

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
CLOSED SESSION MINUTES

June 16, 2015

Closed Session Meeting was held on the above given date at 5:01 p.m., in the Council Chambers of City Hall, with Mayor Pro Tem Navarro presiding.

CITY COUNCIL ROLL CALL

Councilmembers present were, Toro, Jorin (*appeared at 5:35 p.m.*), González, Bennett, Suchil, MPT Navarro, and Mayor DeLaRosa (*appeared at 5:02 p.m.*).

STAFF PRESENT

City Manager Smith, City Attorney Campos, and City Clerk Padilla.

PUBLIC COMMENT

None.

City Attorney Campos announced that the City Council would meet in Closed Session to Discuss Items A through D.

CLOSED SESSION

- A. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: APN Nos.: 0254-051-48, 49, 63, 64, 65, 66; and 0254-061-36, 37, 38
Agency Negotiators: Economic Development Manager and City Manager
Negotiating Parties: Carl Ross Living Trust
Under Negotiation: Prices and Terms of Payment
- B. CONFERENCE WITH LABOR NEGOTIATORS
Pursuant to Government Code Section 54957.6
Agency designated representatives: City Attorney
Employee Group: Colton Fire Association
- C. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LIGATION
Significant Exposure to Litigation
Pursuant to Government Code Section 54956.9(d)(2)
- D. PUBLIC EMPLOYEE PERFORMANCE EVALUATION/APPOINTMENT
City Attorney

Mayor Pro Tem Navarro adjourned the meeting to Closed Session at 5:03 p.m. and at 6:02 p.m., the meeting reconvened, with all members present as heretofore.

City Attorney Campos announced that the City Council met in Closed Session and discussed Items A through D. Direction given to staff; 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 MINUTES

June 16, 2015

Regular Meeting held on the above-given date at 6:05 p.m. in the Council Chambers of City Hall, with Mayor Richard DeLaRosa presiding.

INVOCATION

Pastor Daniel Vargas, Jr., First Assembly of God

FLAG SALUTE

Mayor Richard A. DeLaRosa

CITY COUNCIL ROLL CALL

Council Members Present

Richard A. DeLaRosa, Mayor
David J. Toro
Summer Jorin
Frank J. Navarro, Mayor Pro Tem
Dr. Luis S. González
Deirdre H. Bennett
Isaac T. Suchil

Staff Present

William R. Smith, City Manager
Carlos Campos, City Attorney
Carolina R. Padilla, City Clerk

Council Members Absent

None.

With no protest from Council, Mayor DeLaRosa brought forward for action Item 6 from the Consent Calendar.

CONSENT CALENDAR

- (6) Donation Agreement/Carl Ross – Adopt Resolution No. R-68-15, Approving a Donation Agreement with Mr. Carl Ross, Trustee of the Carl Ross Living Trust for the Donation of San Bernardino County Assessor's Parcels Numbers (APN) 0254-051-48, 49, 63, 64, 65, 66; and APNs 0254-061-36, 37, 38 to the City of Colton, RESOLUTION NO. R-68-15.

Staff Presentation

Art Morgan, Economic Development Manager, presented for council consideration and requested approval of staff's recommendation.

Motion and Second by CM Toro/CM Bennett to approve and adopt Resolution No. R-68-15.

Roll Call Vote: YES: CM Toro/Jorin/González/Bennett/Suchil/MPT Navarro and Mayor DeLaRosa. Unanimous.

Presentation

CM Toro assisted staff present (*Art Morgan, Economic Development Manager*) by presenting the 'Key to the City' to Mr. Carl Ross, Trustee of the Carl Ross Living Trust.

CEREMONIAL MATTERS *Presentations, Awards, Proclamations*

- Presentation – Business Focus – Pizzadilly Dodgertown

CM Jorrin assisted staff (*Art Morgan, Economic Development Manager and Chetay Catalano Executive Director, City of Colton Chamber of Commerce*) on presenting You Make A Difference recognition certificate to business owners of the Vegan Korner, Mr. & Mrs. Williams.

MAYOR AND COUNCIL ITEMS

POSSIBLE CONFLICT OF INTEREST DISCLOSURES FOR THE COUNCIL MEETING OF JUNE 16, 2015.

Mayor DeLaRosa asked the members present if there were any agenda items that were a conflict of interest pursuant to CMC Section 2.04.030. None disclosed.

AB 1234 ORAL REPORTS

Mayor DeLaRosa asked the members present if there were any brief reports on meetings attended at the expense of the City. (*GC Section 53232.3(d)*). None disclosed.

APPOINTMENTS

None.

MAYOR & COUNCIL DISCUSSION ITEMS

- Discussion and Possible Direction to Amend the Colton Municipal Code, Title 2, Chapter 2.02: Election of City Council Members by District.

Mayor DeLaRosa introduced the Item for discussion and possible direction to staff. CM González presented an analysis sheet of fifteen cities in the Inland Empire (*League of California Cities Website*). The main comparison listed statistical information from a four member sitting council through a seven member sitting council. It took into consideration: population of each city (*similar and higher population count*); and method of selection of Mayor for each City.

