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 AND SPECIAL MEETING MINUTES

March 20, 2012

Regular and Special Closed Session meeting was held on the above-given date at 5:02 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, Mayor Pro Tem
Vincent Yzaguirre
Deirdre H. Bennett
Alex G. Perez

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

Council Members/Staff Absent
Susan M. Oliva
Aurelio De La Torre, City Treasurer

City Attorney Derleth announced that the City Council would meet in Closed Session to discuss Item A and would also meet to discuss two items on the Special Meeting agenda concurrently. City Attorney Derleth read the titles for both the Regular and Special Closed Session meetings.

CLOSED SESSION

REGULAR CLOSED SESSION

A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Government Code section 54956.9(a)
Case Name: City of Colton v. American Promotional Events, Inc., *et al.*
Case Number: US District Court Case No. CV 09-01864; Los Angeles Superior Court Case No. BC 376008

SPECIAL CLOSED SESSION

A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(a)
Case Name: City of Colton v. Ernest Grossich
Case Number: San Bernardino County Superior Court Case No. CIVSS 701112

B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(a)
Case Name: Gary Grossich, Ernest Grossich, et al. v. City of Colton, et al.
Case Number: San Bernardino County Superior Court Case No. CIVDS 917057

PUBLIC COMMENT ON REGULAR AND SPECIAL CLOSED SESSION
None.

Mayor Zamora adjourned to the Regular and Special Closed Session meetings at 5:02 p.m. and at 6:15 p.m., the Special meeting was closed and the Regular meeting reconvened. Roll Call was announced by City Clerk Gomez with all members present except CM Oliva.

City Attorney Derleth reported that the City Council did meet and did discuss Item A on the Regular Council Meeting agenda and also on Items A through B on the Special Council Meeting agenda with no reportable action. City Attorney Derleth also announced that the Special Meeting be closed and that the Regular Council meeting reconvene.

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

March 20, 2012

Regular Meeting was held on the above-given date at 6:15 p.m., in the Council Chambers of City Hall, with Mayor Sarah S. Zamora presiding.

INVOCATION
Dave Mlynarski

FLAG SALUTE
Steve Ferrence and Louie Barrera, American Legion Post 155

CITY COUNCIL ROLL CALL

Council Members Present
Sarah S. Zamora, Mayor
David J. Toro
Frank A. Gonzales, Mayor Pro Tem
Vincent Yzaguirre
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
Susan M. Oliva (arrived at 6:25 p.m.)

CEREMONIAL MATTERS *Presentations, Awards, Proclamations*

- Presentation - Healthy Eating, Active Living (HEAL) Cities Campaign

Tabitha Rivera, Senior Public Affairs Representative from Kaiser Permanente, gave a presentation on promoting physical activity and healthy living and thanked the City of Colton for promoting the HEAL Campaign which began in 2008 through the League of California Cities. Ms. Rivera presented a certificate to Mayor Zamora and thanked her for supporting a healthy community.

MAYOR AND COUNCIL ITEMS

POSSIBLE CONFLICT OF INTEREST DISLOSURES FOR THE COUNCIL MEETING OF MARCH 20, 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:

Linda Tripp, Paulina Schiaretti, and Stephen Wall.

MAYOR AND COUNCIL ORAL REPORTS AND COMMENTS

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

CITY TREASURER'S REPORTS

- Receive and File City Treasurer's Report for January 2012.

City Treasurer De La Torre presented the City Treasurer's report for January 2012. Receive and file.

CONSENT CALENDAR

City Manager Foster presented Consent Calendar Item Nos. 1 through 6 for action by Council.

The following action was taken on the Consent Calendar:

Motion and second by CM Yzaguirre/CM Toro, to approve Consent Calendar Item Nos. 1 through 6. Motion carried.

(1) Minutes – Approved Minutes for the City Council Regular Meeting Held March 6, 2012, on File in the Office of the City Clerk.

(2) Warrants – Approved Payable Warrants #127380 to #127494, Dated 02/23/2012, Totaling $981,115.46; Payable Warrants #127495 to #127613, Dated 03/01/2012, Totaling $3,382,980.38; Payroll Disbursement Listing for 02/18/2012 to 03/02/2012, Totaling $599,027.51, on File in the Finance Department.

(3) Annual Weed Abatement Program – Approved and Adopted a Resolution and Set the Public Hearing for the Annual Weed Abatement Program for April 3, 2012, **RESOLUTION NO. R-09-12.**

(4) Common Use Agreement/Santa Ana River Bike Trail Staging Project - Approved and Authorized Execution of a Common Use Agreement with the County of San Bernardino for the Newly Built Santa Ana River Bike Trail Staging Area on the County of San Bernardino Flood Control District Property.

(5) Homeland Security Grant Acceptance – Approved and Adopted Resolution to Accept Fiscal Year 2011-2012 Grant in the Amount of $29,921 from the California Governor's Office of Homeland Security. **RESOLUTION NO. R-10-12.**

(6) Pacific Rail Industries Agreement – Approved the Agreement for Electric Infrastructure Upgrade and Operating Agreement with Pacific Rail Industries.

BUSINESS ITEMS

(7) La Paz Solar Tower, LLC Purchase Power Agreement - Waived Full Reading and Introduced by Title Only an Ordinance of the City of Colton Approving the Purchase Power Agreement between Southern California Public Power Authority (SCPPA) and La Paz Solar Tower, LLC, **ORDINANCE NO. O-04-12.**

David Kolk, Electric Utilities Director, gave a PowerPoint presentation regarding the La Paz Solar Tower item and answered questions from Council regarding this item.

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

Kirk Larson, Jose Olivar and Gary Grossich.

Motion and second by CM Bennett/CM Perez, to waive full reading and introduce by title only, Ordinance No. O-04-12 of the City of Colton, approving the Purchase Power Agreement between Southern California Public Power Authority (SCPPA) and La Paz Solar Tower, LLC. Motion carried with CM Yzaguirre abstaining and MPT Gonzales voting no.

CITY COUNCIL DISCUSSION ITEMS

None.

CITY MANAGER'S REPORTS

City Manager Foster announced that Colton is receiving serious national recognition as there are contestants on both the television show American Idol and Survivor named Colton.

ADJOURNMENT

At 8:22 p.m., Mayor Sarah Zamora adjourned the regular council meeting.

Eileen C. Gomez, CMC
City Clerk