

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

June 3, 2014

The Regular Meeting of the Colton City Council was held on the above-given date and was called to order at 5:03 p.m., in the Council Chambers of City Hall, with Mayor Sarah S. Zamora presiding. Roll Call was announced by Chief Deputy City Clerk Sabdi Sanchez 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  
Sabdi Sanchez, Chief Deputy City Clerk  
Cristina Talley, City Attorney  
Bill Smith, Community Services Director-ACM  
Amer Jakher, Public Works Director  
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 B into the record.

CLOSED SESSION

- A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
Pursuant to Government Code Section 54957  
Title: City Manager
  
- B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54946.9  
(One potential case)

CLOSED SESSION PUBLIC COMMENT

None.

Mayor Sarah S. Zamora adjourned the meeting to Closed Session at 5:04 p.m. and at 6:01 p.m., the meeting reconvened, with Mayor Sarah S. Zamora presiding. Roll Call was announced by Chief Deputy City Clerk Sabdi Sanchez 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 B 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

June 3, 2014

Open Session of the Regular Meeting was called to order on the above-given date at 6:00 p.m., in the Council Chambers of City Hall, with Mayor Sarah S. Zamora presiding. Roll Call was announced by Chief Deputy City Clerk Sabdi Sanchez, 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  
Isaac T. Suchil, Mayor Pro Tem  
Deirdre H. Bennett (arrived at 6:30 p.m.)

Staff Present

Stephen P. Compton, City Manager  
Sabdi Sanchez, Chief Deputy City Clerk  
Cristina Talley, City Attorney  
Aurelio De La Torre, City Treasurer  
Bill Smith, Community Services Director-ACM  
Jessica Hurst, Finance Manager  
Steve Ward, Police Chief  
Tim McHargue, Fire Chief  
Mark Tomich, Development Services Director  
Dr. David Kolk, Electric Utility Director  
Amer Jakher, Public Works Director

Council Members/Staff Absent

None.

INVOCATION

Father Bonafacio Velasquez, Immaculate Conception Church

FLAG SALUTE

Louie Barrera, American Legion Post 155

CEREMONIAL MATTERS *Presentations, Awards, Proclamations*

- Proclamation – Business Focus – Pepe’s Towing

Mayor Pro Tem Suchil, Councilmember Frank Navarro and Economic Development Manager, Art Morgan, presented a Business Focus Certificate to Manny Acosta, Owner of Pepe’s Towing Company.

- Presentation – Pepe’s Towing 2013 Top Driver and 2013 Driver of Excellence

Councilmember Frank Navarro and Mayor Pro Tem Suchil presented Hector Reyes and Alejandro Estudillo with certificates for 2013 Top Driver and 2013 Driver of Excellence. Manny Acosta accepted the awards.

## MAYOR AND COUNCIL ITEMS

POSSIBLE CONFLICT OF INTEREST DISLOSURES FOR THE COUNCIL MEETING OF JUNE 3, 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

- Discussion of the I-215/Washington, Mt. Vernon Project.

Council Member Navarro stated that they were currently working on a Staff Report to formally bring this item to Council for consideration on the June 17, 2014 Council Meeting.

- Discussion on the process to fill the City Clerk vacancy.

Mayor Zamora opened the discussion. Councilmember Gonzales suggested that the City Clerk vacancy be filled with an appointment as there is a cost with choosing to do a Special Election. Councilmember Oliva suggested that the position be placed on the ballot for the November 2014 Election. Discussion ensued. At the request of the City Attorney, the item was temporarily placed on hold until the end of the meeting to gather more information while business continued.

## APPOINTMENTS

None.

## PUBLIC COMMENT

The following community members addressed the Council:

Dr. Luis Gonzalez (Dr. G); Mark Russell; Christine Irish Ré; John Anaya, Sr.; and Cynthia De La Rosa.

## 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

The following action was taken on the Consent Calendar:

Mayor Zamora presented Consent Calendar Item Nos. 1 through 14 for action by Council.

City Treasurer Aurelio De La Torre had a comment for Item No. 7.

CM Gonzales had comments on Item Nos. 4, 5, 6, 7, 8, 9, 11, and 12.