The purpose of discussion is to determine whether there is need for further dialogue in a more structured environment to change the members of the city council from a seven to a five member council.

Mayor DeLaRosa encouraged discussion in order to determine if the majority of the Councilmembers are in favor of going forward. Because the question would need to be presented to the citizens of the City of Colton in a ballot election; dialogue included input as to cost for an election and the earliest date for the question to be taken to the public.

PUBLIC COMMENT

The following community members addressed the Council: Richard Prieto and John Anaya, Sr.

The final consensus resulted in the following: Three Councilmembers (*CM González/MPT Navarro/Mayor DeLaRosa*) open to a workshop to discuss the possibilities and alternatives it would entail of changing the make up of the Council from a seven member council to a five member council; Four Councilmembers (*CM Toro/CM Jorrin/CM Bennett/CM Suchil*) were opposed. Therefore, no action by City Manager Smith and staff at this time until so directed by Council.

APPOINTMENTS

- Designation of Voting Delegates and Alternates for League of California Cities Annual Conference, September 30 – October 2, 2015, San Jose, CA.

After discussion as to which Councilmembers would be attending the Conference; names were nominated and determine in the following order: Voting Delegate – CM González; First Alternate: CM Jorin; and Second Alternate: Mayor DeLaRosa, nomination accepted, no opposition, so moved.

- District 1 - Planning Commission – Gilbert Arrieta

Mayor DeLaRosa introduced Gilbert Arrieta for ratification by Council appointment to the Planning Commission by CM Toro; no opposition; appointment ratified.

PUBLIC COMMENT

The following community member addressed the Council: Linda Black, Ron Lawrence, Andres Palacios, and Marven Norman.

CITY TREASURER'S REPORTS

- Receive and File City Treasurer's Report for April 2015.

City Treasurer Aurelio De La Torre presented the report for April 2015 for Council consideration and with no objection report was received and filed.

CONSENT CALENDAR (cont'd)

Mayor DeLaRosa presents the Consent Calendar Items 1 through 10.

Councilmembers present selected items for discussion and clarification by staff: CM González, Item 2 and Item 4; MPT Navarro, Item 8; Mayor DeLaRosa, Item 8 and Item 10.

Motion and Second by CM Suchil/MPT Navarro to approve the Consent Calendar except Item 6 which was pulled forward for separate action as the first item of business of the regular council meeting agenda (*item approved*).

Vote: All answered 'Aye'. Unanimous.

- (1) Vouchers – It is recommended that the City Council approve U.S. Bank vouchers dated 05/08/2015 and totaling \$39,367.56; voucher numbers 149473 to 149565 dated 05/28/2015 and totaling \$1,118,088.96; voucher numbers 149566 to 149707 dated 06/04/2015 and totaling 1,176,748.64, less voided checks totaling \$3,921.97; and a payroll disbursement listing for the period 05/09/2015 to 05/22/2015 and totaling \$757,719.03, on file in the Finance Department.
- (2) Award of Bid/Asplundh Construction Corporation – Award the Bid for Construction of Oil Containment Structures at the Century Substation to Asplundh Construction Corporation in the Amount of \$90,000.
- (3) Fireworks Booth License – Approve and Adopt Resolution No. R-66-15 Amending Resolution No. R-40-96, Resolution No. R-52-11, and Resolution No. R-52-14 as they Pertain to the Allocation of Fireworks Booth Licenses for Civic, Youth and Church Groups. RESOLUTION NO. R-66-15.
- (4) Renewal of Agreement – Approve the Local Responsibility Area Wildland Protection Reimbursement Agreement and Approve and Adopt a Resolution, RESOLUTION NO. R-67-15.

- (5) Bio Gas Agreement – Approve Agreement for the Purchase of Biogas from Shell Energy North America and Authorize the City Manager to Execute the Contract Documents.
- (6) Donation Agreement/Carl Ross – Adopt Resolution No. R-68-15, Approving a Donation Agreement with Mr. Carl Ross, Trustee of the Carl Ross Living Trust for the Donation of San Bernardino County Assessor’s Parcels Numbers (APN) 0254-051-48, 49, 63, 64, 65, 66; and APNs 0254-061-36, 37, 38 to the City of Colton, RESOLUTION NO. R-68-15. *(Item pulled forward for separate action as the first item of business of the regular council meeting agenda; item approved.)*
- (7) Special Tax for Community Facilities District (CFD) 87-1, 89-1, 89-2 and 90-1 – Approve Resolutions Authorizing the 2015-2016 Annual Special Tax Levy for CFDs 87-1, 89-1, 89-2 and 90-1. RESOLUTION NOS. R-70-15, R-71-15, R-72-15, R-73-15.
- (8) Update for Coburn Street Sewer Line Collapse Repair – Authorize Award of Construction Contract to TSR Construction and Inspection in the amount of \$51,952 for Street Paving and Concrete Repairs for Coburn Sewer Emergency Repair Project.
- (9) Paid Sick Leave for Part-Time Employees AB 1522 – Approve Resolution and Administrative Policy to Implement Provisions of AB 1522 Effective 07/01/2015, RESOLUTION NO. R-74-15.
- (10) Colton Housing Authority / Set Public Hearing for Sale of Colton Housing Authority Parcels – Set the Public Hearing for the Sale of Land Owned by the Colton Housing Authority and Located at the Northwest Corner of Colton and Mt. Vernon Avenues.

