

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

March 18, 2014

The Regular Meeting of the Colton City Council was held on the above-given date and was called to order at 5:02 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
Frank J. Navarro
Susan M. Oliva

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
Amer Jakher, Public Works Director
Dr. David Kolk, Electric Utility Director

Council Members/Staff Absent

Deirdre H. Bennett
Isaac T. Suchil, Mayor Pro Tem

City Attorney Cristina Talley read Closed Session titles A through E into the record.

CLOSED SESSION

A. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8

Property Address: 1023 South Mount Vernon Avenue, APN Nos. 0161-221-03, 04, 05, 06, 37, 67 and 70.
APN Nos. 0161-221-07, 08, 09.

Negotiating Parties: Stephen Compton, City Manager and Arthur Morgan, Economic Development Manager

Under Negotiation: Price and Term of Sale

B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(d)(1)

Case Name: Raymundo Rodriguez & Adriel Guitron v. City of Colton and Eric Fraser

Case Number: US District Court Case No. CV-00303-SGL-OP

US Court of Appeals, 9th Circuit, Case No. 09-55149

C. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(d)(1)

Case Name: Charles Walker v. City of Colton

Case Number: San Bernardino Superior Court Case Number CIVDS 1212916

D. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(d)(1)

Case Name: Largo Concrete, Inc. v. City of Colton, et al.

Case Number: San Bernardino County Superior Court Case No. CIVDS1400406

E. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Initiation of Litigation Pursuant to Government Code Section 54956.9(d)(4)

Number of Potential Cases: 1 (City of Grand Terrace – Sewer Agreement)

CLOSED SESSION PUBLIC COMMENT

None.

Mayor Sarah S. Zamora adjourned the meeting to Closed Session at 5:06 p.m. and at 6:07 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 Cristina Talley announced that the City Council did meet in Closed Session and discussed Items A through E with no reportable action.

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 18, 2014

Open Session of the Regular Meeting was called to order on the above-given date at 6:07 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

Staff Present

Stephen P. Compton, City Manager

Eileen C. Gomez, City Clerk

Cristina Talley, City Attorney

Bill Smith, Community Services Director

Tim McHargue, Fire Chief

Lt. Joe Gutierrez, Police Department

Amer Jakher, Public Works Director

Dr. David Kolk, Electric Utility Director

Mark Tomich, Development Services Director

Jessica Hurst, Finance Manager

Council Members/Staff Absent

Deirdre H. Bennett

Isaac T. Suchil, Mayor Pro Tem

INVOCATION

Stephen Compton, City Manager

FLAG SALUTE

Joe Mojica, VFW Post 6476

CEREMONIAL MATTERS *Presentations, Awards, Proclamations*

- Presentation - Business Focus – Adele’s Dress Shop

The Business Focus for the month of March was introduced by Art Morgan, Economic Development Manager and Chetay Catalano, Executive Director for the Colton Chamber. Council Member Frank Gonzales presented a You Make A Difference Certificate to Abe Simon, owner of Adele’s Dress Shop. Council Member Gonzales and provided a brief background of their 75 years in Colton. Mr. Simon introduced his family and thanked the Council for the special recognition.

- Recognition - Fire Explorers Completion of Leadership Academy and 22nd Annual Fire Explorer Academy

Fire Chief Tim McHargue gave a brief history on the Fire Explorers Leadership Academy. Mayor Zamora joined Chief McHargue at the podium to present Certificates of Recognition as follows:

Inland Empire Fire Explorer Association (IEFEA) Leadership Academy - Angeles Oaks
Shelby Donley, Claire Kelly, Jesse Rivera

IEFEA 22nd Annual Academy - U.S. Army National Training Center at Fort Irwin
Shelby Donley, Claire Kelly, Angel Martinez, Jesse Rivera, Cameron Terry, Jacob Velasquez

Chief McHargue also thanked Battalion Chief Kevin Valentin, Engineer Frank Ojeda, Captain Mike Rustin and his wife Joanne and Kathy Donley for their countless hours dedicated to these programs.

MAYOR AND COUNCIL ITEMS

POSSIBLE CONFLICT OF INTEREST DISLOSURES FOR THE COUNCIL MEETING OF MARCH 18, 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

Council Member Navarro reported that on March 6, 2014, he, Council Member Toro and MPT Suchil attended the League of California Cities Division meeting along with staff, for a presentation on earthquake preparedness.

