



CITY OF COLTON

City Hall

650 N. La Cadena Drive
Colton, CA 92324

Website: www.coltonca.gov

Mayor Richard A. DeLaRosa

Council Members:

- David J. Toro – District 1
- Summer Zamora Jorin – District 2
- Frank Navarro – District 3
- Dr. Luis S. González – District 4
- Deirdre H. Bennett – District 5
- Isaac T. Suchil – District 6

City Treasurer Aurelio De La Torre

City Manager William R. Smith

City Attorney Carlos Campos

City Clerk Carolina R. Padilla

AGENDA

SPECIAL MEETING

OF THE CITY COUNCIL/ SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY FOR THE CITY OF COLTON / COLTON UTILITY AUTHORITY/COLTON PUBLIC FINANCING AUTHORITY/ COLTON HOUSING AUTHORITY

WEDNESDAY, FEBRUARY 17, 2016 - 5:30 P.M.

Council Chambers

650 N. La Cadena Drive, Colton, California

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Said Special Meeting shall be for the purpose of studying and/or taking action on the following matters:

**OPEN SESSION CALLED TO ORDER**

**ROLL CALL**

**PUBLIC COMMENT**

Any person may address the City Council at this time on any matter within the subject matter jurisdiction of the City of Colton; however, any matter that requires action will be referred to staff for investigation and report at a subsequent Council meeting. The Council is prohibited by law from discussing or taking immediate action on items during this public comment period. Persons desiring to submit paperwork to the City Council Members shall provide copy of any paperwork to the City Clerk for the Official Record. Speakers will be limited to 5 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.

**CLOSED SESSION**

- A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
Significant Exposure to Litigation, Pursuant to Government Code Section 54956.9(d)(2)/(e)(1)  
One (1) potential case

**CITY ATTORNEY ORAL REPORT ON CLOSED SESSION ACTIONS**

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RULES OF DECORUM

To help conduct the business of the City Council in an orderly fashion, the City Council has adopted rules pertaining to decorum and order, as provided for in the City Council Manual of Procedure. The City Council will strictly enforce these rules in order to allow full expression of ideas and opinions by councilmembers, staff and the public. Generally, the City's rules of decorum prohibit comments or actions which willfully disrupt the meeting. All remarks and questions shall be addressed to the Council as a whole and not to any particular member. No

individual Councilmember or member of the City staff shall be questioned without first obtaining permission from the Presiding Officer. The City Council asks that all persons - including councilmembers, staff and the public - act and speak respectfully.

OPEN SESSION

OPEN SESSION CALLED TO ORDER ROLL CALL

MAYOR AND COUNCIL ITEMS

GIFT DISCLOSURES

Prior to rendering a decision in any proceeding involving a license, permit, contract or other entitlement pending before the city council, any council member who has received been promised a gift or gifts aggregating \$50.00 or more in value within the preceding twelve months from a party or participant in the proceeding shall disclose that fact either orally or in writing during open session. This disclosure shall be made part of the official public record of the proceeding, either as part of the minutes of the meeting or as a separate writing filed with the city. (CMC Section 2.04.030)

AB 1234 ORAL REPORTS

Members of the city council shall provide brief reports on meetings attended at the expense of the city. (GC Section 53232.3(d))

PUBLIC COMMENT

Limit 5 Minutes

This is the portion of the meeting specifically set aside to invite your comments regarding Consent Calendar items and any matters within the jurisdiction of the City Council; however, any matter that requires action will be referred to staff for investigation and report at a subsequent Council meeting. The Council is prohibited by law from discussing or taking immediate action on items during this public comment period.

Persons desiring to submit paperwork to the City Council Members shall provide copy of any paperwork to the City Clerk for the Official Record.

Speakers will be limited to 5 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.

BUSINESS ITEMS

- (1) City Council / Colton Utility Authority / Colton Housing Authority - Mid-Year Budget Review - It is recommended that the City Council approve and adopt Resolution No. R-17-16 authorizing the amendment of the Fiscal Year 2015-16 Budget to include certain necessary adjustments as detailed in this report; It is recommended that the Colton Utility Authority Board approve and adopt Resolution No. CUA-01-16 authorizing the amendment of the Fiscal Year 2015-16 Budget to include certain necessary adjustments as detailed in this report; and It is recommended that the Colton Housing Authority Board approve and adopt Resolution No. CHA-01-16 authorizing the amendment of the Fiscal Year 2015-16 Budget to include certain necessary adjustments as detailed in this report, **RESOLUTION NO. R-17-16, RESOLUTION NO. CUA-01-16 AND RESOLUTION NO. CHA-01-16.**
- (2) Organizational Changes – Authorize the recommended filling of current vacancies in the organization to ensure continuity of service.
- (3) Personnel Item – Recommending that the City Council ratify the prior placement of a Colton Shift Captain to a 40-hour Emergency Medical Services (EMS) Captain as described in the Joint Strategic Plan for the functional consolidation with Loma Linda.

