

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 17, 2014

The Regular Meeting of the Colton City Council was held on the above-given date and was called to order at 5:01 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 J. Navarro
Susan M. Oliva
Deirdre H. Bennett

Staff Present

Steve Ward, Acting City Manager
Sabdi Sanchez, Chief Deputy City Clerk
Cristina Talley, City Attorney
Bill Smith, Community Services Director
Amer Jakher, Public Works Director
David Kolk, Electric Utility Director

Council Members/Staff Absent

Frank A. Gonzales
Isaac T. Suchil, Mayor Pro Tem

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

CLOSED SESSION

- A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Pursuant to Government Code Section 54957
Title: City Manager

- B. PUBLIC EMPLOYEE APPOINTMENT
Pursuant to Government Code Section 54957
Title: Acting City Manager

CLOSED SESSION PUBLIC COMMENT

None.

Mayor Sarah S. Zamora adjourned the meeting to Closed Session at 5:03 p.m. and at 6:02 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.

At 6:08 p.m., City Attorney Cristina Talley announced that the City Council did meet in Closed Session and discussed Items A and 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 17, 2014

Open Session of the Regular Meeting was called to order on the above-given date at 6:02 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

Staff Present

Steve Ward, Acting City Manager
Sabdi Sanchez, Chief Deputy City Clerk
Cristina Talley, City Attorney
Bill Smith, Community Services Director
Amer Jakher, Public Works Director
Jessica Hurst, Finance Manager
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

At the request of Mayor Sarah Zamora, Pastor Aaker and Pastor Florez led the invocation prior to being read out of close session as City Attorney Cristina Talley was not present.

At 6:08 p.m., City Attorney Cristina Talley announced that the City Council did meet in Closed Session and discussed Items A and B with no reportable action.

FLAG SALUTE

Joe Mujica, VFW Post 6476

CEREMONIAL MATTERS *Presentations, Awards, Proclamations*

- Presentation – Business Focus – Don Chente Restaurant

Economic Development Manager Art Morgan announced that Don Chente's Restaurant owner Effrain Ferrer would be sending a representative to accept the award on his behalf later on during the meeting.

- Presentation – Omnitrans SBX new bus service line

Omnitrans Director of Marketing, Wendy Williams gave a presentation regarding Omnitrans' new bus service line.

- Presentation – Plaque to Woodrow Wilson Elementary School – 75th Year Anniversary

Councilmember Frank Gonzales presented Woodrow Wilson Elementary School with a plaque. Angel Delgado accepted the award on behalf of Principal Ernesto Callas.

MAYOR AND COUNCIL ITEMS

POSSIBLE CONFLICT OF INTEREST DISCLOSURES FOR THE COUNCIL MEETING OF JUNE 17, 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

- Designate League Voting Delegate and Two Alternates for the League of California Cities Annual Conference September 3-5, 2014 in Los Angeles.

Mayor Zamora opened the discussion.

Motion and second by CM Oliva/MPT Suchil, to designate Council Member Bennett as the Voting Delegate. Motion carried. Council Member Oliva and Mayor Zamora are designated as the two alternates.

- Executive Group Resolution Approving Compensation and Benefits for the Executive Group, RESOLUTION NO. R-31-14.

City Attorney Cristina Talley explained that R-31-14 needed to be resubmitted and amended to reflect the City Council's original intent by removing the position of Assistant City Manager.

APPOINTMENTS

None.

PUBLIC COMMENT

The following community members addressed the Council:

Dr. G; John Anaya, Sr; and David Mlynarski

MAYOR AND COUNCIL ORAL REPORTS AND COMMENTS

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

Mayor Zamora announced that the representative for Don Chente's Restaurant had arrived and proceeded with presenting the Business Focus award.

