

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  
REGULAR MEETING MINUTES

December 4, 2012

The Regular Meeting of the Colton City Council was held on the above-given date and was called to order at 6:04 p.m., in the Council Chambers of City Hall, with Mayor Sarah S. Zamora presiding. Roll Call was announced by City Clerk Eileen C. Gomez as follows:

CITY COUNCIL ROLL CALL

Council Members Present

Sarah S. Zamora, Mayor  
David J. Toro  
Frank A. Gonzales, Mayor Pro Tem  
Vincent Yzaguirre  
Susan M. Oliva  
Deirdre 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.

INVOCATION

Eloise Gomez Reyes, Community Member

FLAG SALUTE

Steve Ferrance & Louie Barrera, American Legion Post 155

BUSINESS ITEMS

CANVASS OF ELECTION

- Approved and Adopted a Resolution of the City Council Reciting the Fact of the General Municipal Election held on November 6, 2012, Declaring the Result and such other matters as provided by Law, RESOLUTION NO. R-77-12.

Motion and second by CM Oliva/Yzaguirre, to approve and adopt Resolution No. 77-12, reciting the fact of the General Municipal Election held on November 6, 2012 and declaring the result and such other matters as provided by law. Unanimous vote.

PRESENTATION TO OUTGOING CITY OFFICIALS

Mayor Zamora recognized and presented plaques to Council Members Alex Perez and Vincent Yzaguirre for their service to the City of Colton. Congressman Joe Baca, Sr. and Supervisor Josie Gonzales, read and presented proclamations to both Council Members.

## COMMENTS FROM OUTGOING CITY OFFICIALS

Council Members Alex Perez and Vincent Yzaguirre both provided a summary of their past accomplishments during their tenure in office and expressed their gratitude to family, friends, fellow colleagues, city employees and Colton residents.

## OATH OF OFFICE

Mayor Zamora called the newly-elected city officials forward. The Oath of Office was administered by Congressman Joe Baca Sr. to Council Members Frank J. Navarro, Deirdre H. Bennett and Isaac T. Suchil, City Treasurer Aurelio De La Torre and City Clerk Eileen C. Gomez. Mayor Zamora then placed city pins on each of the newly-elected city officials. Certificates of Election were issued by City Clerk Gomez.

## COMMENTS FROM INCOMING CITY OFFICIALS

Mayor Zamora called the newly-elected city officials forward to take their place at the dais. Council Members Navarro, Bennett, Suchil, City Treasurer De La Torre and City Clerk Gomez each gave comments and expressed their gratitude to their family, friends, fellow colleagues, city employees and Colton residents.

## RECESS

At 7:21 p.m., Mayor Zamora declared a recess for a reception. At 7:50 p.m., the regular meeting reconvened and Mayor Zamora called the meeting to order with all current and newly elected members present as heretofore. Roll Call was announced by City Clerk Gomez as follows:

## CITY COUNCIL ROLL CALL

### Council Members Present

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

### 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*

None.

## MAYOR AND COUNCIL ITEMS

### POSSIBLE CONFLICT OF INTEREST DISCLOSURES FOR THE COUNCIL MEETING OF DECEMBER 4, 2012.

Mayor Sarah S. 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

None.

### PUBLIC COMMENT

The following community members addressed the Council:

John Mejia, Christine Irish-Ré, Jose Olivar, Kevin Emery.

### CONSENT CALENDAR

City Manager Foster presented Consent Calendar Item Nos. 1 through 5 for action by Council.

The following action was taken on the Consent Calendar:

Motion and second by CM Oliva/Bennett, to approve Consent Calendar Item Nos. 1 through 5. Motion carried with abstentions by Council Members Suchil and Navarro on Item No. 1, as they were not serving as Council Members at those meetings and to include the revisions to the minutes for the September 18, 2012 meeting.

