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

September 6, 2011

Closed Session meeting was held on the above given date at 5:08 p.m., in the City Manager's Conference Room in City Hall, with Mayor Sarah S. Zamora presiding.

CITY COUNCIL ROLL CALL

Council Members Present

Sarah S. Zamora, Mayor
David J. Toro
Frank A. Gonzales
Vincent Yzaguirre
Susan M. Oliva
Deirdre H. Bennett
Alex G. 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.

City Attorney Derleth announced that the City Council would meet in Closed Session to discuss Item A, which is three cases regarding medical marijuana issues.

CLOSED SESSION

A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Pursuant to Government Code section 54956.9(a)/San Bernardino County Superior Court
Cases: City of Colton v. G3 Holistic, Inc., et al. - Case No. CIVDS 1102194
City of Colton v. Organic Garden Collective, et al. - Case No. CIVDS 1102363
Nature's Quest v. City of Colton - Case No. CIVDS 1104137

PUBLIC COMMENT ON CLOSED SESSION

None.

Mayor Zamora adjourned the meeting to Closed Session at 5:10 p.m. and at 6:02 p.m., the meeting reconvened. Roll Call was announced by City Clerk Gomez with all members present as heretofore.

City Attorney Dean Derleth reported that they did meet on Item A with no reportable action.

- A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
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September 6, 2011

Regular Meeting was 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 Eric Strutz, The Door Christian Fellowship

FLAG SALUTE

Cecilia Enriquez, American Legion Post 155

CITY COUNCIL ROLL CALL

Council Members Present

Sarah S. Zamora, Mayor
David J. Toro
Frank A. Gonzales
Vincent Yzaguirre
Susan M. Oliva
Deirdre H. Bennett
Alex G. 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.

CEREMONIAL MATTERS *Presentations, Awards, Proclamations*

- Proclamation - A Proclamation for the National Day of Service and Remembrance was read by Council Member Yzaguirre and presented to Chief Hendrix in honor of the 9/11 victims.
- Proclamation - A Proclamation was presented to Leno Moreno of Leno's Rico Taco and was read into the record by Mayor Sarah Zamora, honor Leno for his 2011 Man of the Year Award. Manuel Carrillo from Senator Gloria Negrete-McLeod's office also made a presentation to Leno Moreno.

- Recognition - A Special Recognition Certificate was presented by Mayor Pro Tem Bennett to Mr. Richard Eckwall, Past Recreation and Parks Commissioner, to be delivered to Mr. Eckwall at his home. He was unable to attend this meeting to accept his certificate due to health issues.
- Recognition - The Community Service Volunteers were recognized by Community Services Director Bill Smith, for their participation in the program this summer for the youth ages 13 to 15, each of who volunteered at least 150 hours for various community service programs.
- Presentation - The presentation by Troy Hazelip, PRMG Mortgages was pulled from this agenda by City Manager Foster.

Per Mayor Zamora's Request, Rich Randolph, new President of the Colton Police Officers Association, introduced the CPOA members. He announced the names of all police officers in the CPOA.

MAYOR AND COUNCIL ITEMS

POSSIBLE CONFLICT OF INTEREST DISCLOSURES FOR THE COUNCIL MEETING OF September 6, 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

None.

APPOINTMENTS

City Commissions & Committees; Regional Boards & Committees

None.

PUBLIC COMMENT

The following citizens addressed the Council:

John Anaya, Elsa Aguilar, Ron Lawrence, Marva X, Laura Morales, Christine Martus, Jose Olivar, Gary Grossich, Gilbert Arrieta, Christina Irish-Re.

MAYOR AND COUNCIL ORAL REPORTS AND COMMENTS

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

CITY TREASURER'S REPORTS

None.

CONSENT CALENDAR

City Manager Foster presented Consent Calendar Item Nos. 1 through 9, pulling Item No. 1 for revisions. Item Nos. 2 through 9, noting the abstention of CM Gonzales on Item No. 6 out of an abundance of caution due to a family member that is in this bargaining unit. CM Foster also noted abstentions on Item Nos. 3 and 9 from Council Members Yzaguirre and Oliva and MPT Bennett due to these items being Redevelopment items. City Attorney Derleth clarified that since there has been a change in council, the Rule of Necessity no longer applies.

Motion and second by CM Yzaguirre/Gonzales, to approve the Consent Calendar as presented. Unanimous Vote.