Mayor Zamora and Mayor Pro Tem Suchil had questions on Item No. 1.

Councilmember Frank Navarro had comments on Item No. 7.

Mayor Zamora appointed Councilmember Gonzales, Councilmember Bennett and herself to the Finance, Audit, Debt and Investment Committee.

Staff requested that Item No. 13 be pulled.

Item No. 1 was pulled for a separate vote at the request of Mayor Pro Tem Suchil.

Motion and second by MPT Suchil/CM Navarro, to approve Consent Calendar Items Nos. 2 through 12 and 14. Motion carried. Motion and second by MPT Suchil/CM Oliva, to approve Item No. 1 with the exclusion of the Government Staffing expenditures. Roll Call vote as follows: Ayes – Councilmember Toro, Councilmember Navarro, Councilmember Oliva, Councilmember Bennett, Mayor Pro Tem Suchil, and Mayor Zamora; Noes – None. Councilmember Gonzales; abstained from the vote.

- (1) Warrants – Approved Payable Warrants #141862 to #141982, Dated 4/17/14, Totaling \$951,872.74; Payable Warrants #141983 to #142107, Dated 4/24/14, Totaling \$703,766.37; and a Payroll Disbursement Listing for the Period 4/26/14 to 5/9/14, Totaling \$684,797.24, on file in the Finance Department.
- (2) Calling the General Municipal Election for November 4, 2014 - Adopted a Resolution Calling and Giving Notice of a General Municipal Election to be held Tuesday, November 4, 2014, and Requesting that the County of San Bernardino Render Specified Services. RESOLUTION NO. R-41-14.
- (3) 125<sup>th</sup> Anniversary Fire Department Badge – Approved the 125<sup>th</sup> Anniversary Fire Department Badge.
- (4) 2014 Byrne Memorial Justice Assistance Grant (JAG) – Accepted the 2014 Byrne Memorial Justice Assistance Grant (JAG) and Accompanying Memorandum of Understanding (MOU), RESOLUTION NO. R-42-14.
- (5) Budget Adjustment for Unexpended Grant Funds - Adopted a Resolution for the Budget Adjustment of Unexpended Grant Funds from the CalRecycle City/County Annual Payment in the Amount of \$23,467.54 and Amend the Fiscal Year 2013/2014 Budget to Include the Payment Revenue, RESOLUTION NO. R-44-14.

- (6) Notice of Completion - Notice of Completion for Safe Route to School Morris Elementary and William Jehue Middle School Project No. STPLHSR 5065(022).
- (7) Establishment of the Finance, Audit, Debt and Investment Committee – Approved and Established the Finance, Audit, Debt and Investment Committee as a Standing “Brown Act” Committee, in Order to Advance the City’s Financial Agenda.
- (8) Acceptance of Cooperative Endangered Species Conservation Fund (Section 6) Grant – Authorized Acceptance of the Cooperative Endangered Species Conservation Fund (Section 6) Grant and Appropriate Funds by Adopting a Resolution, RESOLUTION NO. R-45-14.
- (9) Acceptance of Cooperative Agreement Grant Funds from U.S. Fish & Wildlife Service – Authorized Acceptance of the Cooperative Agreement Grant Funds from the U.S. Fish & Wildlife Service and Appropriate Funds by Adopting a Resolution, RESOLUTION NO. R-46-14.
- (10) Magnolia Power Project Indemnity Agreement – Approved the Magnolia Power Project Indemnity Agreement for Green House Gas (GHG) Emission Allowances and Authorized the City Manager to Execute the Agreement for the City of Colton.
- (11) SCPPA Astoria II Solar Project – Approved a Resolution Authorizing the participation in the Power Purchase Agreement (PPA) between Southern California Public Power Authority (SCPPA), Cities of Lodi, Corona, Moreno Valley, and Rancho Cucamonga, Power and Water Resources Pooling Authority (PWRPA) and Recurrent Energy (dba Astoria 2, LLC), in substantially final form as provided, for up to 5MW of Renewable Energy from the Recurrent Energy Astoria Solar Project and Authorized the City Manager to Execute the Power Sales Agreement (PSA), RESOLUTION NO. R-47-14.
- (12) SCPPA Puente Hills Landfill PPA – Approved a Resolution Authorizing the Participation in the South California Public Power Authority (SCPPA) Power Purchase Agreement, for up to 10 MW of Renewable Energy, with the County Sanitation District No. 2 of Los Angeles County Puente Hills Landfill Gas-to-Energy Facility (Puente Hills Facility), and Authorized the City Manager to Execute the Power Sales Agreement, RESOLUTION NO. R-48-14.
- (13) Public Safety Helicopter Services Agreement - Authorized the City Manager to Execute a Professional Services Agreement, and to Execute the Renewal Option as Prescribed in the Agreement, between the City of Fontana and the City of Colton.
- (14) Award of Contract to General Pump Company - Awarded the Contract to General Pump Company for Repair Work to Well Plant No. 15 in an Amount Not-to-Exceed \$109,720.