MAYOR AND COUNCIL DISCUSSION ITEMS

- Washington Street Interchange/Mt. Vernon Avenue Improvement Project

Council Member Navarro provided an overview of his participation as the Colton representative for the San Bernardino Associated Governments (SANBAG), and gave an update on the Washington Street Interchange/Mt. Vernon Avenue Improvement Project. He thanked the Mayor of Grand Terrace Walt Stanckiewicz, Interim City Manager Ken Henderson and City staff, for their hard work and support of this project. Both Mayor Stanckiewicz and Mr. Henderson were in attendance for this Council meeting.

APPOINTMENTS

None.

PUBLIC COMMENT

The following community members addressed the Council:

Dr. Luis Gonzalez (Dr. G), Amador Roman, Wanda Faye Bryant and Cynthia De La Rosa.

MAYOR AND COUNCIL ORAL REPORTS AND COMMENTS

It was a consensus of the Council to move this item to the end of Open Session.

CITY TREASURER'S REPORTS

- Receive and File City Treasurer's Report for January 2014

It was a consensus of the Council to receive and file the City Treasurer's report for January 2014, as presented by City Treasurer Aurelio De La Torre.

CONSENT CALENDAR

Mayor Zamora announced that it was a consensus of the Council to move Item No. 9 to be the first item heard on the Consent Calendar.

- (9) Sewer Services Agreement with City of Grand Terrace – Approved and Authorized the Execution of the Settlement Agreement and Release, Sewer Services Agreement and Wastewater Enterprise Lease Agreement between the City of Colton and the City of Grand Terrace.

Grand Terrace Mayor Walt Stanckiewicz provided a brief background on the sewer services project and explained how he and Mayor Zamora have worked together on this agreement and thanked staff from both cities for all their hard work on moving this agreement forward. Mayor Zamora also thanked Mayor Stanckiewicz for working with Colton to move this project forward. Interim City Manager Ken Henderson also provided comments on this project and thanked City Manager Stephen Compton and City Attorney Danielle Sakai for their work.

City Manager Compton read the issues and analysis into the record as stated in the staff report, commenting that this is a 50 year agreement. Council Member Toro commended Mayor Stanckiewicz on his involvement with our Council on this project.

Motion and second by CM Navarro/Toro, to accept staff's recommendation regarding the Sewer Services Agreement with the City of Grand Terrace. Roll call vote was taken by City Clerk Gomez as follows: CM Oliva – yes; Mayor Zamora – yes; CM Navarro – yes; CM Gonzales – yes; and CM Toro - yes. Motion carried with MPT Suchil and CM Bennett being absent.

The following action was taken on the Consent Calendar:

Mayor Zamora presented Consent Calendar Item Nos. 2 through 8 for action by Council, pulling Item No. 1 for a separate vote.

Motion and second by CM Oliva/Navarro, to approve the Consent Calendar, Item Nos. 2 through 8.

CM Gonzales had questions on Item Nos. 3, 4, 5 and 6.

CM Navarro had questions on Item No. 8.

Mayor Zamora restated the motion and second by CM Oliva/Navarro, to approve the Consent Calendar, Item Nos. 2 through 8. Motion carried with MPT Suchil and CM Bennett being absent.

- (1) Minutes – Approved Minutes for the City Council Regular Meeting Held March 4, 2014, on File in the Office of the City Clerk. **PULLED FOR SEPARATE VOTE**

The following amendments were made to the minutes for the City Council Regular meeting held on March 4, 2014:

Mayor Zamora: Approved pages 1 through 4 and paragraphs 1, 2 and 3 on page 5.
Council Member Gonzales: Approved pages 1 through 4 and paragraphs 1 through 9 on page 5.
Council Member Oliva: Approved pages 1 through 4 and paragraphs 1, 2 and 3 on page 5.

Motion and second by CM Navarro/Gonzales, to approve the minutes for the City Council Regular meeting held on March 4, 2014, as amended. Motion carried with MPT Suchil and CM Bennett being absent.