PUBLIC HEARINGS

- (11) Landscape Lighting Maintenance District 1

TIME AND PLACE FIXED TO CONSIDER - A PUBLIC HEARING TO APPROVE AND ADOPT THE FOLLOWING RESOLUTIONS FOR THE LANDSCAPE LIGHTING AND MAINTENANCE DISTRICT NO. 1 FISCAL YEAR 2015/2016, 1) RESOLUTION APPROVING THE FINAL ENGINEER’S REPORT; AND 2) RESOLUTION APPROVING AND ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS.

Mayor DeLaRosa declared the Public Hearing Open.

City Clerk Padilla submitted the Affidavit of Publication calling the Public Hearing *(on file in the City Clerk’s Office)* and there were no reports of protests or objections thereto.

STAFF PRESENTATION

Amer Jakher, Public Works Director, presented a review of the Agenda Reports for Landscape Lighting Maintenance District 1 and Landscape Lighting Maintenance District 2 for Council consideration and requested approval of staff’s recommendation.

PUBLIC COMMENT

The following community member addressed the Council: Linda Tripp.

Motion and Second by MPT Navarro/CM Jorin to close the Public Hearing.

Vote: All answered ‘Aye’. Unanimous.

Motion and Second by MPT Navarro/CM Suchil to approve and adopt Resolution No. R-62-15 and Resolution No. R-63-15.

Vote: All answered 'Aye'. Unanimous.

(12) Landscape Lighting Maintenance District 2

TIME AND PLACE FIXED TO CONSIDER TIME AND PLACE FIXED TO CONSIDER A PUBLIC HEARING TO APPROVE AND ADOPT THE FOLLOWING RESOLUTIONS FOR THE LANDSCAPE LIGHTING AND MAINTENANCE DISTRICT NO. 2 FISCAL YEAR 2015/2016, 1) RESOLUTION APPROVING THE FINAL ENGINEER'S REPORT; AND 2) RESOLUTION APPROVING AND ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS.

STAFF PRESENTATION

None

(See Staff Presentation under Public Hearing for Landscape Lighting Maintenance District 1)

PUBLIC COMMENT

None

Motion and Second by CM González /CM Suchil to close the Public Hearing.

Vote: All answered 'Aye'. Unanimous.

Motion and Second by MPT Navarro/CM Suchil to approve and adopt Resolution No. R-64-15 and Resolution No. R-65-15.

Vote: All answered 'Aye'. Unanimous.

BUSINESS ITEMS

- (13) Second Reading of Ordinance No. O-08-15 – Waive Full Reading and Pass Second Reading of Ordinance No. O-08-15, Prescribing Temporary Water Conservation Rules and Regulations and Amending Title 13, by Adding Subsection 13.28.080C.

Staff Presentation

City Attorney Campos informed Council the restrictions in the ordinance are now less restrictive and changes were not substantial, therefore, this is a second reading.

Motion and Second by MPT Navarro/CM Suchil to Waive Full Reading, and Pass Second Reading of Ordinance No. O-08-15, Prescribing Temporary Water Conservation Rules and Regulations and Amending Title 13, by Adding Subsection 13.28.080C.

Vote: All answered 'Aye'. Unanimous.

- (14) FY 2015/2016 Budget – Approve and Adopt Resolutions Approving and Adopting the Fiscal Year 2015/2016 Budget, CITY RESOLUTION NOS. R-75-15, R-76-15, CUA RESOLUTION NO. CUA-03-15, AND CHA RESOLUTION NO. CHA-02-15.

Staff Presentation

City Manager Smith presented for council consideration and requested approval of staff's recommendation.

Motion and Second by CM Jorin/CM Suchil to approve and adopt the following budget Resolutions: RESOLUTION NOS. R-75-15, R-76-15; RESOLUTION NO. CUA-03-15; RESOLUTION NO. CHA-02-15.

Roll Call Vote: YES: CM Toro/Jorin/Bennett/Suchil/MPT Navarro and Mayor DeLaRosa; NO: CM González.
Motion Carried.

MAYOR AND COUNCIL ORAL REPORTS AND COMMENTS

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

CITY MANAGER'S REPORTS

City Manager Smith acknowledged the Council for their support during the Budget process.

ADJOURNMENT

At 8:47 p.m., Mayor DeLaRosa Adjourned the Regular Council Meeting.



Carolina R. Padilla
City Clerk