

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

September 6, 2016

Closed Session Meeting was held on the above given date at 5:02 p.m., in the Council Chambers of City Hall, with Mayor DeLaRosa presiding.

CITY COUNCIL ROLL CALL

Councilmembers present were, Toro, Jorrin (*appeared at 5:04 p.m.*), Navarro (*absent*), González, Bennett (*absent*), MPT Suchil, and Mayor DeLaRosa.

STAFF PRESENT

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

PUBLIC COMMENT

None

CLOSED SESSION

City Attorney Campos announced the City Council would meet in Closed Session to Discuss Item A, B & C.

- A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Pursuant to Government Code section 54957(b)
Title: Executive Administrator to the Mayor and City Council

- B. CONFERENCE WITH LABOR NEGOTIATORS
Pursuant to Government Code Section 54957.6
Agency designated representatives: Bill Smith, City Manager
Employee Groups: General Unit, Mid-Management Unit, Confidential Group, Colton Police Officers Association, Colton Police Dispatchers Association, Colton Fire Association; International Brotherhood of Electrical Workers (IBEW), Water and Wastewater

- C. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)
City of Colton, California v. FERC
9th Circuit Court of Appeal, Case No. 09-72588

Mayor DeLaRosa adjourned the meeting to Closed Session at 5:04 p.m. and at 6:05 p.m., the meeting reconvened, with all members present except CM Navarro and CM Bennett.

City Attorney Campos announced that the City Council met in Closed Session and discussed Item A with direction given to staff and no reportable action; Item B and Item C to be discussed after 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

September 6, 2016

Regular Meeting held on the above-given date at 6:06 p.m. in the Council Chambers of City Hall, with Mayor DeLaRosa presiding.

INVOCATION

Pastor Eric Strutz - Door Christian Fellowship

FLAG SALUTE

American Legion Post #155; Member(s) Louie Barrera, and Steve Ferrence

CITY COUNCIL ROLL CALL

Council Members Present

Richard A. DeLaRosa, Mayor
David J. Toro
Summer Jorin
Dr. Luis S. González
Deirdre H. Bennett (*appeared at 6:29 p.m.*)
Isaac T. Suchil, Mayor Pro Tem

Staff Present

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

Council Members Absent

Frank J. Navarro (*excused*)

CEREMONIAL MATTERS

- Recognition of 129th Colton Birthday Celebration Sponsorship
Heidi Strutz, Recreation Services Manager, announced and introduced donors in attendance who contributed to the success of the 129th Colton Birthday Celebration:
(*Sponsorship Levels: Diamond/\$5,000; Gold/\$2,500; and Silver/\$1,000*)

- BB&K (Carlos Campos accepted)
- Inland Memorial Inc/Karyn Durbin
- La Veranda Restaurant/Victor Espinoza
- Arrowhead Regional Medical Center/Justine Rodriguez
- Assembly Member Cheryl Brown

MAYOR AND COUNCIL ITEMS

POSSIBLE CONFLICT OF INTEREST DISCLOSURES FOR THE COUNCIL MEETING OF SEPTEMBER 6, 2016.

GIFT DISCLOSURES

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)*).

Councilmember Toro announced along with MPT Suchil and Mayor Gonzales attend the ICSC Convention.

CITY TREASURER'S REPORTS

- Receive and File City Treasurer's Report for June 2016.

City Treasurer Aurelio De La Torre presented the report for June 2016 for Council consideration and with no objection report was received and filed by Councilmembers present.

PUBLIC COMMENT

The following community members addressed the Council: Terry Boykins, Christine Irish-Ré, and Pastor Arowolo.

CONSENT CALENDAR

Mayor DeLaRosa presented the Consent Calendar Items 1 through 11.

Councilmembers present selected items for discussion and clarification by staff:

MPT Suchil, Item 3; CM Jorin & Mayor DeLaRosa, Item 4; CM González & Mayor DeLaRosa, Item 5; and CM González & Mayor DeLaRosa, Item 11.

