

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

February 4, 2014

The Regular Meeting of the Colton City Council was held on the above-given date and was called to order at 5:00 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 (arrived at 5:05 pm)
Frank A. Gonzales
Frank J. Navarro
Susan M. Oliva
Isaac T. Suchil, Mayor Pro Tem

Staff Present

Stephen P. Compton, City Manager
Eileen C. Gomez, City Clerk
Cristina Talley, City Attorney
Laura Crane, City Attorney
Bill Smith, Community Services Director
Dr. David Kolk, Electric Utility Director

Council Members/Staff Absent

None.

City Attorney Cristina Talley read Closed Session titles A and B into the record.

CLOSED SESSION

- A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54946.9
Number of Potential Cases: 1

- B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Pursuant to California Government Code, Section 54956.9(d)(2)
Number of Potential Case: 1

CLOSED SESSION PUBLIC COMMENT

None.

Mayor Sarah S. Zamora adjourned the meeting to Closed Session at 5:02 p.m. and at 6:06 p.m., the meeting reconvened, with Mayor Sarah S. Zamora presiding. Roll Call was announced by City Clerk Eileen C. Gomez with all members present as heretofore.

City Attorney Talley announced that the City Council did meet in Closed Session and discussed Items A and B with no reportable action.

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CITY OF COLTON/COLTON UTILITY AUTHORITY/
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COLTON HOUSING AUTHORITY
REGULAR MEETING

February 4, 2014

Open Session of the Regular Meeting was called to order on the above-given date at 6:06 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, with all members present as heretofore.

CITY COUNCIL ROLL CALL

Council Members Present

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

Staff Present

Stephen P. Compton, City Manager
Eileen C. Gomez, City Clerk
Cristina Talley, City Attorney
Aurelio De La Torre, City Treasurer
Misty Cheng, Interim Finance Manager
Bill Smith, Community Services Director
Dr. David Kolk, Electric Utility Director
Steve Ward, Police Chief
Tim McHargue, Fire Chief
Amer Jakher, Public Works Director
Mark Tomich, Development Services Director

Council Members/Staff Absent

None.

INVOCATION

Pastor Jim Spellman, Centerpoint Church

FLAG SALUTE

Louie Barrera and Steve Ferrance, American Legion Post 155

CEREMONIAL MATTERS *Presentations, Awards, Proclamations*

- Presentation - "Explore & Discover, Nature at its best" – Colton Wildlands Conservancy.

Michael Zurn, with representatives from the Colton Wildlands Conservancy, provided a PowerPoint presentation and provided background information on the organization. There was discussion regarding a letter of support for the expansion of the conservancy using vacant land in Colton.

- Proclamation - Union Pacific Railroad – Lupe C. Valdez, Public Affairs Director and Union Pacific Representatives

Council Member Susan Oliva and Mayor Sarah S. Zamora presented a Proclamation and Key To The City to Lupe Valdez, Public Affairs Director for Union Pacific Railroad, in recognition of their support and contribution to the City of Colton's 126th Birthday Celebration and for their donation of the Union Pacific logo plaque.

- Proclamation - National Wear Red Day, February 7, 2014

Mayor Sarah S. Zamora presented a Proclamation to Mary Schneider from the American Heart Association for the National Wear Red Day. Mrs. Schneider stated that she is also the Head Nurse for the Women's Health Clinic at the Arrowhead Regional Medical Center and has been teaching first aid to the community for over 18 years.

MAYOR AND COUNCIL ITEMS

POSSIBLE CONFLICT OF INTEREST DISLOSURES FOR THE COUNCIL MEETING OF FEBRUARY 4, 2014.

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.

AB 1234 ORAL REPORTS

None.

MAYOR AND COUNCIL DISCUSSION ITEMS

- Update from January 24, 2014, League of CA Cities Employee Relations Policy Committee and CalPERS.

Council Member Deirdre Bennett provided an update from the League of California Cities Employee Relations Policy Committee and CalPERS held on January 24, 2014 in Sacramento. She explained that they discussed possible changes that will economically impact public agencies regarding CalPERS.

APPOINTMENTS

None.

PUBLIC COMMENT

The following community members addressed the Council:

Chetay Catalano, Colton Chamber of Commerce and Alex Barrajas, H & R Block

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

Mayor Zamora presented Consent Calendar Item Nos. 1 through 11 for action by Council.

The following action was taken on the Consent Calendar:

CM Bennett had questions on Item No. 3.

CM Suchil pulled Item No. 11 for a separate vote.

CM Gonzales had questions on Item Nos. 5, 7, 8 and 10.

CM Toro had comments on Item No. 11.

Mayor had comments on Item Nos. 5 and 8.

Motion and second by CM Navarro/Bennett, to approve the Consent Calendar, Item Nos. 1 through 10 as presented. Unanimous vote.