- (1) Minutes – Approved Minutes for the City Council Regular Meeting Held September 18, 2012; Minutes for the Regular Meeting Held October 2, 2012; Minutes for the Regular Meeting of October 16, 2012; and Minutes for the Regular Meeting Held November 6, 2012, on File in the Office of the City Clerk.
- (2) Warrants – Approved Payable Warrants #131929 to #132086, Dated 10/25/12, Totaling \$1,969,221.43; Payable Warrants #132087 to #132227, Dated 11/01/12, Totaling \$412,565.45; Payroll Disbursement Listing for 10/27/12 to 11/09/12, Totaling \$588,366.32, on File in the Finance Department.
- (3) Award of Contract – Polaris Library Systems – Authorized the Award of a Contract to Polaris Library Systems for Library Automation Services, Technical Support, Staff Training, and System Hosting for the Installation of a new Library Circulation System Software. Staff also recommends that the City Council Authorize the Renewal of this Maintenance and Hosting Contract on an Annual Basis.

- (4) 11<sup>th</sup> Street Sewer Rehabilitation Project – Authorized the Award of a Construction Contract for the 11<sup>th</sup> Street Sewer Rehabilitation Project to Insituform Technologies, LLC., as the Lowest Responsive and Responsible Bidder in the Amount of \$45,005; Authorize the City Manager or his Designee to Approve Change Orders Not-to-Exceed 10% of the Awarded Contract for the 11<sup>th</sup> Street Sewer Main Rehabilitation Project.
- (5) Santa Ana Regional Interceptor (SARI) Modification Agreement – Approved the First Amendment to the Santa Ana Regional Interceptor (SARI) Discharge Agreement for the Funding of Ongoing Maintenance for the Brine Line, and Authorize the City Manager to Execute the Agreement with Any Non-substantive Revisions Approved by the City Attorney.

#### BUSINESS ITEMS

- (6) Waste Disposal Agreement – Approve to Amend the Waste Disposal Agreement (WDA) between the County of San Bernardino and City of Colton to Change the Termination Date from June 30, 2013 to June 30, 2016.

Public Works Director Amer Jakher provided a brief summary on the status of the Waste Disposal Agreement with the County of San Bernardino and the current waste rates. There was discussion regarding this issue and Mr. Jakher advised the Council of their options and staff recommendations. Peter Sterenberg with Republic Services distributed a summary of their proposal to the City.

#### PUBLIC COMMENT

Mayor Zamora opened Public Comment on this item with the following members of the public addressing the Council:

Peter Sterenberg, Republic Services  
Bernardo Sandoval, Grand Terrace Council Member  
Jerry Newcomb, County of San Bernardino

Motion and second by MPT Gonzales/Mayor Zamora, to approve staff's recommendation to approve the Waste Disposal Agreement.

Substitute motion and second by CM Suchil/Bennett, to table this item to be brought back at a special council meeting to be held on Thursday, December 13, 2012.

Jerry Newcomb, City Manager Foster and Peter Sterenberg answered questions from the Council regarding the WDA. City Manager Foster stated that he will not be available for a special council meeting on December 13<sup>th</sup> and asked if the meeting could be moved to December 17<sup>th</sup>.

CM Toro requested that Republic provide a proposal outlining their offer to the City before the December 18<sup>th</sup> deadline. City Manager Foster informed the Council that we are guaranteed the current rates through June 30, 2013 even if the deadline is not met.

CM Oliva commented on this item and asked City Treasurer De La Torre for his opinion. He advised the Council to bid the project and conduct more research on the WDA and the rates that the other cities are currently paying.

CM Oliva called for the question. Mayor Zamora asked CM Suchil to clarify his substitute motion, which was to table the item to be heard at a special council meeting to be held on Thursday, December 13, 2012.

MPT Gonzales asked why this item was being tabled and there was discussion regarding this motion. MPT Gonzales stated that he did not support tabling this item.

CM Toro stated that he will not be available on December 13th and asked if the meeting could be moved to Monday, December 17, 2012. CM Suchil agreed with the special meeting being moved to this date.

Mayor Zamora confirmed that the substitute motion was made by CM Suchil and second by CM Bennett, to table this item to be heard at a special council meeting to be held on Monday, December 17, 2012 at 6:00 p.m. Motion carried with the following vote: Mayor Zamora and MPT Gonzales voting no; Council Members Toro, Navarro, Oliva, Bennett and Suchil voting yes.

#### ADJOURNMENT

At 10:17 p.m., Mayor Zamora adjourned the regular council meeting in memory of Clarence Carrillo Suchil.



Eileen C. Gomez, CMC  
City Clerk