

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

August 19, 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 Carolina R. Padilla 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  
Deirdre H. Bennett  
Isaac T. Suchil, Mayor Pro Tem

Staff Present

David Kolk, Acting City Manager  
Cristina Talley, City Attorney  
Carolina R. Padilla, City Clerk

Council Members/Staff Absent

None.

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

CLOSED SESSION

- A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
Pursuant to Government Code section 54957(b)  
Title: City Attorney
- B. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL RELEASE  
Pursuant to Government Code section 54957(b)  
Title: City Manager
- C. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
Pursuant to Government Code section 54956.9(d)(1)  
Case Name: City of Colton v. Colton Patients Group, et al.  
Case Number: San Bernardino County Superior Court Case No. CIVDS1403335
- D. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
Initiation of litigation pursuant to Government Code section 54956.9(d)(4)  
Number of potential cases: 1  
(SANBAG – I-215/Mt. Vernon Interchange)

CLOSED SESSION PUBLIC COMMENT

None.

Mayor Sarah S. Zamora adjourned the meeting to Closed Session at 5:04 p.m. and at 6:09 p.m., the meeting reconvened, with all members present as heretofore.

Attorney Ballenger announced that the City Council did meet in Closed Session and discussed Items A, C and D with No Reportable Action.

City Attorney Talley announced that the City Council did meet in Closed Session regarding Item B and will continue discussion of Item B after the adjournment of the Regular Council Meeting.

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COLTON/COLTON UTILITY AUTHORITY/  
COLTON PUBLIC FINANCING AUTHORITY AND  
COLTON HOUSING AUTHORITY  
REGULAR MEETING

August 19, 2014

Open Session of the Regular Meeting was called to order on the above-given date at 6:09 p.m., in the Council Chambers of City Hall, with Mayor Sarah S. Zamora presiding. Roll Call was announced by City Clerk Carolina R. Padilla, 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

David Kolk, Acting City Manager  
Cristina Talley, City Attorney  
Carolina R. Padilla, City Clerk

Council Members/Staff Absent

None.

INVOCATION

Pastor Jonathan Florez, First Assembly of God

FLAG SALUTE

Battalion Chief Dana De Antonio

CEREMONIAL MATTERS *Presentations, Awards, Proclamations*

- Presentation – Business Focus – Polly’s Beauty Hut

Council Member Toro assisted staff in presenting a plaque for this month’s Business Focus to business owner Pauline Lopez of Polly’s Beauty Hut.

- Presentation – VolunTEEN Program

Mayor Zamora assisted staff in the presentation of certificates to the participants of the VolunTEEN Program: Alfred Becerra, Jr., Marisol Campos Cassandra Flores, Rachael Flores, Freddie Molina, Dayana Rivera, Gary Willis, Jr. and Azucena Zepeda.

#### MAYOR AND COUNCIL ITEMS

POSSIBLE CONFLICT OF INTEREST DISCLOSURES FOR THE COUNCIL MEETING OF AUGUST 19, 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.

#### APPOINTMENTS

None.

#### MAYOR AND COUNCIL DISCUSSION ITEMS

- Discussion and clarification of State Codes and City Policies pertaining to the process for Public Bidding & Contracts.

City Attorney Talley outlined the conclusions in detail with input from councilmembers present.

#### PUBLIC COMMENT

The following community members addressed the Council:

Dr. G; Mike Flores; Jerry Koston; Jackie Ficarota; Christine Irish-Ré; Garry Grossich; John Anaya, Sr.; Linda Tripp; and George Aguilar.

#### MAYOR AND COUNCIL ORAL REPORTS AND COMMENTS

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

RECESS 7:58 p.m.

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SPECIAL MEETING MINUTES

August 19, 2014

The Special Meeting of the Colton City Council was held on the above-given date and was called to order at 7:58 p.m., in the Council Chambers of City Hall, with Mayor Sarah S. Zamora presiding. Roll Call was announced by City Clerk Carolina R. Padilla 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  
Deirdre H. Bennett  
Isaac T. Suchil, Mayor Pro Tem

Staff Present

David Kolk, Acting City Manager  
Cristina Talley, City Attorney  
Carolina R. Padilla, City Clerk

Council Members/Staff Absent

None.

PUBLIC COMMENT

None.