CEREMONIAL MATTERS *Presentations, Awards, Proclamations*

- Presentation – Business Focus -- Don Chente Restaurant

Councilmember Frank Navarro, Economic Development Manager, Art Morgan, and Vice President of the Colton Chamber of Commerce Board of Directors, Shelley Burnach, presented a Business Focus Certificate to Efrain Ferrer, owner of Don Chente's Restaurant. The award was accepted by Florencia Castillo on behalf of Don Chente's Restaurant.

MAYOR AND COUNCIL ORAL REPORTS AND COMMENTS

Mayor Zamora continued with her comments.

CITY TREASURER'S REPORTS

- Received and Filed City Treasurer's Report for April 2014.

CONSENT CALENDAR

Mayor Zamora presented Consent Calendar Item Nos. 1 through 19 for action by Council.

MPT Suchil had a comment for Item No. 1 and asked to pull Item No. 14 for a separate vote.

CM Oliva had a comment on Item No. 1 and asked to pull Item No. 17 and be placed onto next year's budget.

CM Gonzales had a comment on Item Nos. 12, 13, 16, and 17.

PUBLIC COMMENT

The following community members addressed the Council:

Richard Prieto (Item Nos. 5, 7, 14)

The following action was taken on the Consent Calendar:

Motion and second by MPT Suchil/CM Navarro, to approve Consent Calendar Items Nos. 1 through 19 with the exclusion of Item No. 17 to be pulled and moved onto next year's budget. Motion carried with Mayor Pro Tem Suchil abstaining from Item No. 1. 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.

- (1) Warrants – Approved Payable Warrants #142108 to #142211, Dated 5/1/14, Totaling \$1,947,931.36; Payable Warrants #142212 to #142382, Dated 5/8/14, Totaling \$1,060,873.47; Payable Warrants #142383 to #142530, Dated 5/15/14, Totaling \$2,114,128.09; Payable Warrants #142531 to #142696, Dated 5/22/14, Totaling \$1,326,160.79; Payable Warrants #142697 to #142793, Dated 5/29/14, Totaling \$821,140.78; and Payroll Disbursement Listing for the Period 5/10/14 to 5/23/14, Totaling \$750,598.04, on file in the Finance Department.
- (2) Laurel Grade Separation Project – Local Stimulus Program Funding – Approved a Resolution to Append \$80,000 of Local Stimulus Program Funding that was De-obligated in Fiscal Year 2010/2011, RESOLUTION NO. R-49-14.
- (3) Measure I Five-Year Plan – Approved a Resolution Amending and Adopting the Fiscal Year 2013-14 Measure I Five-Year Capital Improvement Plan and Expenditure Strategy Plan. RESOLUTION NO. R-50-14
- (4) Biennial Review of the City’s Conflict of Interest Code – Directed the Review of the City’s Conflict of Interest Code and the Filing of a Biennial Notice with the City Clerk regarding such Review, as Required by the Political Reform Act.
- (5) Contract with the County of San Bernardino - Approved Contract for Services from the County of San Bernardino Health Department, Division of Environmental Health Services (DEHS).
- (6) Fireworks Booth Allocations - Approved a Resolution to Amend Fireworks Booth Allocations for Civic Groups, RESOLUTION NO. R-52-14.
- (7) Memorandum of Understanding – School Resource Officer - Acceptance of the School Resource Officer Memorandum of Understanding (MOU) for the Provision of School Resources Officer(s) between the City of Colton and the Colton Joint Unified School District.
- (8) Chamber of Commerce Contract – Renewal of a Contractual Services Agreement between the City of Colton and the Colton Chamber of Commerce for Fiscal Year 2014-15
- (9) Second Amendment to Professional Services Agreement to West Power, Inc. - Approved the Second Amendment to the Professional Services Agreement with West Power, Inc., Increasing the Total Compensation by \$59,200, for Engineering Services for the West Substation and the New 66 kV Switchyard and Overhead Tie Line.
- (10) Riverside-Colton Pellissier Ranch Solar Project – Authorized the Colton Electric Department to Enter Into the Riverside – Colton Pellisier Ranch Solar Project Development Agreement and Authorized the City Manager to Execute the Agreement.
- (11) Agua Mansa Switchyard and West Substation Project Initial Study and Mitigated Negative Declaration – Adopted the Initial Study and Mitigated Negative Declaration Prepared by Ecorp Consulting, Inc., for the Agua Mansa Switchyard, 66kV Tie Line and West Substation Project.