- (4) Local Initiative Measure - Approve and adopt Resolution No. R-14-16 Calling for the placement of the general fund transfer/electric rate freeze initiative measure on the June 7, 2016 ballot; Approve and adopt Resolution No. R-15-16 requesting the County of San Bernardino to consolidate this election with the Statewide Primary Election also to be held on June 7, 2016; and Approve and adopt Resolution No. R-16-16 setting deadlines and rules for the submission of primary and rebuttal arguments for and against the proposed imitative measure, **RESOLUTION NOS. R-14-16, R-15-16 AND R-16-16.**

ADJOURNMENT

MOTION: _____ SECOND _____

POSTING STATEMENT:

I, Sabdi Sanchez, Chief Deputy City Clerk or my designee, hereby certify that a true and correct, accurate copy of the foregoing agenda was posted Thursday, February 11, 2016, at least twenty-four (24) hours prior to the meeting per Government Code 54954.2, at the following locations:

City of Colton City Hall 650 N. La Cadena Drive
City of Colton Website, www.coltonca.gov

PROCEDURES FOR ADDRESSING CITY COUNCIL

For the Official Record, it is requested that you obtain a card from the City Clerk and complete it by noting a specific item number on the Agenda, if applicable, or you can identify the subject that you wish to address under the Public Comment portion of the Agenda. The City Council encourages public input on all City issues within the Rules of Decorum. Speakers will be limited to the time periods provided on the Agenda; 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.

RULES OF DECORUM

To help conduct the business of the City Council in an orderly fashion, the City Council has adopted rules pertaining to decorum and order, as provided for in the City Council Manual of Procedure. The City Council will strictly enforce these rules in order to allow full expression of ideas and opinions by councilmembers, staff and the public. Generally, the City's rules of decorum prohibit comments or actions which willfully disrupt the meeting. All remarks and questions shall be addressed to the Council as a whole and not to any particular member. No individual Councilmember or member of the City staff shall be questioned without first obtaining permission from the Presiding Officer. The City Council asks that all persons - including councilmembers, staff and the public - act and speak respectfully.

NOTICE TO PUBLIC

Staff reports or other written documentation relating to each item referred to, on the Agenda, are available for public inspection at the following locations: Office of the City Clerk, 650 N. La Cadena Drive, Colton, CA; City of Colton Public Library, 656 9th St., Colton, CA; or the City of Colton Internet Website, www.coltonca.gov. Any person having questions concerning any item on the Agenda may call the City Clerk at 370-5191 to make inquiry concerning the nature of the item described on the Agenda. The City Clerk shall direct inquiries to the appropriate office.

All matters listed under the Consent Calendar are considered by the City Council to be routine and will all be enacted by one motion. There will be no separate discussion of these items prior to the time the City Council votes on the motion, unless councilmembers, staff or the public request that specific items be discussed and/or removed for separate discussions or action.

In compliance with the American with Disabilities Act, if you need special assistance to participate in a City Meeting, please contact the City Clerk's Office at 909-370-5001. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

LEGAL CHALLENGES

If you challenge in court any discussion or action taken concerning an item on this Agenda, you may be limited to raising only those issues you or someone else raised during the meeting or in written correspondence delivered to the City at or prior to the City's consideration of the item at the meeting.

MANUAL OF PROCEDURE

The City Council adopted its Manual of Procedure pursuant to Resolution No. R-150-07; Amended by Minute Action on December 2, 2014 and adopted by Resolution No. R-03-15 on January 20, 2015. Copies are available in the Office of the City Clerk.



STAFF REPORT

DATE: FEBRUARY 17, 2016
 TO: HONORABLE MAYOR AND CITY COUNCIL
 FROM: BILL SMITH, CITY MANAGER
 PREPARED BY: ANITA AGRAMONTE, FINANCE DIRECTOR
 SUBJECT: MID-YEAR BUDGET REVIEW

RECOMMENDED ACTION

1. It is recommended that the City Council adopt Resolution No. R-17-16 authorizing the amendment of the Fiscal Year 2015-16 Budget to include certain necessary adjustments as detailed in this report.
2. It is recommended that the Utility Authority Board adopt Resolution No. CUA-01-16 authorizing the amendment of the Fiscal Year 2015-16 Budget to include certain necessary adjustments as detailed in this report.
3. It is recommended that the Housing Authority Board adopt Resolution No. CHA-01-15 authorizing the amendment of the Fiscal Year 2015-16 Budget to include certain necessary adjustments as detailed in this report.

