize the Acting City Manager to execute the Professional Services Agreement with RRM Design Group in the amount of \$227,328 to prepare a downtown development code and design manual.

- (9) California Emergency Management Agency (Cal EMA) Assistance Application – Approve the execution of California Emergency Management (Cal EMA) Form 130 – Designation of Applicant’s Agent Resolution.

BUSINESS ITEMS

- (10) Employment Agreement for Interim City Manager - Consider approval of an employment agreement for Interim City Manager services with Ms. Josefina Kenline.

Item moved forward after Public Comment; discussed and action taken.

Recommendations from the Legislative Affairs Subcommittee

- (11) Manual of Procedure – Consider the updated City Council Manual of Procedure (MOP), as recommended by the Legislative Affairs Subcommittee of the City Council.

ACM Smith presented for Council consideration with an explanation in detail as it related to the corrections/updates by color scheme.

Motion and Second by CM Toro/MPT Suchil to approve recommendation by the Legislative Affairs Subcommittee of the City Council (*Members: CM Toro/CM Navarro/CM Bennett*); with the change under ‘B-8 ORDER OF BUSSINESS (G) MAYOR AND COUNCIL ORAL REPORTS AND COMMENTS’ be placed at the end of the Agenda prior to Adjournment of the Council Meeting.

Discussion by Councilmembers present which included a Call for the Question by MPT Suchil, however there was no Second, therefore, discussion continued.

Roll Call Vote: YES: CM Toro/CM Navarro/CM González/CM Bennett and MPT Suchil; NO: CM Jorrin/Mayor DeLaRosa. Motion carried.

- (12) Qualifications and eligibility for appointment to City Commissions and Committees - Waive Full Reading and Introduce by Title only of an ordinance amending Colton Municipal Code Title 2, Chapter 2.30, section 2.30.060, regarding qualifications and eligibility for appointment to City Commissions and Committees, as recommended by the Legislative Affairs Subcommittee of the City Council, ORDINANCE NO. O-13-14.

ACM Smith presented for council consideration and request for approval.

Motion and Second by CM Bennett/CM González to approve recommendation and 1st Reading of Ordinance No O-13-14 by the Legislative Affairs Subcommittee of the City Council (*Members: CM Toro/CM Navarro/CM Bennett*); with the stipulation as it relates to, “2.30.060 *Qualifications and eligibility for appointment to Commission or Committee ‘E’.*” to limit the business owner appointments at two per commission/committee and cannot be considered as part of the quorum.

Subsequent Motion by MPT Suchil/Mayor DeLaRosa: to remove ‘E’ (as referenced above) and return said item for further discussion by Legislative Affairs Subcommittee to outline in more detail as it relates to restrictions on business owners on specific commission/committee.

Discussion by Councilmembers present with taking of action as follows: (a) Subsequent Motion; (b) Initial Motion.

Subsequent Motion Vote

Remove 'E' (as referenced above) and return said item for further discussion by Legislative Affairs Subcommittee to outline in more detail as it relates to restrictions on business owners on specific commission/committee.

Roll Call Vote: YES: CM Jorrin/MPT Suchil and Mayor DeLaRosa; NO: CM Toro/CM Navarro/CM González and CM Bennett. Lost Motion.

Initial Motion Vote

Approve recommendation and 1st Reading of Ordinance No O-13-14 by the Legislative Affairs Subcommittee of the City Council (*Members: CM Toro/CM Navarro/CM Bennett*); with the stipulation as it relates to, "2.30.060 *Qualifications and eligibility for appointment to Commission or Committee 'E'.*" to limit the business owner appointments at two per commission/committee and cannot be considered as part of the quorum.

Roll Call Vote: YES: CM Toro/CM Navarro/CM González and CM Bennett; NO: CM Jorrin/MPT Suchil and Mayor DeLaRosa. Motion carried.

CITY MANAGER'S REPORTS

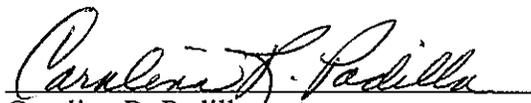
None

MAYOR AND COUNCIL ORAL REPORTS AND COMMENTS

Councilmembers made comments on various issues and activities throughout the community.

ADJOURNMENT

At 9:33 p.m. Mayor DeLaRosa announced the Council Meeting Adjourned in memoriam of Rachel Flores and Ralph John Gonzales (*nephew of Former Councilmember Frank Gonzales*).



Carolina R. Padilla
City Clerk