- (1) Minutes – Approve Minutes for the City Council Regular Meeting Held August 16, 2011, on File in the Office of the City Clerk. **PULLED**
- (2) Warrants – Approved Payable Warrants #123972 to #124049, Dated 8/11/11, Totaling \$499,008.84; Payable Warrants #124050 to #124217, Dated 8/18/11, Totaling \$2,765,051.79; Payable Warrants #124218 to #124321, Dated 8/25/11, Totaling \$887,996.22; Payroll Disbursement Listing for 8/6/11 to 8/19/11, Totaling \$589,841.56, on File in the Finance Department.
- (3) Second Reading of Ordinance No. O-03-11 - Waived Full Reading and Passed Second Reading of Ordinance No. O-3-11, an Ordinance of the City Council of the City of Colton, California, Authorizing the City of Colton to Participate in the Alternative Voluntary Redevelopment Program Pursuant to California Health and Safety Code Sections 34192, Et Seq., Subject to Certain Conditions and Reservations, **ORDINANCE NO. O-03-11**
- (4) Second Reading of Ordinance No. O-04-11 - Waived Full Reading and Passed First Reading of an Ordinance of the City Council of the City of Colton Authorizing an Amendment to the Contract between the City Council of the City of Colton and the Board Administration of the California Public Employees' Retirement System (CalPERS), **ORDINANCE NO. O-04-11**.
- (5) Contract with State of California Department of Education - Approved and Adopted a Resolution Approving an Amendment Contract CSPP-0433 with the State of California Department of Education for the Provision of Preschool Services in the Human Services Division of the Community Services Department, for Fiscal Year 2011-12, **RESOLUTION NO. R-79-11**.

- (6) Employer Paid Member Contributions – Approved and Adopted a Resolution Approving a Change in the Paying and Reporting of the Value of Employer Paid Member Contributions for the IBEW Electric Unit; and Approve and Adopt a Resolution Approving a Change in the Paying and Reporting of the Value of Employer Paid Member Contributions for the IBEW Water/Wastewater Unit, **RESOLUTION NO. R-83-11 and R-84-11.**
- (7) ICRMA Representatives – Approved and Adopted a Resolution Appointing Specific Representatives to the Independent Cities Risk Management Authority (ICRMA) Governing Board, **RESOLUTION NO. R-85-11.**
- (8) Amendment to Professional Services Agreement with Urban Futures, Inc. – Approved and Authorized the Executive Director to Execute an Amendment to the Professional Services Agreement with Urban Futures, Inc. (UFI), Extending the Term for Administrative Financial Advisory Services to December 31, 2012.
- (9) Agreement with Urban Futures, Inc. – Approved and Authorized the City Manager to Execute a Professional Services Agreement with Urban Futures, Inc., to Continue Work on the Amendment/Merger of the City’s Redevelopment Plans Effective June 28, 2011.

PUBLIC HEARING

- (10) Annual Report of Costs of Weed Abatement Program

TIME AND PLACE FIXED TO CONSIDER A PUBLIC HEARING TO ADOPT A REPORT OF COSTS CONFIRMING THOSE COSTS PROVIDED TO THE COUNTY FOR PLACEMENT ON THE TAX ROLLS FOR PAYMENT.

City Clerk Gomez announced the Public Hearing Open and reported that no protests or objections have been received.

Mayor Zamora opened Public Comment. There were no public comments regarding this item. Mayor Zamora then closed the Public Hearing. Chief Hendrix gave brief comments and answered questions by MPT Bennett.

Motion and second by CM Yzaguirre/MPT Bennett. Unanimous vote.

Approved and Adopted **RESOLUTION NO. R-80-11.**

- (11) Temporary Promotional Signs and Year-Round Promotional Sign Ordinance.

TIME AND PLACE FIXED TO CONSIDER A PUBLIC HEARING TO ADOPT AN ORDINANCE OF THE CITY OF COLTON TO AMEND TITLE 18, CHAPTER 18.50 OF THE COLTON MUNICIPAL CODE RELATING TO TEMPORARY PROMOTIONAL SIGNS (FILE INDEX NO.: DAP-000-926a); AN ORDINANCE OF THE CITY OF COLTON TO ADOPT A YEAR-ROUND PROMOTIONAL SIGN ORDINANCE (FILE INDEX NO.: DAP-000-926B).

City Clerk Gomez announced the Public Hearing Open and reported that no protests or objections have been received.

Mayor Zamora opened Public Comment. There were no public comments regarding this item. Mayor Zamora then closed the Public Hearing.

It was the consensus of the Mayor and Council to approve recommendation and continue the Public Hearing to the October 4, 2011 Council Meeting.

BUSINESS ITEMS

- (12) Downtown Revitalization - Discussion Regarding Applications for Grant Funding for Planning Activities relating to the Proposed Senior Housing Project and Overall Future Downtown Revitalization Efforts, including Council Committee Involvement and Leadership, **RESOLUTION NOS. R-81-11 AND R-82-11.**

City Manager Foster gave a brief overview of the proposed Senior Housing Project and the overall future Downtown Revitalization efforts.

Mayor Zamora opened Public Comment on this item. The following citizens addressed the council:

Jose Olivar and Gary Grossich

Motion and second by CM Gonzales/CM Oliva. Unanimous vote.

CITY COUNCIL DISCUSSION ITEMS

- (13) City Council and City Manager's Office Staff Support.

Council Member Gonzales presented this item regarding the need for additional staff support in the Council Office.

CITY MANAGER'S REPORTS

Development Services Director Tomich gave a brief update on the Guyaux landfill issue.

City Clerk Gomez gave a brief update on the military banner program and the Colton Core Volunteer and Internship Program.

ADJOURNMENT

At 9:47, Mayor Zamora adjourned the meeting in memory of Merle Aaker, Lucy Delgado, the daughter of Marva X, Jack Brown's mother Rose, and Fort Bragg Council Member Jere Melo.

Eileen C. Gomez,
City Clerk