BACKGROUND

The City Council adopted the City of Colton Fiscal Year 2015-16 Budget at the June 16, 2015 council meeting. The originally adopted general fund budget included estimated revenues in the amount of \$31,232,368 and proposed expenditures totaling \$33,761,652. Factoring in encumbrance and prior year budget carryovers, as well as any additional revenue projections and expenditure appropriations authorized by the City Council during the course of the current fiscal year, the current revenue budget is \$32,713,674 while the expenditure budget totals \$34,667,097.

It is considered best practices that the budget be reviewed on an ongoing basis in order to ensure the fiscal integrity of all City operations. The purpose of this report is to provide current summary information that will assist the City Council in the decision making process. This report includes projections to close the fiscal year for each City fund, as well as all recommended changes to the budget including previously approved Council actions through the date of this report as illustrated in the attached Actual and Projected Fund Balances Worksheet.

ISSUES/ANALYSIS

Staff began the mid-year process by first examining the prior fiscal year's outcomes, then proceeding to evaluate revenue and expenditure performance in the first six months of current fiscal year. Based on this analysis, staff has estimated ending balances for fiscal year 2015-16.

General Fund

As of December 31, 2015, with 50% of the fiscal year complete, General Fund revenues are 35% received while expenditures are 41% spent (including encumbrances 44% spent). Certain major General Fund revenues such as property taxes are primarily collected in the second, third and fourth quarters of the fiscal year and thus, at mid-year, will generally show less than 50% collected. Sales tax in-lieu and property tax in-lieu, which together represent approximately 17% of estimated revenue, are collected in the third and fourth quarters and thus have a significant lowering effect on the percentage received in the first half of the fiscal year. In addition, sales tax receipts through December reflect only four months collection due to the required accrual method of accounting.

Revenues

Overall, based on current estimates, revenues are projected to increase by \$1,762,058 over the original budget projections as illustrated in the table below.

**Estimated General Fund Revenues
 FY 2015-16**

	Initial Budget	Current Budget	Estimated to Close	Variance + / (-)	
				\$	%
PROPERTY TAXES	3,765,000	3,765,000	4,010,000	245,000	6.1%
VLF - PROPERTY TAXES	3,800,000	3,800,000	4,000,000	200,000	5.0%
SALES TAXES	7,927,200	7,927,200	8,481,800	554,600	6.5%
FRANCHISE TAXES	1,100,000	1,100,000	1,100,000	-	0.0%
OTHER TAXES	970,000	970,000	1,198,500	228,500	19.1%
LICENSES & PERMITS	1,599,534	1,599,534	1,607,739	8,205	0.5%
INTERGOVERNMENTAL	808,993	984,432	1,067,197	82,765	7.8%
CHARGES FOR SERVICES	1,319,503	1,319,503	1,773,140	453,637	25.6%
USE OF MONEY AND PROPERTY	155,200	155,200	155,200	-	0.0%
FINES AND FORFEITURES	207,000	207,000	197,000	(10,000)	-5.1%
OTHER FINANCING SOURCES	9,579,938	10,885,805	10,885,156	(649)	0.0%
TOTAL REVENUE	31,232,368	32,713,674	34,475,732	1,762,058	5.1%

The revenue increase is attributed to projected growth in sales tax, property tax, other taxes, charges for services, and intergovernmental revenues, slightly offset by a nominal decrease in fines and forfeitures and other financing sources. Sales tax represents the largest revenue increase in the amount of \$554,600, and is due to the true-up anticipated this fiscal year as a result of the state triple flip financing coming to an end. The increases in charges for services projected in the amount of \$453,637 is mainly attributed to fire cost recovery projected to total \$439,337. Other notable revenue increases include an increase in property tax and VLF property taxes which are representative of increases in property values in the City; an increase in other taxes of \$228,500 and \$82,765 in intergovernmental revenues bringing projections in line with the prior year's actual performance. The other financing sources category was reduced by an adjustment in the GFT in the amount of \$161,864, representing the revised calculation of the GFT based on actual revenues realized by the Electric Utility in the prior fiscal year. The decrease is offset by increases in other miscellaneous revenues for a net decrease of \$649 in the category.

Expenditures

With respect to expenditures, a majority of costs are relatively straight-line in nature, i.e., there is a proportionate share spent each month. However, there are some operating costs, as well as capital expenditures, that do not follow this pattern. Because of these timing issues, year to date expenditure percentages by Department may vary, while the overall budget to actual percentage is right in line with expectations. Overall, General Fund expenditures are estimated to increase by a net amount of \$1,707,088 to close the year, as illustrated below.