- (1) Minutes – Approved Minutes for the City Council Special Meeting Held January 9, 2014; Minutes for the City Council Regular Meeting Held January 21, 2014, on File in the Office of the City Clerk.
- (2) Warrants – Approved Payable Warrants #139246 to #139342, Dated 11/27/13, Totaling \$1,934,813.24; Payable Warrants #139343 to #139476, Dated 12/5/13, Totaling \$910,421.32; Payable Warrants #139477 to 139598, Dated 12/12/13, Totaling \$1,708,435.25; and a Payroll Disbursement Listing for the Period 1/4/14 to 1/17/14, Totaling \$658,018.37, on file in the Finance Department.
- (3) Receive and File the 2012-13 Measure I and TDA – Received and Filed the 2012-13 Measure I and Transportation Development Act (TDA) Audit Reports.
- (4) Set Public Hearing for 2014-15 CDBG Project Prioritization – Set a Public Hearing for February 18, 2014 for Fiscal Year 2014-15 Community Development Block Grant Funds Project Prioritization.
- (5) Award of Contract for the South Colton Drainage Improvement Project – Authorized the Award of Contract for the South Colton Drainage Project to Kad Paving Company, as the Lowest Responsive and Responsible Bidder in the Amount of Not-to-Exceed \$295,421; and Authorized the City Manager or his Designee to Approve Change Orders Not-to-Exceed 10% of the Awarded Contract for the South Colton Drainage Improvement Project. *Environmental Impacts: Since the project is installation of underground pipeline that will not exceed one mile in length, staff recommended that the South Colton Drainage Improvement Project be determined to be Statutorily Exempt under California Environmental Quality Act (CEQA) Guidelines Section 15282(k). A Notice of Exemption was filed with the County Clerk on April 26, 2012.*

- (6) Construction Contract for Two Community Development Block Grant (CDBG) Projects – Authorized the Award of a Construction Contract for the CDBG Alleys Paving Project to Superior Paving Company dba United Paving Company as the Lowest Responsive and Responsible Bidder in the Amount of \$71,890; Authorize the Award of a Construction Contract for the CDBG Bordwell Avenue at Lincoln Elementary School Street Improvement Project as the Lowest Responsive and Responsible Bidder to DM Contracting, Inc., in the Amount of \$166,197.34; Authorize the City Manager or his Designee to Approve Change Order Not-to-Exceed 10% of the Awarded Contracts for both Projects. *Environmental Impacts: Staff recommends that the CDBG Alleys Paving Project and CDBG Bordwell Avenue at Lincoln Elementary School Street Improvement Project be determined Categorically Exempt under California Environmental Quality Act (CEQA) Guidelines Section 15301(c). A Notice of Exemption for both projects will be filed with the County Clerk should Council take the actions recommended by staff.*
- (7) Professional Services Agreement with ARCA Recycling, Inc. – Authorized the City Manager to Renew the Professional Services Agreement between Southern California Public Power Authority (SCPPA) and ARCA Recycling, Inc., to Participate in the Refrigerator Exchange Program.
- (8) City Hall Roof Rehabilitation Project – Authorized the Award of a Construction Contract for the City Hall Rehabilitation Project to Corona Coating Corporation as the Lowest Responsive and Responsible Bidder in the Amount of \$53,162; Authorized the City Manager or his Designee to Approve Change Orders Not-to-Exceed 10% of the Awarded Contract; and Adopt a Resolution Amending FY 2013-14 Budget and Increase the Expenditure Account in the Amount of \$58,478, RESOLUTION NO. R-13-14. *Environmental Impacts: Staff recommends that the City Hall Roof Rehabilitation Project be determined Categorically Exempt under California Environmental Quality Act (CEQA) Guidelines Section 15301(d). A Notice of Exemption will be filed with the County Clerk should Council take the actions recommended by staff.*
- (9) Colton West Substation SCE System Impact Study – Approved the Colton West Substation Interconnection Project Combined System Impact and Facilities Study Agreement between the City of Colton and Southern California Edison Company at an Estimated Cost of \$60,000 and Authorize the City Manager to Execute the Agreement.
- (10) First Amendment to the Electrical Facilities Agreement with Pacific Rail Industries – Approved First Amendment to Electrical Facilities Agreement with Pacific Rail Industries and Authorized the City Manager to Execute the Amendment.

Item No. 11 was pulled for separate vote:

- (11) MOU/SBPEA - Approved the Memorandum of Understanding (MOU) between the City of Colton and the San Bernardino Public Employees Association (SBPEA) General Unit.

