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CITY OF COLTON
REGULAR COUNCIL/REDEVELOPMENT AGENCY/COLTON UTILITY
AUTHORITY/COLTON PUBLIC FINANCING AUTHORITY
CLOSED SESSION MEETING MINUTES

March 15, 2011

Closed Session Meeting was held on the above given date at 5:03 p.m., in the City Manager's Conference Room in City Hall with Mayor Zamora presiding.

CITY COUNCIL ROLL CALL

Council Members Present

David R. Zamora, Mayor
Frank A. Gonzales
Susan Oliva
Alex Perez

Staff Present:

Rod Foster, City Manager
Dean Derleth, City Attorney
Eileen C. Gomez, City Clerk
Aurelio De La Torre, City Treasurer

Council Members/Staff Absent

David Toro
Vincent Yzaguirre
Deirdre Bennett, Mayor Pro Tempore

PUBLIC COMMENT

None.

City Attorney Derleth announced that the City Council would meet in Closed Session to discuss Items A and B.

CLOSED SESSION

A. CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code Section 54957.6

Agency Designated Representative: Bonnie Johnson, Management Services Director and Ted Cooper, Human Resources Manager

Employee Organizations: IBEW Electric, IBEW Water/Wastewater, Colton Police Dispatchers Association, and Colton Fire Fighters Association

B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(a)

Case Name: City of Colton v. City of Rialto

Case Number: San Bernardino Superior Court CIVSS811119

City Attorney Derleth recused himself from Closed Session Item B due to a past relationship through the firm with the City of Rialto. Council Member Gonzales recused himself from the IBEW Electric portion of Item A due to a possible conflict.

Mayor Zamora announced a quorum and proceeded to adjourn the meeting to Closed Session at 5:08 p.m.

Council Member Toro arrived in Closed Session at 5:10 p.m.; Council Member Yzaguirre arrived at 5:15 p.m.; and Mayor Pro Tempore Bennett arrived at 5:43 p.m.

Mayor Zamora called the meeting to order at 6:02 p.m. and asked City Clerk Gomez to announce roll call. City Clerk Gomez took roll with all members present.

- A. CONFERENCE WITH LABOR NEGOTIATORS
Pursuant to Government Code Section 54957.6
Agency Designated Representative: Bonnie Johnson, Management Services Director and Ted Cooper, Human Resources Manager
Employee Organizations: IBEW Electric, IBEW Water/Wastewater, Colton Police Dispatchers Association, and Colton Fire Fighters Association

- B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(a)
Case Name: City of Colton v. City of Rialto
Case Number: San Bernardino Superior Court CIVSS811119

City Attorney Dean Derleth reported that the Council met on Items A and B and on Item A, Council Member Gonzales recused himself on all IBEW matters including IBEW Water/Wastewater due to a possible conflict. City Attorney Derleth also reported that he recused himself from Item B due to a past relationship through the firm with the City of Rialto. City Manager Foster reported that the Council has accepted significant concessions offered by the Colton Police Dispatchers Association and that an MOU will be brought back to Council at a later date. City Manager Foster also reintroduced our new director of Public Works, Mr. Amer Jakher. Mayor Zamora welcomed Beverly Powell from Southern California Edison to our Council meeting and also Frances Vasquez, Assistant to Josie Gonzales, Chairman of the Board of Supervisors.

CITY OF COLTON
REGULAR CITY COUNCIL/REDEVELOPMENT AGENCY/COLTON UTILITY
AUTHORITY/COLTON PUBLIC FINANCING AUTHORITY MEETING MINUTES

March 15, 2011

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

CITY COUNCIL ROLL CALL

Council Members Present

David R. Zamora, Mayor
David Toro
Frank A. Gonzales
Vincent Yzaguirre
Susan Oliva
Deirdre Bennett, Mayor Pro Tempore
Alex Perez

Staff Present:

Rod Foster, City Manager
Dean Derleth, City Attorney
Eileen C. Gomez, City Clerk
Aurelio De La Torre, City Treasurer

Council Members/Staff Absent

None.