## PUBLIC HEARING

To speak on public hearing items, it is requested that you obtain a card from the City Clerk and complete it by noting the agenda item number, as well as whether you are in favor, opposition or neither, and give it to the City Clerk. The applicant will be allowed 5 minutes to address the Council and all other persons will be allowed 3 minutes; provided, however, that the presiding officer shall have certain discretion to extend or limit time as provided for in the City Council Manual of Procedure.

### (15) Wastewater System Rate Changes

TIME AND PLACE FIXED TO CONSIDER A PUBLIC HEARING REGARDING PROPOSED RATE DECREASES AND RATE INCREASES TO WASTEWATER SERVICE FEES.

Public Works Director Amer Jakher introduced NBS consultant Kim Bailer to give the presentation overview.

Mayor Zamora read the title of Resolution No. R-14-14 into the record.

Motion and second by MPT Suchil/CM Oliva to open the Public Hearing. Motion carried.

Mayor Zamora opened the Public Hearing.

### PUBLIC COMMENT

None.

Motion and second by MPT Suchil/CM Oliva to open the Public Comment. Motion carried.

Chief Deputy City Clerk Sabdi Sanchez announced that the affidavit of publication is on file in the City Clerk's Office and out of 14,801 parcels, the City received 2 written protests or objections were received.

City Attorney Christina Talley recommended that the Council proceed by Ordinance for this item instead of the prepared Resolution. It was further recommended that this Item be continued and returned for Council consideration at the next regularly scheduled Council Meeting.

Motion and second by CM Bennett/MPT Suchil, to continue the public hearing to the next regularly scheduled council meeting. Roll Call vote as follows: Ayes – Councilmember Toro, Councilmember Gonzales, Councilmember Navarro, Councilmember Oliva, Councilmember Bennett, Mayor Pro Tem Suchil, and Mayor Zamora; Noes – None.

## MAYOR AND COUNCIL DISCUSSION ITEMS

- Discussion on the process to fill the City Clerk vacancy.

Mayor Pro Tem Suchil opened the discussion. City Attorney Christina Talley informed the Council that the City Council has 60 days from the day that the seat was vacated to either appoint someone or call a Special Election. If they decide to call a Special Election, the election must take place during the next General Election. Talley recommended that this discussion topic be placed on the next agenda.

Mayor Pro Tem Suchil requested a discussion to move the City Council Meeting Day to Thursdays. Christina Talley recommended that this discussion topic be placed on the next agenda for the Council's consideration.

## BUSINESS ITEMS

None.

## CITY MANAGER'S REPORTS

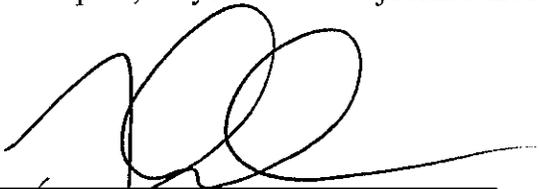
City Manager Compton provided a brief explanation of his current working projects.

## ADJOURNMENT

At the request of Councilmember Oliva, Mayor Zamora adjourned the meeting in memory of Jerry Magnus.

Mayor adjourned to Closed Session.

At 9:10 p.m., Mayor Zamora adjourned the meeting.



Faviola Medina  
Office Specialist