- (12) Award of Contract to DM Contracting, Inc. - Approved the Award of Construction Contract to DM Contracting, Inc., as the Lowest and Responsible Bidder for the Citywide Concrete Improvement Project (CDBG Project No. 104-39105/3687) in the Amount of \$226,380.25).
- (13) CFD Annual Special Tax Assessments - Authorization of the 2014-15 Annual Special Tax Assessments for Community Facilities Districts 87-1, 89-1, 89-2 and 90-1, RESOLUTION NOS. R-55-14, R-56-14, R-57-14, R-58-14.
- (14) 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.
- (15) Set Public Hearing for July 1, 2014 for Basic Fee for Storm Water Services and Storm Water Management User Fee - Set a Public Hearing for July 1, 2014, to Adopt a Resolution Approving the Basic Fee for Storm Water Services and the Storm Water Management User Fee as Provided for in Chapter 14.01 of the Colton Municipal Code.
- (16) Fiscal Year 2013-14 Continuing Budget Resolution - Approved and Adopted Resolutions Authorizing the Continuation of Operations Into Fiscal Year 2014-15, at the Fiscal Year 2013-14 Appropriations Levels, CITY RESOLUTION NO. R-60-14, CUA RESOLUTION NO. CUA-02-14, AND CHA RESOLUTION NO. CHA-02-14.
- (17) Award of Contract to GM Business Interiors - Award of contract to GM Business Interiors for the supply of office furniture for the Finance and Human Resources Work Areas in the Total Amount of \$42,168.30. [ITEM PULLED]
- (18) Award of Contract to Trimax System, Inc. - Awarded Contract to Trimax System, Inc., in an Amount Not-to-Exceed \$209,080 for Replacement of the Supervisory Control and Data Acquisition (SCADA) System for Water and Wastewater Divisions.
- (19) Ordering the Levy for Assessments for Improvement District "A" (James Sullivan Mutual Water Company) – Approved and Adopted a Resolution Authorizing the 2014-15 Annual Levy of Tax Assessments for Improvement District "A" (James Sullivan Mutual Water Company), RESOLUTION NO. R-54-14.

At 8:07 p.m. Mayor Zamora requested an 8 minute break. Mayor Zamora reconvened the meeting at 8:15 p.m.

PUBLIC HEARINGS

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.

(20) Wastewater Rate Changes

TIME AND PLACE FIXED TO CONSIDER THE CONTINUED PUBLIC HEARING FROM JUNE 3, 2014, REGARDING PROPOSED ORDINANCE ADOPTING RATE INCREASES TO CITY OF COLTON SEWER SERVICE FEES.

Public Works Director Amer Jakher gave an overview of this item.

Mayor Zamora read the title of Ordinance No. O-07-14 into the record.

Chief Deputy City Clerk Sabdi Sanchez announced that the affidavit of publication is on file in the City Clerk's Office and the City received 1 additional written letter.

Mayor Zamora opened the Public Hearing.

PUBLIC COMMENT

None.

Motion and second by CM Oliva/CM Navarro to close the Public Hearing. Motion carried.

Motion and second by CM Navarro/MPT Suchil, to waive the full reading and read Ordinance No. O-07-14 by title only. Motion carried.

(21) LLMD 1

TIME AND PLACE FIXED TO CONSIDER APPROVAL OF RESOLUTIONS TO APPROVE THE FINAL ENGINEER'S REPORT AND APPROVE THE ORDER OF THE LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2014-15 FOR THE LANDSCAPE LIGHTING AND MAINTENANCE DISTRICT 1.

Public Works Director Amer Jakher gave a brief presentation on this item and Item 22.

