

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

July 15, 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 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 (arrived at 5:01pm)
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
Amer Jakher, Public Works Director
Bill Smith, Community Services Director
David Kolk, Electric Utility Director

Council Members/Staff Absent

Isaac T. Suchil, Mayor Pro Tem

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

CLOSED SESSION

- A. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Pursuant to Government Code Section 54956.8
Property Address: APN No. 0163-362-12
Negotiating Parties: Steve Ward, Acting City Manager; Arthur Morgan, Economic Development Manager
Under Negotiation: Price and Terms of Purchase
- B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(b)(1)
Name of Case: City of Colton, et al. v. Colton Patients Group, et al.
Case No.: CIVDS 1403335
- 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 No.: San Bernardino County Superior Court Case No. CIVDS 1212916
- D. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Pursuant to Government Code Section 54957
Title: Executive Assistant to City Council/Office Manager

CLOSED SESSION PUBLIC COMMENT

None.

Mayor Sarah S. Zamora adjourned the meeting to Closed Session at 5:02 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.

City Attorney Talley announced that the City Council did meet in Closed Session and discussed Items A and D 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

July 15, 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
Deirdre H. Bennett
Isaac T. Suchil, Mayor Pro Tem

Staff Present

Steve Ward, Acting City Manager
Sabdi Sanchez, Chief Deputy City Clerk
Cristina Talley, City Attorney
Aurelio De La Torre, City Treasurer
Mark Tomich, Development Services Director
Amer Jakher, Public Works Directors
David Kolk, Electric Utility Director
Tim McHargue, Fire Chief
Jessica Hurst, Finance Manager
Mike Hadden, Lieutenant
Joe Gutierrez, Patrol Lieutenant
Bill Smith, Community Services Director

Council Members/Staff Absent

None.

INVOCATION

Pastor Jonathan Florez, First Assembly of God

FLAG SALUTE

Councilmember Frank J. Navarro

CEREMONIAL MATTERS *Presentations, Awards, Proclamations*

- Presentation – Business Focus – Paula Rose Salon

Councilmember Frank Navarro, Councilmember Susan Oliva and Economic Development Manager, Art Morgan, and Executive Director of the Colton Chamber of Commerce, Chetay Catalano, presented a Business Focus Certificate to Rose Razo, owner of Paula Rose Salon.

MAYOR AND COUNCIL ITEMS

POSSIBLE CONFLICT OF INTEREST DISCLOSURES FOR THE COUNCIL MEETING OF JULY 15, 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 Manual of Procedures and possible ratification and approval at the next available Council meeting.

This discussion item was pulled at the request of the Acting City Manager.

APPOINTMENTS

- Appointment of the City Clerk to serve remainder of unexpired term (December 2016)

Motion and second by CM Toro/MPT Suchil to appoint Carolina R. Padilla

Per Councilmember Gonzales's suggestion, Mayor Sarah Zamora called a ten minute break to allow Councilmember Bennett time to review the applications.

Subsequent motion and second by CM Bennett/CM Navarro to allow the people to select the candidate.

Mayor Zamora invited the two candidates to come up to the podium to speak about their qualifications. The candidates spoke in the following order:

- Maria Carmen Orejel
- Carolina R. Padilla

Subsequent motion and second by CM Bennett/CM Navarro was modified as follows: to take no action and place this position on the next Regular Election.

Roll Call vote as follows: Ayes – Councilmember Navarro and Councilmember Bennett; Noes – Mayor Pro Tem Suchil, Councilmember Oliva, Councilmember Gonzales, Councilmember Toro, Mayor Zamora.

Restated motion and second by CM Toro/MPT Suchil to appoint Carolina R. Padilla.

Roll Call vote as follows: Ayes – Mayor Pro Tem Suchil, Councilmember Oliva, Councilmember Gonzales, Councilmember Toro, and Mayor Zamora. Noes – Councilmember Navarro and Councilmember Bennett. Motion carried.

At the request of Mayor Pro Tem Suchil, Carolina R. Padilla was sworn in at the podium by Chief Deputy City Clerk Sabdi Sanchez.

PUBLIC COMMENT

The following community members addressed the Council:

Ron Lawrence; Paulina Schiaretti; Linda Tripp; Dr. G; and John Anaya, Sr.

MAYOR AND COUNCIL ORAL REPORTS AND COMMENTS

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

CITY TREASURER'S REPORTS

Received and Filed City Treasurer's Reports for May 2014.

CONSENT CALENDAR

Acting City Manager Steve Ward pulled Item No. 10. Mayor Sarah S. Zamora presented Consent Calendar Item Nos. 1 through 9 for action by Council.

The following action was taken on the Consent Calendar:

CM Bennett had questions on Item No. 5

CM Gonzales had questions on Item No. 4, 5, and 6.

Motion and second by MPT Suchil/CM Navarro, to approve the Consent Calendar, Item Nos. 1 through 9 as presented with Item No. 10 being pulled. Motion carried.

- (1) Minutes – Approved Minutes for the Regular Meeting Held June 3, 2014; Minutes for the Special Meeting Held June 10, 2014; Minutes for the Special Meeting Held June 11, 2014; Minutes for the Special Meeting Held June 24, 2014; Minutes for the Regular Meeting Held July 1, 2014; Minutes for the Special Meeting Held July 2, 2014; and, Minutes for the Special Meeting Held July 8, 2014, on File in the Office of the City Clerk.
- (2) Warrants – Approved Payable Warrants #143044 to #143044, Dated 6/19/14, Totaling \$2,002,274.19; Payable Warrants #143225 to #143424, Dated 6/26/14, Totaling \$1,529,241.54; and a Payroll Disbursement Listing for the Period 6/7/14 to 6/20/14, Totaling \$989,800.58, on file in the Finance Department.
- (3) First Amendment to Professional Services Agreement with West Power, Inc. - Approved the First Amendment to the Professional Services Agreement with West Power, Inc. for electrical engineering and design services for the Ecology 66 KV System Upgrade Project in the amount of \$7,000.