Motion/Second: Suc/Gon

Vote:

(Item 7 – additional language ‘To Authorize the City Manager to execute the agreement for the City’)

No – Suc on Item 3

Unanimous or Motion Carried (state who voted NO or ABSENT)

Motion and Second by MPT Suchil/CM González to approve the Consent Calendar Items 1 through 11; and regarding Item 7 under staff's recommendation: “. . . authorize the City Manager to execute the attached Professional Services Agreement with Smothers Appraisal . . .”

Vote: Motion carried with MPT Suchil Voting NO on Item 3 and CM Navarro absent.

- (1) Minutes – Approval of Minutes for the City Council Regular Meeting Held August 2, 2016; Minutes for the City Council Regular Meeting Held August 16, 2016, on File in the Office of the City Clerk.
- (2) Warrants – Approval of Payable Warrants dated 07/27/2016 and totaling \$34,423.47; voucher numbers 157613 to 157753 dated 08/11/2016 and totaling \$3,763,182.78; voucher numbers 157754 to 157872 dated 08/18/2016 and totaling \$1,613,468.31; voucher numbers 157873 to 158050 dated 08/25/2016 and totaling \$5,767,154.70, less voided checks totaling \$51,101.38 and a payroll disbursement listing for the period 07/30/2016 to 08/12/2016 and totaling \$760,109.53.
- (3) Second Reading of Ordinance No. O-16-16 – Waive full reading and pass second reading of an Ordinance of the City of Colton, amending portions of Chapter 8.05 relating to abandoned and distressed residential property, and adding Chapter 8.16 relating to the registration and maintenance of vacant and abandoned commercial and industrial property, ORDINANCE NO. O-16-16.

- (4) Purchase of (35) Level IV Ballistic Plate Carriers – Approve the Purchase of thirty five level IV ballistic plate carriers from Special Operations Technologies. Special Operations Technologies submitted the low bid with an estimated cost of \$25,749.36.
- (5) Award of Bid for Tree Trimming Services - (1) award the bid for City-Wide Tree Trimming Maintenance and Electric Utility Line Clearance Project to The Original Mowbray’s Tree Service, Inc. for a total amount of \$140,000 (\$80,000 for city-wide services and \$60,000 for electric utility line clearance services), (2) authorize the City Manager to execute contract documents for a one year term, effective November 1, 2016, through October 31, 2017, and (3) authorize the City manager to exercise up to three (3) optional one-year renewal periods.
- (6) Approve the Adjustment for Audit Fees with HdL Companies - Approve the amounts budgeted for the annual agreements with Hinderliter, de Llamas and Associates for Sales Tax information and audit services in the amount of \$30,400; and the annual agreement with HdL Coren and Cone for Property Tax reporting and Audit Services in the amount of \$13,860.
- (7) Professional Services Agreement with Smothers Appraisal - Approve a Professional Services Agreement with Smothers Appraisal in the amount of \$30,000.
- (8) First Amendment to Professional Services Agreement with Criterion Automation – Approve the First Amendment to the Professional Services Agreement with Criterion Automation, Inc., increasing the total compensation by \$2,000 for repairs to Veterans Park Splash Pad Tanks and Authorize the City Manager to execute the Amendment. The total aggregate amount is not-to-exceed \$27,000.
- (9) Cooperative Agreement with SANBAG - Approve the Cooperative Agreement between the City of Colton and SANBAG for the retiming of San Bernardino Valley Coordinated Traffic Signal System (SBVCTSS) and authorize the City Manager and the City Attorney to approve any minor non-substantive changes.
- (10) Parcel Map 19549 – Accept and Approve the recordation of Parcel Map 19549.
- (11) Measure I Capital Improvement Plan and Capital Project Needs Analysis for FY 2016-17 – 1. Approve Resolution No. R-83-16 reaffirming and adopting Fiscal Year 2016/2017 Measure I Five-Year Capital Improvement Plan and Expenditure Strategy Plan. 2. Approve Resolution R-84-16 approving submittal of the Fiscal Year 2017/2018 thru FY 2021/2022 Five-Year Capital Projects Needs Analysis (CPNA) to the San Bernardino Associated Governments, as required by the Measure I Strategic Plan. 3. Approve Resolution R-85-16 amending the Fiscal Year 2016/2017 Capital Improvement Program (CIP) Budget, RESOLUTION NOS. R-83-16, R-84-16, R-85-16.