Mayor Zamora read the title of Resolution No. R-61-14 and R-62-14 into the record.

Chief Deputy City Clerk Sabdi Sanchez announced that the affidavit of publication is on file in the City Clerk's Office and the City received no protests or objection letters.

Mayor Zamora opened the Public Hearing.

PUBLIC COMMENT

Gary Grossich

Motion and second by CM Navarro/CM Bennett to close the Public Hearing. Motion carried.

Motion and second by CM Bennett/CM Toro, to approve option 2 of the Engineer's Report and Resolution Nos. R-61-14, R-62-14. Motion carried.

(22) LLMD 2

TIME AND PLACE FIXED TO CONSIDER APPROVAL OF RESOLUTIONS TO APPROVE THE FINAL ENGINEER'S REPORT AND APPROVE THE ORDER OF THE LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2014-15 FOR THE LANDSCAPE LIGHTING AND MAINTENANCE DISTRICT 2.

Mayor Zamora read the title of Resolution No. R-63-14 and R-64-14 into the record.

Chief Deputy City Clerk Sabdi Sanchez announced that the affidavit of publication is on file in the City Clerk's Office and the City received no protests or objection letters.

Mayor Zamora opened the Public Hearing.

PUBLIC COMMENT

Gary Grossich

Motion and second by CM Oliva/CM Bennett to close the Public Hearing. Motion carried.

Motion and second by CM Bennett/CM Toro, to approve Option 2 of the Engineer's Report, Resolution Nos. R-63-14, R-64-14, and clean up the description of the Professional Services Agreement. Motion carried.

MAYOR AND COUNCIL DISCUSSION ITEMS

None.

BUSINESS ITEMS

- (23) City Clerk Vacancy - Recommended that the City Council take Action to Either: 1) Appoint a Successor to Fill the City Clerk Vacancy for the Remainder of the Unexpired Term, or 2) Call a Special Election to Elect a Successor for the Remainder of the Unexpired Term.

Chief Deputy City Clerk gave a brief presentation on this item.

PUBLIC COMMENT

Gary Grossich

Motion and second by CM Toro/MPT Suchil, to open interviews for appointment as City Clerk and appoint Acting City Manager Steve Ward and Chief Deputy City Clerk Sabdi Sanchez to conduct the interviews. Motion carried.

- (24) ICSC RECON 2014 – Field/AB 1234 Report - Received and Filed the International Council of Shopping Centers Real Estate Conference (ICSC RECON) 2014 – Field/AB 1234 Report.

Economic Development Manager Art Morgan provided a report of the 2014 ICSC RECON conference in Las Vegas, Nevada on May 17 – 20, 2014. The attendees were comprised of the

Mayor, three Council Members, City Manager, Public Works Director, and the Economic Development Division Staff. He reported that they had pre-set meetings with shopping center property developers and retailers to encourage them to locate to the City of Colton.

- (25) Update on West Substation - Authorize the Colton Electric Department to; 1) Be Allowed to Construct the Transformer Foundation for the Future Second Transformer at West Substation; 2) Be Allowed to Increase the Size of the Control House, and 3) Be Allowed to Sole Source the 15kV Switchgear from Myers Power Products.

Motion and second by CM Bennett/MPT Suchil, to receive and file the update on the West Substation. Motion carried.

- (26) Discussion and Possible Action regarding the Possibility of Changing the Regular Council Meeting Days to Thursdays.

Mayor Pro Tem Suchil asked that Chief Deputy City Clerk Sabdi Sanchez provide her opinion regarding this item. Chief Deputy City Clerk stated that she preferred the Council Meeting days remain the same.

CITY MANAGER'S REPORTS

None.

ADJOURNMENT

At 9:30 p.m., Mayor Zamora adjourned the meeting in memory of Tony Lemos. She also asked that Councilmember Navarro be kept in our prayers as two members of his family have passed.



Faviola Medina
Office Specialist