

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

October 6, 2015

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

CITY COUNCIL ROLL CALL

Councilmembers present were, Toro, Jorin, González, Bennett, Suchil, MPT Navarro, and Mayor DeLaRosa.

STAFF PRESENT

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 through E.

CLOSED SESSION

A. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to California Government Code, Section 54956.8

The Following Property Address:

1. APN 016335128 – Additional area needed for the proposed La Loma Hills Reservoir.
2. APN 0163-36-222 (partial take), 0163-36-223, 0163-36-216, 0275-19-142, 0275-19-143, 0275-19-147, 0275-19-152, 0275-19-155, 0275-19-154, 0275-22-358, 1167-12-107, 1167-12-111 and 1167-12-119 - Various Union Pacific Rail Road Parcels along the abandoned tracks located south of Congress Street to I-215 Freeway for future utility corridor.

Negotiating Parties: Bill Smith, City Manager; Amer Jakher, Public Works Director

Under Negotiation: Price and Terms of Sale

B. PUBLIC EMPLOYEE RECRUITMENT

Title: Police Chief

C. CONFERENCE WITH LABOR NEGOTIATORS

Employer Representative: City Manager

Employee Groups: All groups

D. CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code Section 54957.6

Agency designated representatives: City Manager / Human Resources Manager

Employee Group: Colton Fire Association

E. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(d)(1)

City of Colton v. San Bernardino Associated Governments, et al.

San Bernardino Superior Court, Case No. CIVDS 1417765

Mayor DeLaRosa adjourned the meeting to Closed Session at 5:03 p.m. and at 6:10 p.m., the meeting reconvened, with all members present as heretofore.

City Attorney Campos announced that the City Council met in Closed Session and discussed Items E with direction given to staff; no reportable action. Discussion of Items A through D will continue at the end of the Regular Council Meeting.

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

October 6, 2015

Regular Meeting held on the above-given date at 6:09 p.m. in the Council Chambers of City Hall, with Mayor Richard DeLaRosa presiding.

INVOCATION/FLAG SALUTE

Pastor Sharon Dyce, Pentecostal City Mission Church

CITY COUNCIL ROLL CALL

Council Members Present

Richard A. DeLaRosa, Mayor

David J. Toro

Summer Jorin

Frank J. Navarro, Mayor Pro Tem

Dr. Luis S. González

Deirdre H. Bennett

Isaac T. Suchil

Staff Present

William R. Smith, City Manager

Carlos Campos, City Attorney

Carolina R. Padilla, City Clerk

Council Members Absent

None.

CEREMONIAL MATTERS *Presentations, Awards, Proclamations*

- Presentation – Business Focus – C J Tire Shop

CM González assisted staff (*Art Morgan, Economic Development Manager*) on presenting You Make a Difference recognition certificate to business owners of C J Tire Shop; accepted by Owners Froylan and Maria Sandoval.

- Presentation – Public Power Week – October 4 – 10, 2015

Jessica Sutorus, Environmental Conservation Supervisor presented with the assistance of a PowerPoint slide presentation entitled “Your Neighborhood. Your City. Your Power” with the assistance of Adrienne Rogers, Energy Services Specialist.

Matthew Clark, Synergy Companies, presented with the assistance of a PowerPoint slide presentation entitled “Municipality Energy Efficiency: Colton City Council Chambers and Gonzales Center Gymnasium”.

- Presentation – Time For Change Foundation – Kim Carter, 2015 CNN Hero

Kim Carter is the Founder and Executive Director of Time for Change Foundation and is recognized as a 2015 CNN Hero. Ms. Carter shared her own experience as a formerly incarcerated woman and the eventual beginning of the Time for Change Foundation. A brief video included the history, background, and current success of the foundation which is now internationally known.

- Proclamation Honoring the Victims of the Tragedy at Roseburg, Oregon on October 1, 2015

CM Jorin read the Proclamation which expressed a show of respect for the victims of gun violence perpetrated on October 1, 2015, in Roseburg, Oregon; the American flag will be flown at half-staff at all City of Colton public facilities and grounds from sunrise until sunset, on Tuesday, October 6, 2015. A Moment of Silence was observed.

- Fire Prevention Week Fallen Firefighter’s Memorial October 4 – 10, 2015

MPT Navarro presented a proclamation to Fire Chief Tim McHargue recognizing Fire Prevention Week and paying homage to Fallen Firefighters; the American flag will be flown at half-staff at all City of Colton public facilities and grounds from sunrise until sunset, on Tuesday, October 6, 2015. A Moment of Silence was observed.