PUBLIC HEARING

- (12) Weed Abatement

TIME AND PLACE FIXED TO CONSIDER A PUBLIC HEARING TO (1) HEAR OBJECTIONS FROM VACANT PROPERTY OWNERS TO CHARGES INCURRED BY THEM FOR WEED ABATEMENT SERVICES PROVIDED UNDER THE PROGRAM AND (2) APPROVE AND ADOPT RESOLUTION R-88-16 TO ACCEPT THE STATEMENT OF EXPENSES.

Mayor DeLaRosa declared the Public Hearing Open.

City Clerk Padilla submitted the Affidavit of Publication (*on file in the City Clerk's Office*) and there were no protests or objections thereto.

Staff Presentation

Alan Sork, Fire Marshall, presented for Council to hear objections from vacant property owners to charges incurred by them for weed abatement services provided under the program and to approve and adopt Resolution R-88-16 to accept the statement of expenses.

Public Comment

None

Motion and Second by MPT Suchil/CM Jorin to close the Public Hearing.

Vote: Motion carried with CM Navarro absent.

Council Discussion

Discussion by Councilmember's present with clarification provided by Fire Marshall Sork.

Motion and Second by CM González/CM Jorin to approve and adopt Resolution R-88-16

Vote: Motion carried with CM Navarro absent.

BUSINESS ITEMS

- (13) No Smoking Regulations - Waive Further Reading, Read by Title only and Introduce an Ordinance of the City Council of the City of Colton amending the Colton Municipal Code (CMC) by adding Chapter 6.48, Smoking Pollution Protection Ordinance, ORDINANCE NO. O-17-16.

Staff Presentation

David Kolk, Electric Utility Director, presented for Council consideration and approval of an Ordinance as it relates to prohibiting smoking within outdoor public areas.

PUBLIC COMMENT

None

Council Discussion

There was detailed input and discussion by Councilmembers present which included dialogue with Director Kolk, City Attorney Campos, and City Manager Smith.

Consensus by Council to pull the item with no action at this time until staff can address the issues presented by Council.

MAYOR AND COUNCIL ORAL REPORTS AND COMMENTS

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

CITY MANAGER'S REPORTS

None

ADJOURNMENT

At 8:30 p.m. Mayor DeLaRosa ended the Regular Council Meeting and Adjourned to Closed Session.

CLOSED SESSION (Cont'd)

City Attorney Campos announced the City Council would meet in Closed Session to Discuss Item B & C.

B. CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code Section 54957.6

Agency designated representatives: Bill Smith, City Manager

Employee Groups: General Unit, Mid-Management Unit, Confidential Group, Colton Police Officers Association, Colton Police Dispatchers Association, Colton Fire Association; International Brotherhood of Electrical Workers (IBEW), Water and Wastewater

C. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

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

City of Colton, California v. FERC

9th Circuit Court of Appeal, Case No. 09-72588

Mayor DeLaRosa reconvened the meeting at 8:37 p.m. with all members present with CM Navarro absent.

City Attorney Campos announced that the City Council met in Closed Session and discussed Item B and Item C with direction given to staff and no reportable action.

ADJOURNMENT (Cont'd)

At 8:38 p.m. Mayor DeLaRosa adjourned the council meeting in memoriam of Carmen Oliva.



Carolina R. Padilla
City Clerk