INVOCATION

Pastor Jonathan D. Florez, First Assembly of God

FLAG SALUTE

David Gasca, American Legion Post 155

CEREMONIAL MATTERS *Presentations, Awards, Proclamations*

- Proclamation - Child Abuse Prevention Month – The proclamation was presented by MPT Bennett and accepted by Community Services Director Bill Smith.
- Presentation - An update on the I-10/Riverside Interchange Demolition project was given by Mr. Tim Watkins of SANBAG. Mr. Watkins gave a PowerPoint presentation and announced various future public meeting dates regarding the project. He announced that the general public can call (909) 889-8611, extension 102 for more information or (909) 884-8276, and ask for him by name. The SANBAG website is www.sanbag.ca.gov.

MAYOR AND COUNCIL ITEMS

POSSIBLE CONFLICT OF INTEREST DISCLOSURES FOR THE COUNCIL MEETING OF MARCH 1, 2011.

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

AB 1234 ORAL REPORTS

Council Members Perez and Oliva announced that they attended the League of California Cities meeting and dinner featuring Senator Dutton.

APPOINTMENTS

City Commissions & Committees; Regional Boards & Committees

None.

PUBLIC COMMENT

The following citizens addressed the Council:

Fred Cordova, Linda Tripp, Todd Warden of Southcoast AQMD, and Stephen Wall of Congressman Joe Baca's office.

CITY TREASURER'S REPORT

It was a consensus of the Council to receive and file the City Treasurer's report for January 2011 as presented by City Treasurer De La Torre.

MAYOR AND COUNCIL ORAL REPORTS AND COMMENT

Council Members expressed their sincere thanks to our outgoing Chief of Police Bob Miller for his service to the City of Colton and also announced various activities throughout the community.

CONSENT CALENDAR

Mayor Zamora announced Consent Calendar and asked if council members if there were any items to be pulled. Council Member Oliva stated that she would be recusing herself from Item No. 3 due to a conflict with Union Pacific Railroad.

Motion and second by CM Yzaguirre/CM Perez, to approve the Consent Calendar Item No(s) 1 thru 9. Unanimous vote.

- (1) Warrants -- Approved of Payable Warrants #120451 to #120552, Dated 2/10/11, Totaling \$314,964.61; Payroll Disbursement Listing for 2/19/11 to 3/4/11, Totaling \$669,364.38, on File in the Finance Department.
- (2) Crosswalk Traffic Signal - Approved Execution of Notice of Completion and Acceptance for the Installation of a Crosswalk Traffic Signal along Laurel Avenue at Dr. Paul J. Rogers Elementary School.
- (3) Hunts Lane Grade Separation -- Approved Execution of a Public Highway Overpass Crossing Agreement with Union Pacific Rail Road (UPRR), San Bernardino Associated Government (SANBAG), City of Colton and City of San Bernardino.
- (4) Storm Water Implementation Agreement -- Approved the National Pollutant Discharge Elimination System (NPDES) Storm Water Implementation Agreement with San Bernardino County Flood Control District, County of San Bernardino, and Co-Permittee Cities.

- (5) Contract/State of California - Approved and Adopt a Resolution a Contract with the State of California for the Expansion of the State Preschool Program in the Human Services Division of the Community Services Department for Fiscal Year 2010-201, **RESOLUTION NO. R-24-11.**
- (6) Second Reading of Ordinance No. O-01-11 – Waived Full Reading and Passed Second Reading of an Ordinance of the City Council of the City of Colton Amending Sections 2.12.030 and 2.12.050 of the Colton Municipal Code to Memorialize a Reduced Auto Allowance for City Council Members and the Mayor, **ORDINANCE NO. O-01-11.**
- (7) Housing Rehabilitation Loans - (1) Approved and Adopted a Resolution Authorizing the City to Convert the Remaining 1984 Community Development Block Grant (CDBG) Housing Rehabilitation Loans to Grants; (2) Authorized the Mayor, on behalf of the City to execute a “Substitution of Trustee and Reconveyance” for each of the remaining Loans, and (3) Directed the City Clerk to Record the Executed “Substitution of Trustee and Reconveyance” for each of the remaining Loans, **RESOLUTION NO. R-25-11.**
- (8) Labor Agreement with Colton Firefighters Association - Approved Memorandum of Understanding between the City of Colton and the Colton Firefighters’ Association (CFA); Approve a Resolution Approving a Change in the Paying and Reporting of the Value of Employer Paid Member Contributions for the Colton Firefighters’ Association, **RESOLUTION NO. R-27-11.**
- (9) Colton Housing Authority - Housing Authority – Approved and Adopted Resolution of the City Council Forming and Activating the Colton Housing Authority, Declaring the City Council as the Commissioners of the Colton Housing Authority, and Declaring the Mayor of the City of Colton as the First Chairperson of the Colton Housing Authority, **RESOLUTION NO. R-28-11.**