BUSINESS ITEMS

- (1) Approve a Resolution Proclaiming a Local Emergency Declaration of the Mount Vernon Avenue Bridge over the Santa Ana River due to storm related damages, **RESOLUTION NO. R-81-14.**

Motion and Second by MPT Suchil/CM Bennett to approve Resolution No. R-81-14. Unanimous Vote.

ADJOURNMENT

Motion and Second to adjourn by CM Bennett/MPT Suchil at 8:01 p.m. Mayor Zamora adjourned the Special Meeting.

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RECONVENED: 8:02 p.m.

CITY TREASURER'S REPORTS

City Treasurer Aurelio De La Torre presented the report for June 2014 for Council consideration and with no objection report was received and filed.

CONSENT CALENDAR

Mayor Sarah S. Zamora presented Consent Calendar Item Nos. 1 through 5 for action by Council.

Councilmembers present selected items for discussion and clarification by staff.

CM Gonzales had questions on Item No. 2, 3, and 5; CM Oliva had questions on Item 2.

PUBLIC COMMENT

John Anaya, Sr. (Item 3)

Motion and Second by CM Bennett/MPT Suchil, to approve the Consent Calendar, Item Nos. 1 through 5. Unanimous Vote.

- (1) Minutes – Approved Minutes for the City Council Special Meeting Held August 4, 2014; Approval of Minutes for the City Council Regular Meeting Held August 5, 2014; on File in the Office of the City Clerk.
- (2) Sustainable Communities Planning Grant – Authorized acceptance of the 2014 Sustainable Communities Planning Grant and adopt Resolution No. R-79-14 to amend FY 2014-15 Budget, RESOLUTION NO. R-79-14.
- (3) Solar City Power Purchase Agreement – Approved the Power Purchase Agreement for an approximate 338 kW Solar PV System including carports, at the Gonzales Community Center; and authorize the Acting City Manager to execute the agreement.
- (4) Annual Weed Abatement Program – Approved the setting of the Public Hearing for the meeting of September 2, 2014 and the consideration of a Resolution adopting a Report of Costs confirming those costs provided to the County for placement on the Tax Rolls for payment.
- (5) Interconnection Equipment for Colton Solar Projects – Authorized the Colton Electric Department (CED) to reimburse Specialized Energy Solutions, LLC (SES) up to \$270,000 for the purchase of electrical equipment required for interconnection of the Colton Solar One (Walnut Well Site) and Colton Solar Two (Agua Mansa Site) facilities to CED's distribution system.

#### **BUSINESS ITEMS**

- (6) Uncollectible Accounts Receivable – Approved a Resolution authorizing the write-off of \$642,000.06 of accounts receivable deemed uncollectible, RESOLUTION NO. R-80-14.

David Kolk, Acting City Manager, presented for Council consideration a detailed explanation as outlined in the Agenda Report and answered Council's questions with accent on specifics.

#### **PUBLIC COMMENT**

Dr. G; Linda Tripp; George Aguilar; Gary Grossich; and John Anaya, Sr.

Discussion by Councilmembers present;

Motion and Second by MPT Suchil/CM Oliva to approve a resolution authorizing the write-off of \$642,000 of accounts receivable deemed uncollectible: RESOLUTION R-80-14 with language correction in body of resolution Line 13 to read : "write-off *and reconciliation*" and the caveat for staff to inquire if it would be possible for the current firm that is in the process of conducting the current city audit to amend the contract to include a forensic audit and what the additional cost would be and return with said information by the second meeting in September 2014.

Vote: Unanimous

#### **CITY MANAGER'S REPORTS**

None.

Mayor Zamora announced the business of the Regular Meeting of the City Council has been concluded and ask City Attorney Talley to take the Council into Closed Session.

City Attorney Cristina Talley read Closed Session title B into the record.

CLOSED SESSION

B. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL RELEASE

Pursuant to Government Code section 54957(b)

Title: City Manager

Mayor Sarah S. Zamora adjourned the meeting to Closed Session at 9:46 p.m. Attorney Talley read out of Closed Session that Council voted unanimously to approve a resolution of termination of the City Manager without cause and to meet on Thursday, August 21, 2014 at 5:50 pm for a Special Meeting to take said action.

ADJOURNMENT

At 11:05 p.m., Mayor Zamora adjourned the Regular Council meeting in memory of Eric Brian Hurst the father-in-law of Jessica Hurst, Finance Manager for the City of Colton.



Carolina R. Padilla  
City Clerk