MAYOR AND COUNCIL ITEMS

POSSIBLE CONFLICT OF INTEREST DISCLOSURES FOR THE COUNCIL MEETING OF OCTOBER 6, 2015.

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)*).

CM Jorin, CM González (Voting Delegate), and Mayor DeLaRosa attended the Annual League of California Cities Conference in San Jose on September 30, 2015 through October 2, 2015.

CM Suchil, CM Toro, and Mayor DeLaRosa attended the International Conference for Shopping Centers (ICSC) in San Diego on September 16, 2015 through September 18, 2015.

APPOINTMENTS

None.

CITY TREASURER’S REPORTS

- Receive and File City Treasurer’s Report for July 2015.

City Treasurer Aurelio De La Torre presented the report for July 2015 for Council consideration and with no objection report was received and filed.

PUBLIC COMMENT

General

The following community members addressed the Council: Daryl Fisher, Jordan Wright, and Ray Lopez.

Consent Calendar

None.

CONSENT CALENDAR

Mayor DeLaRosa presents the Consent Calendar Items 1 through 5.

Motion and Second by MPT Navarro/CM Jorin to approve the Consent Calendar Items 1 through 5.

Vote: All answered 'Aye'. Unanimous.

- (1) Minutes – Approval of Minutes for the City Council Regular Meeting Held September 15, 2015, on File in the Office of the City Clerk.
- (2) Warrants – Approval of U.S. Bank vouchers dated 08/20/2015 and totaling \$36,056.18; voucher numbers 151506 to 151594 dated 09/10/2015 and totaling \$942,550.61; voucher number 151595 dated 09/10/2015 and totaling \$38,997.50; voucher numbers 151596 to 151792 dated 09/17/2015 and totaling \$2,170,618.10; and a payroll disbursement listing for the period 08/29/2015 to 09/11/2015 and totaling \$777,647.18, on file in the Finance Department.
- (3) Purchase of department issued service weapon - Approve and Adopt a Resolution to adopt a policy authorizing the Chief of Police to allow Colton Police Officers, who are honorably retiring, and in good standing, the opportunity to purchase their department issued service weapon, RESOLUTION NO. R-112-15.
- (4) Update to Comprehensive Salary Table – Approve the update to the City of Colton Comprehensive Salary Table.
- (5) Colton Housing Authority/Set Public Hearing – Set a Public Hearing for October 20, 2015, to authorize the sale of Housing Authority-owned lots in Rancho Mediterrania Mobile Home Estates.

BUSINESS ITEMS

- (6) Council/CUA - Set Hearing Date for Proposed Adjustments to Water Rates – Set Future Public Hearing for December 1, 2015 for Proposed Adjustments to Water Rates Amending Exhibit "A" of Ordinance No. O-03-09; and authorization to amend existing contract with NBS in an amount not to exceed \$15,495.

Staff Presentation

Amer Jakher, Public Works Director, introduced the item and outlined staff's recommendation for Council consideration: Item 1 – Approve Water Rate Study and set future Public Hearing for December 1, 2015 – proposed Adjustment to Water Rates.; and Item 2 – Authorization to amend the existing Contract for a second

amendment with NBS for additional Water Rate Analysis/CIP Financial Planning in an amount not to exceed \$15,495.

Director Jakher informed Council there are three reasons as to the necessary action; (1) Impact of state mandates for conservation which reduce the revenue coming into the City; (2) Capital Improvement projects need to be addressed; and in 2009 approval of a Fire Meter fee was never implemented.

Director Jakher introduced Kim Boehler, Associate Director, NBS, who with assistance of a PowerPoint presentation (33 slides) "City of Colton Water Rate Study".

Overview of Presentation

- Overview of Key Rate Study Tasks

- Rate Study Findings and Recommendations

- Financial Plan & revenue Requirement Analysis Outcome

- New Rate Outcomes

- Water Capacity Fees

- Utility Commissioners Recommendations

- Next Steps: Steps Required to Adopt New Rates

 - Council can approve a rate alternative:

 - Option 2A – Rates Per Cost-of Service Analysis Results or

 - Option 2B – Excising Revenue Split.

Public Comment

None.

Council Discussion

Discussion among Councilmembers with response and clarification provided by Director Jakher and NBS Associate Director Boehler.

The areas of concern before going forward with Item 1 of staff's recommendation included: Fixed Rate Revenue vs. Variable Rate Revenue; customer usage; the current pass through for water; definition verbiage in the term General Fund Transfer vs. Lease Payment; will lease payment amount remain the same; consensus for a need in stability and revenue and a need to increase conservation measures.

