

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

January 11, 2012

A Special Meeting of the City Council/Redevelopment Agency/Colton Utility Authority/Colton Public Financing Authority, and Colton Housing Authority of the City of Colton was held on Wednesday, January 11, 2012, at 5:30 p.m., in the Council Chambers, located at 650 N. La Cadena Drive, Colton, CA 92324, with Mayor Sarah S. Zamora presiding. Notice of Special Meeting was given on January 10, 2012, in compliance with Government Code Section 54956.

Mayor Zamora called the meeting to order at 5:35 p.m. and asked City Clerk Gomez to announce roll call. City Clerk Gomez took roll with the following members present:

CITY COUNCIL ROLL CALL

Council Members Present

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

Staff Present

Rod Foster, City Manager
Dean Derleth, City Attorney
Eileen C. Gomez, City Clerk

Council Members/Staff Absent

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 REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8
Property Description/Site: APN # 0276-144-48, 49, 52, 53
Agency Negotiator(s): Rod Foster, City Manager
Negotiating Parties: Aaron Hodgdon, East Valley Land Company
Under Negotiation: Price & terms of payment

B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8
Property Description/Site: APN # 0162-052-20, 06
Agency Negotiator(s): Rod Foster, City Manager
Negotiating Parties: Eagle Colton, LLC
Under Negotiation: Price & terms of payment

PUBLIC COMMENT ON CLOSED SESSION

None.

Mayor Zamora adjourned the meeting to Closed Session at 5:37 p.m. and at 6:18 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 Items A and B with no reportable action.

A. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8

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Under Negotiation: Price & terms of payment

B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

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Property Description/Site: APN # 0162-052-20, 06

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Negotiating Parties: Eagle Colton, LLC

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COLTON HOUSING AUTHORITY
SPECIAL MEETING

January 11, 2012

Special Meeting was held on the above-given date at 6:18 p.m., in the Council Chambers of City Hall, with Mayor Sarah S. Zamora presiding.

CITY COUNCIL ROLL CALL

Council Members Present

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

Staff Present

Rod Foster, City Manager
Dean Derleth, City Attorney
Eileen C. Gomez, City Clerk

Council Members/Staff Absent

None.

PUBLIC COMMENT

The following community members addressed the Council:

Jose Olivar, John Anaya, Sr., Gary Grossich, and Wyn Holmes.

BUSINESS ITEMS

City Attorney Dean Derleth announced that the two Redevelopment Agency items could be discussed simultaneously. He summarized the two issues and explained that the action needed is to decide whether the City itself would be the Successor Agency and if the City would be the Successor Agency to the housing functions. He stated that the decision whether or not the City will chose to be the Successor Agency should move forward as there is a deadline. The decision to become the Successor Agency on the Housing Authority does not need to be made tonight as there is no specific deadline but he recommended that a decision be made by January 31, 2012, due abolishment date for redevelopment agencies being effective February 1, 2012. City Attorney Derleth also explained that housing item can be carried over to the next regular council meeting or to a special meeting if necessary.

Agency Counsel Delmar Williams explained the legislation seeking to eliminate redevelopment agencies and the payments anticipated to be paid to the State. He explained that legal action was taken on December 29, 2011 by the Supreme Court to not allow cities to continue to make payments as the law to dissolve the redevelopment agencies was upheld as constitutional. Mr. Williams continued to explain the process and the action needed for the dissolution of the agency. He also gave an overview of the purpose of the Oversight Committee that the Successor Agency must go through for approvals such as deposition of property. If there are any arrangements to be made for accelerating payments or existing debts, they would have to go before the Oversight Committee which will be comprised of appointees by various agencies throughout the County. Mr. Williams continued with his explanation of the process that will take place upon the dissolution of the redevelopment agencies and the implementation of the new law.

CITY ACTIONS

City Manager Foster provided a summary of the action needed to move Item No. 1 forward. Mayor Zamora asked for Council comments on this item.

1. Successor Agency to Redevelopment Agency - Approved and Adopted a Resolution **Electing** to become the Successor Agency to the Redevelopment Agency for the City of Colton Pursuant to Part 1.85 of Division 24 of the California Health and Safety Code, **RESOLUTION NO. R-01-12.**

Motion and second by CM Yzaguirre/MPT Bennett, to approve Item No. 1, **ELECTING** to become the Successor Agency to the Redevelopment Agency and adopting Resolution No. R-01-12. Unanimous vote.

Mayor Zamora, MPT Bennett and Council Members Yzaguirre and Gonzales encouraged those in attendance to contact local legislators to let them know what an impact this issue is having on our community and gave comments regarding this matter.

Mayor Zamora invited community members to sign a letter to local legislators that she would coordinate. City Attorney Derleth and City Manager Foster will meet to discuss the possibility of placing this item in a future agenda if necessary.

City Attorney Derleth introduced the second item and gave a brief summary of the necessary action needed for this item. Agency Counsel Delmar Williams then explained the financial obligations of the City in regards to housing assets and functions as stated in the staff report.

2. Successor to Housing Assets and Functions - Approve and Adopt a Resolution Electing the Public Entity (either the City, the Colton Housing Authority or the Housing Authority of the County of San Bernardino) to Assume the Housing Assets and Functions previously Performed by Redevelopment Agency for the City of Colton Pursuant to Part 1.85 of Division 24 of the California Health and Safety Code, **RESOLUTION NO. R-02-12.**

AGENCY ACTION

1. Amended Enforceable Obligation Payment Schedule - Approve and Adopt an Amended Enforceable Obligation Payment Schedule Pursuant to Parts 1.8 and 1.85 of Division 24 of the California Health and Safety Code, **RESOLUTION NO. 897.**

City Manager Foster gave brief comments on future goals regarding downtown revitalization and the impact of moving our housing projects forward without redevelopment.

City Attorney Derleth gave a brief overview of Item No. 2 and Agency Action Item No. 1, and explained the options presented in the staff report regarding the housing assets and functions.

Management Services Director Bonnie Johnson gave a summary of the status of the combined equity of the low-mod operation for the Redevelopment Agency, reflecting a deficit balance of \$590,455. She stated that as of June 30, 2011, our most recent audit reflected two different types of low-mod operations and she explained the status of our current debt and other obligations for low-mod access funds. This information is available on our website and will be a component of the CAFR scheduled to be presented to Council in February.

Mayor Zamora asked Council Members for any comments or questions regarding this matter.

Motion and second by CM Yzaguirre/Gonzales, to continue Council Item No. 2 and Agency Item No. 1, and to make a decision on Item No. 2 before the February 1, 2012 deadline. Unanimous vote.

ADJOURNMENT

At 7:30 p.m., Mayor Zamora declared the Special Meeting adjourned in honor of the late Senator Ruben Ayala.


Eileen C. Gomez, CMC
City Clerk