- (4) Consultant Services Contract - Carl Warren & Company - Approved a two year agreement with Carl Warren & Company to provide general liability claims administration services.
- (5) Amendment to Resolution No. R-31-14 - Approved the Amendment to Resolution No. R-31-14, governing compensation and benefits for the Executive group, Resolution No. R-31-14.
- (6) Renewal of Maintenance Agreement with Siemens Industry Inc. - Awarded a Fourth Amendment to the Agreement for the Traffic Signal Maintenance and Emergency Traffic Signal services to Siemens Industry Inc., for Fiscal Year 2014/2015, at an annual amount not-to-exceed \$102,682.44.
- (7) Purchase of Additional Circuit Breaker for West Substation – Waived the formal bidding requirements for non-public projects in accordance with Colton Municipal Code 3.08.140(e), and awarded a contract for the purchase of one additional circuit breaker for the Agua Mansa Substation to Alstom Grid, Inc., c/o McAvoy and Markham Engineering and Sales, Inc., in the amount of \$45,468.
- (8) Department of Education Contract – Adopted a Resolution approving the State of California Contract CSPP - 4393 for the provision of pre-school education services in the Early Childhood Education Division of the Community Services Department for Fiscal Year 2014-15, Resolution No. R-69-14.
- (9) Department of Education Contract – Adopted a Resolution approving the State of California Contract CCTR - 4199 for the provision of pre-school education services in the Early Childhood Education Division of the Community Services Department for Fiscal Year 2014-15, Resolution No. R-70-14.
- (10) Increase of Appropriations - Approve and adopt a Resolution to Amend the FY 2013-14 Budget to Increase Appropriations for Water Admin/Tech Professional Services, Wastewater Professional Services and Public Works Auto Shop Vehicle Operating Expense, Resolution No. R-43-14. [ITEM PULLED]

PUBLIC HEARING

- (11) Solid Waste Rates

TIME AND PLACE FIXED TO CONSIDER A PUBLIC HEARING TO ADOPT A RESOLUTION ESTABLISHING THE FISCAL YEAR 2014-15 MUNICIPAL SOLID WASTE RATES.

Public Works Director Amer Jakher provided a PowerPoint presentation and summarized the information in the staff report. There was discussion and Mr. Jakher answered questions from Council Members.

Mayor Zamora read the title of Resolution No. R-71-14 into the record. Chief Deputy City Clerk Sanchez announced that the affidavit of publication is on file in the City Clerk's Office and 4 protests or objections were received.

Mayor Zamora opened the Public Hearing.

PUBLIC COMMENT

None.

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

Motion and second by CM Navarro/CM Oliva, to adopt Resolution No. R-71-14. Motion carried with opposition from Councilmember Gonzales.

BUSINESS ITEMS

(12) Energy Efficiency Program Information.

Adrienne Rogers, Energy Services Specialist, gave an overview of the Energy Efficiency Program.

(13) Water Efficient Landscape Ordinance Adoption per State Requirement – Waived further reading, read by title only and introduced Ordinance No. O-08-14.

PUBLIC COMMENT

George Aguilar.

Mayor Sarah S. Zamora read Ordinance No. O-08-14 into the record.

Motion and second by CM Bennett/CM Gonzales to approve first reading of Ordinance No. O-08-14. Unanimous vote.

(14) Fiscal Year 2014-15 Budget - Approved and Adopted Fiscal Year 2014-15 Budget Resolution for City Council, Resolution No. R-73-14; Resolution CUA-03-14; Resolution No. CHA-03-14; Approved and Adopted a Resolution Approving and Adopting the Annual Gann Limit for Fiscal Year 2014-15, Resolution No. R-72-14.

PUBLIC COMMENT

John Anaya, Sr; and Gary Grossich.

Motion by CM Gonzales to approve the item as is.

Subsequent motion and second by CM Toro/CM Bennett to approve the budget with funding for the Finance Director only.

Subsequent motion and second by CM Toro/CM Bennett was amended at the recommendation of City Treasurer Aurelio De La Torre, to approve the budget with the following:

- 1) Add funding for the Finance Director,
- 2) Direct staff to look to see if staff can cut 10% from their budgets,
- 3) Freeze all general fund positions, except for Police, Fire, any grant funded positions and those recruitments already in process, until September at which time this recommendation will be reviewed once again,
- 4) Remove the \$50,000 funding for the upgrade to the Council Chambers audio system,
- 5) and remove funding for the Love of Cities.

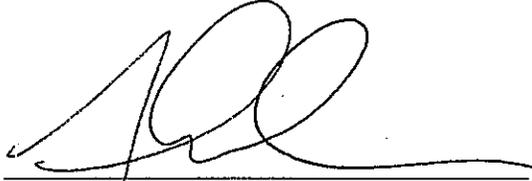
Motion carried with opposition from Councilmember Navarro.

CITY MANAGER'S REPORTS

None.

ADJOURNMENT

Motion and second to adjourn by CM Navarro/MPT Suchil. At 10:20 p.m., Mayor Zamora adjourned the Regular Council meeting in memory of Joseph Mojica.

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke at the end, positioned above a solid horizontal line.

Faviola Medina
Office Specialist