PUBLIC HEARING

- (10) Weed Abatement

TIME AND PLACE FIXED TO CONSIDER THE ANNUAL WEED ABATEMENT PROGRAM.

Mayor Zamora announced the Public Hearing Open and asked if there were any members of the public that wish to speak on this item to submit a card to the City Clerk.

City Clerk announced that the Affidavit of Publication is on file in the City Clerk’s Office and no protests or objections have been received.

There were no public comments. Mayor Zamora closed the Public Hearing and asked staff person Alan Sork to give his presentation.

Motion and second by Council Member Yzaguirre/CM Oliva, to move the item. Unanimous vote.

BUSINESS ITEMS

- (11) CITY/RDA/CUA - Mid Year Budget Review & Related Actions. – (1) Approved and Adopted City Resolution R-26-11 Amending the Budget for FY 2010-11, Abolishing Positions and Reaffirming Commitment to LCC and to Protesting Abolishment of RDA by City and Staff; (2) Approve and Adopt Agency Resolution No. 888 Amending the Budget for FY 2010-11 and Reaffirming Commitment to LCC and to Protesting Abolishment of RDA by City and Staff; (3) Approve and Adopt Colton Utility Authority Resolution 2011-01 Amending the Budget for FY 2010-11; (4) Approve and Adopt City (R-29-11) and Agency (No. 889) Resolutions Ratifying Agency Repayment and Modifying Loan Terms of Loan to Agency from City for the Previous Acquisition of Real Property Located at the Southeast Corner of South Cooley Drive and East Ashley Way; (5) Approve and Adopt City (R-30-11) and Agency (No. 890) Resolutions Ratifying Agency Repayment and Modifying Loan Terms of Loan to Agency from City for the Previous Acquisition of Real Property for Delhi Sands Flower Loving Fly Habitat Conservation Related to the West Valley Redevelopment Project; and (6) Approve and Adopt City (R-31-11) and Agency (No. 891) Resolutions Approving Agency Expenditure and Pledge of Tax Increment Revenue from the Rancho/Mill, Mt. Vernon Corridor and West Valley Amendment Project Areas to Pay City Costs for Laurel Street Grade Separation Project and Making Related Findings; **RESOLUTIONS: CITY: R-26-11; R-29-11; R-30-11 and R-31-11; RDA: No. 888; No. 889; No. 890; and No. 891; CUA: 2011-01.**

Bonnie Johnson, Management Services Director, presented the mid-year budget review and gave a PowerPoint with this information.

Motion and second by Council Member Yzaguirre/CM Toro, to move the item. Unanimous vote.

- (12) Fire Resource Deployment Analysis - Approved the Fire Department Resource Deployment Analysis including the Rolling Brown Out Plan.

Tom Hendrix, Fire Chief, presented the Fire Resource Deployment analysis and gave a PowerPoint with this information.

Motion and second by Council Member Yzaguirre/CM Toro, to move the item. Motion to call for the question and second by CM Yzaguirre/CM Gonzales. Motion carried with MPT Bennett voting no.

CITY COUNCIL DISCUSSION ITEMS

None.

CITY MANAGER COMMENTS

City Manager Foster gave brief comments on various issues.

ADJOURNMENT

At 8:58 p.m., Mayor Zamora closed the meeting in memory of Father Joseph Quattropane and Darlene Larson, mother of Utilities Commissioner Kirk Larson, who have both recently passed away.

Eileen C. Gomez, CMC
City Clerk