Human Resources Manager Ted Cooper approached the podium to answer questions from Council Members regarding current SBPEA General Unit negotiations. CM Suchil asked that the holiday schedule be brought back for possible revisions. MPT Toro commented that SBPEA has always stepped up regarding givebacks and asked that the full contract be looked at. MPT Toro stated that he had some suggestions that he would like to see be part of the negotiations. City Manager Compton stated that as an item, Council could direct the City Manager to look at “economic items of legacy language” and suggested that Council authorize the passing of this item and then look at those

items that are legacy language items to be brought back to negotiations. CM Gonzales stated that since staff has already negotiated the agreements, he did not agree that the holiday time was an issue and asked that any future proposed changes be brought back to the labor group for negotiation. City Attorney Talley agreed with CM Gonzales and stated that Council direction was previously given to the labor negotiator and these terms have been settled with the union.

CM Toro stated that he would like to approve the agreement as is with an opener added to the agreement regarding economic issues. CM Toro also stated that he had other ideas that would benefit the City that he would like to be given the opportunity to present.

Motion and second by CM Toro/MPT Suchil, to approve staff recommendation with the addition of an opener clause regarding economic items.

Before the vote, CM Navarro stated that he supported the passing of the agreements and wanted to clarify that the legacy language to be added to the contract would be a line “reserving to the City an opener regarding economic items with legacy language.”

Makers of the motion agreed to the amendment. Unanimous vote.

PUBLIC HEARING

(12) General Plan Amendment: Update to the Housing Element (File Index No. DAP-001-128)

TIME AND PLACE FIXED TO CONSIDER A PUBLIC HEARING TO ADOPT A RESOLUTION ADOPTING A GENERAL PLAN AMENDMENT FOR AND UPDATE TO THE HOUSING ELEMENT OF THE GENERAL PLAN FOR THE 2014-2021 PLANNING PERIOD.

Development Services Director Mark Tomich provided a PowerPoint presentation and summarized the information in the staff report regarding the history of the General Plan Amendment update and the Housing Element of the General Plan for the 2013-2021 planning period. There was discussion and Mr. Tomich answered questions from Council Members. Police Chief Steve Ward also answered questions from Council Members regarding Code Compliance.

Mayor Zamora read the title of Resolution No. R-12-14 into the record. City Clerk Gomez announced that the affidavit of publication is on file in the City Clerk’s Office and no protests or objections were received.

Mayor Zamora opened the Public Hearing.

PUBLIC COMMENT

None.

Motion and second by CM Oliva/Bennett, to close the public hearing.

Motion and second by CM Oliva/Navarro, to move this item and approve staff recommendation. Roll call vote was as follows: Ayes – CM Toro, CM Gonzales, CM Navarro, CM Oliva, CM Bennett, MPT Suchil and Mayor Zamora; Noes – None. Unanimous vote.

(13) Amending Ordinance Regarding Sewer Service Laterals

INTRODUCED ORDINANCE NO. O-02-14, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COLTON AMENDING SECTION 13.08.105 DEFINITIONS AND ABBREVIATIONS, SECTION 13.08.203 RESPONSIBILITY FOR INSTALLATION, MAINTENANCE AND REPLACEMENT AND SECTION 13.08.204 RESPONSIBILITY FOR REMOVAL OF OBSTRUCTIONS IN SEWER SERVICE LATERALS OF CHAPTER 13.08 OF THE COLTON MUNICIPAL CODE.

Mayor Zamora read the title of Ordinance No. 02-14 into the record. City Clerk Gomez announced that the affidavit of publication is on file in the City Clerk's Office and no protests or objections were received.

Public Works Director Amer Jakher provided a brief summary of the process for removal of obstructions in sewer service laterals. There was discussion regarding this matter and Mr. Jakher answered questions from Council Members.

Mayor Zamora opened the Public Hearing.

PUBLIC COMMENT

None.

Motion and second by CM Bennett/Oliva to close public hearing

Motion and second by CM Navarro/Bennett, to move this item and approve staff recommendation.

Roll call vote was as follows: Ayes – MPT Suchil, CM Bennett, CM Oliva, CM Navarro, CM Gonzales, CM Toro and Mayor Zamora; Noes – None. Unanimous vote.

Public Works Director Jakher stated that we would also be bringing this forward to the City of Grand Terrace so it is uniform across the whole system. He also informed Council that the City of Grand Terrace offered to complete the work on the Barton Road bridge. Mr. Jakher gave special thanks to Victor Ortiz for moving the funding between projects to make sure the work had proper funding for completion and that it was extremely unusual to obtain approval to have federal funds moved between projects.

BUSINESS ITEMS

None.

CITY COUNCIL DISCUSSION ITEMS

None.

CITY MANAGER'S REPORTS

City Manager Compton provided a brief explanation of his current working projects.

ADJOURNMENT

Motion and second to adjourn by CM Navarro/CM Oliva. At 8:42 p.m., Mayor Zamora adjourned the Regular Council meeting.



Eileen C. Gomez, CMC
City Clerk