- (2) Warrants – Approved Payable Warrants #140022 to #140181, Dated 1/16/14, Totaling \$3,297,073.34; Payable Warrants #140182 to #140312, Dated 1/23/14, Totaling \$1,468,684.75; and a Payroll Disbursement Listing for the Period 2/15/14 to 2/28/14, Totaling \$644,300.97, on file in the Finance Department.
- (3) CUA/Amendment to Agreement with Clinical Laboratories, Inc. - Amended the Existing Agreement with Clinical Laboratories, Inc., to Increase the Total Compensation for Additional Water Quality Analysis in an Amount Not-to-Exceed \$50,000.

- (4) Second Amendment to Professional Services Agreement with SR Bray, LLC. – Approved Second Amendment to the Professional Services Agreement with SR Bray, LLC, dba Power Plus, to Increase the Annual Amount for Electrical Engineering Services by an Additional Amount Not-to-Exceed \$25,000.
- (5) Professional Services Agreement for Community Public Facility Needs Assessment – Approved a Professional Services Agreement with Griffin Structures, Inc., in an Amount Not-to-Exceed \$28,000, for a Community Public Facilities Needs Assessment.
- (6) Grant Writing Services – Approved the Recommendation of the Grant Writer Committee to Use the Grant Writing Services of Blais & Associates, Inc., on an As Needed Basis.
- (7) National Association of Letter Carriers, Branch #411 - Adopted a Resolution Supporting Postal Service Protection Act of 2013, RESOLUTION NO. R-21-14.
- (8) Purchase of Street Sweeper from Haaker Equipment Company - Awarded the Purchase and Delivery of One (1) New Elgin CNG Broom Bear Street Sweeper to Haaker Equipment Company, for an Amount Not-to-Exceed \$317,083.68; Created One (1) New Equipment Operator II Position in the Public Works Department; and Approved a Resolution Setting a Compensation Rate for the Equipment Operator II, RESOLUTION NO. R-23-14.
- (9) Sewer Services Agreement with City of Grand Terrace – **THIS ITEM WAS MOVED TO THE BEGINNING OF THE CONSENT CALENDAR.**

PUBLIC HEARINGS

- (10) Annual Weed Abatement Program

TIME AND PLACE FIXED TO CONSIDER A PUBLIC HEARING TO DISCUSS THE CITY'S ANNUAL WEED ABATEMENT PROGRAM.

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.

Fire Marshal Alan Sork provided a brief overview of the Weed Abatement Program and answered questions from Council.

Mayor Zamora opened the Public Hearing.

PUBLIC COMMENT

None.

Motion and second by CM Oliva/Navarro, to close the public hearing. Motion carried with MPT Suchil and CM Bennett being absent.

Motion and second by CM Navarro/Oliva, to approve staff's recommendation. Motion carried with MPT Suchil and CM Bennett being absent.

BUSINESS ITEMS

(11) State of Drought Presentation.

Public Works Director Amer Jakher provided a brief overview of the current drought situation. Water Conservation Specialist Jennifer Shimmin and Environmental Conservation Supervisor Jessica Sutourus provided a PowerPoint presentation regarding the State of Drought and answered questions from Council. CM Navarro read information from a meeting he attended for the Southern California Association of Governments (SCAG) on March 6, 2014 and thanked staff for their presentation.

(12) Five-Year Capital Improvement Program Presentation.

Public Works Director Amer Jakher provided a PowerPoint presentation regarding the Five-Year Capital Improvement Program and answered questions from Council.

MAYOR AND COUNCIL ORAL REPORTS AND COMMENTS

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

CITY COUNCIL DISCUSSION ITEMS

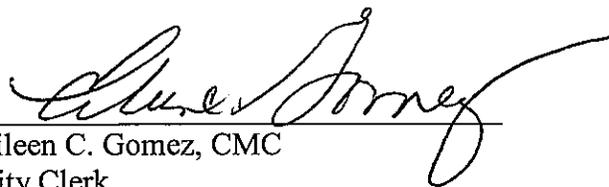
None.

CITY MANAGER'S REPORTS

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

ADJOURNMENT

Motion and second by CM Navarro/Gonzales, to adjourn the Regular Meeting at 8:00 p.m. Motion carried with MPT Suchil and CM Bennett being absent.



Eileen C. Gomez, CMC
City Clerk