Further discussion with consensus of Council, Mayor DeLaRosa announced staff's recommendation Item 1 – Approve Water Rate Study and set future Public Hearing for December 1, 2015 – Proposed Adjustment to Water Rates continued to next regular council meeting in two weeks.

Motion and Second my MPT Navarro/CM Bennett to approve staff's recommendation Item 2 – Authorization to amend the existing Contract for a second amendment with NBS for additional Water Rate Analysis/CIP Financial Planning the an amount not to exceed \$15,495.

Vote: All answered 'Aye'. Unanimous Vote.

- (7) Purchasing Ordinance - Waive full reading and introduce by title only Ordinance No. O-10-15, an Ordinance of the City Council of the City of Colton amending sections 3.08.020, 3.08.140 and 6.16.025 of the Colton Municipal Code regarding contracting for services and purchasing, ORDINANCE NO. O-10-15.

Staff Presentation

City Attorney Campos presented for Council consideration and approval of staff's recommendation amending sections of the Colton Municipal Code regarding contracting for services and purchasing. In April 2015 Council adopted Ordinance No. O-06-15 amending the City's purchasing procedures to allow Council the discretion to award an exclusive or non-exclusive solid waste franchise or agreement, with or without competitive bidding. Subsequently a solid waste franchise was approved, however, during the process of approval of the final solid waste agreement the Council wished to modify the Colton Municipal Code to require a public bidding process for solid waste and similar services. In addition staff recommends that the Council consider leaving the following four exceptions added by Ordinance No. O-06-15: Expenses; Insurance; Banking; and Real Property.

Public Comment

None.

Council Discussion

None.

Motion and Second by CM Bennett/MPT Navarro to waive full reading and introduce by title only Ordinance No. O-10-15: an Ordinance of the City Council of the City of Colton amending sections 3.08.020, 3.08.140 and 6.16.025 of the Colton Municipal Code regarding contracting for services and purchasing (*leaving the four exceptions as staff recommended as outlined in Ordinance No. O-06-15*).

Vote: All answered 'Aye'. Unanimous Vote.

MAYOR AND COUNCIL ORAL REPORTS AND COMMENTS

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

CITY MANAGER'S REPORTS

CM Smith acknowledged Dr. Kolk, Electric Utility Director, and the Electric Department staff in assisting in the current upgrades in the Council Chambers as it relates to the upgrade in lighting and ceiling.

Also, regarding the new voting system and speaker cuing staff; is in the process of purchasing the equipment and should be in place in the coming weeks.

ADJOURNMENT

At 8:48 p.m. Council Meeting was adjourned in memoriam of Fred Cordova, Fallen Firefighters and the Roseburg, Oregon victims; Mayor DeLaRosa announced the business of the Regular Council Meeting concluded and asked City Attorney Campos to take the Council into Closed Session.

City Attorney Campos announced that the City Council would meet in Closed Session to Discuss Items A through D.

A. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to California Government Code, Section 54956.8

The Following Property Address:

3. APN 016335128 – Additional area needed for the proposed La Loma Hills Reservoir.

4. APN 0163-36-222 (partial take), 0163-36-223, 0163-36-216, 0275-19-142, 0275-19-143, 0275-19-147, 0275-19-152, 0275-19-155, 0275-19-154, 0275-22-358, 1167-12-107, 1167-12-111 and 1167-12-119 - Various Union Pacific Rail Road Parcels along the abandoned tracks located south of Congress Street to I-215 Freeway for future utility corridor.

Negotiating Parties: Bill Smith, City Manager; Amer Jakher, Public Works Director

Under Negotiation: Price and Terms of Sale

- B. PUBLIC EMPLOYEE RECRUITMENT
Title: Police Chief
- C. CONFERENCE WITH LABOR NEGOTIATORS
Employer Representative: City Manager
Employee Groups: All groups
- D. CONFERENCE WITH LABOR NEGOTIATORS
Pursuant to Government Code Section 54957.6
Agency designated representatives: City Manager / Human Resources Manager
Employee Group: Colton Fire Association

Mayor DeLaRosa adjourned the meeting to Closed Session at 8:49 p.m. and at 10:07 p.m., the meeting reconvened, with all members present as heretofore.

Attorney Campos read out of Closed Session that the City Council did meet in Closed Session: Items A through D; with direction given to staff; no reportable action.

ADJOURNMENT (cont'd)

At 10:08 p.m., Mayor DeLaRosa adjourned the Council Meeting.



Carolina R. Padilla
City Clerk