**Projected General Fund Expenditures
 FY 2015-16**

	Initial Budget	Current Budget	Estimated to Close	Variance + / (-)	
				\$	%
CITY COUNCIL	473,463	473,463	473,100	(363)	-0.1%
CITY CLERK	308,564	337,904	324,280	(13,624)	-4.2%
CITY MANAGER	188,323	188,323	187,305	(1,018)	-0.5%
NON DEPARTMENTAL	(6,152,895)	(6,152,895)	(5,269,398)	883,497	-16.8%
ECONOMIC DEVELOPMENT	-	16,912	16,912	(0)	0.0%
HUMAN RESOURCES	1,635,604	1,635,604	1,628,826	(6,778)	-0.4%
CITY ATTORNEY	845,000	845,000	845,000	-	0.0%
CITY TREASURER	57,825	57,825	57,695	(130)	-0.2%
FINANCIAL SERVICES					
FINANCE ADMINISTRATION	510,688	510,688	543,458	32,770	6.0%
CUSTOMER SERVICE	1,622,327	1,622,569	1,645,569	23,000	1.4%
PURCHASING	305,035	305,035	307,247	2,212	0.7%
TOTAL FINANCE SERVICES	2,438,050	2,438,292	2,496,274	57,982	2.3%
POLICE DEPARTMENT					
POLICE ADMINISTRATION	7,258,180	7,387,552	7,409,010	21,458	0.3%
PATROL	6,651,763	6,651,763	6,614,383	(37,380)	-0.6%
DETECTIVES	1,341,286	1,341,286	1,334,566	(6,720)	-0.5%
CODE ENFORCEMENT	458,215	458,215	457,535	(680)	-0.1%
TOTAL POLICE DEPARTMENT	15,709,444	15,838,816	15,815,494	(23,322)	-0.1%
FIRE DEPARTMENT					
OPERATIONS	10,138,882	10,237,131	10,631,143	394,013	3.7%
SAFETY	220,969	220,969	220,527	(442)	-0.2%
WEED ABATEMENT PROGRAM	37,200	37,200	37,200	-	0.0%
DESASTER PREPAREDNESS	259,671	261,651	541,771	280,120	51.7%
TOATL FIRE DEPARTMENT	10,656,722	10,756,950	11,430,641	673,691	5.9%
PUBLIC WORKS					
ADMINISTRATION & ENGINEERING	926,962	926,962	938,462	11,500	1.2%
STREET MAINTENANCE	0	260,000	260,000	-	0.0%
PARKS MAINTENANCE	1,226,778	1,226,778	1,249,024	22,246	1.8%
TOTAL PUBLIC WORKS	2,153,740	2,413,740	2,447,486	33,746	1.4%
DEVELOPMENT SERVICES					
PLANNING	1,545,996	1,545,996	1,590,802	44,806	2.8%
BUILDING	442,182	442,182	421,684	(20,498)	-4.9%
ECONOMIC DEVELOPMENT	336,037	705,387	705,387	-	0.0%
TOTAL DEVELOPMENT SERVICES	2,324,215	2,693,565	2,717,873	24,308	0.9%

	Initial Budget	Current Budget	Estimated to Close	Variance + / (-)	
				\$	%
COMMUNITY SERVICES					
ADMINISTRATION	1,012,407	1,012,407	1,024,440	12,033	1.2%
FACILITY RESERVATIONS	10,300	9,700	9,700	-	0.0%
COMMUNITY CENTERS	1,281,743	1,281,780	1,326,482	44,702	3.4%
AQUATIC FACILITY	73,858	73,858	78,858	5,000	6.3%
SPORTS PROGRAMS	29,950	29,950	29,950	-	0.0%
A&Y EXCURSION PROGRAM	1,400	1,400	1,400	-	0.0%
FITNESS PROGRAM	19,300	19,300	19,300	-	0.0%
DAY CAMP PROGRAMS	19,500	19,500	14,500	(5,000)	-34.5%
HUTTON COMMUNITY CENTER	26,050	26,050	26,050	-	0.0%
LUQUE COMMUNITY CENTER	11,500	11,500	11,500	-	0.0%
COMMUNITY EVENTS	63,500	63,500	63,500	-	0.0%
YOUTH SERVICES DROP-IN	37,500	37,500	37,500	-	0.0%
GONZALES COMMUNITY CENTER	29,010	28,511	29,610	1,099	3.7%
TEEN CENTER	12,700	12,700	12,700	-	0.0%
ADAPTED PROGRAMS	600	600	600	-	0.0%
LIBRARY	494,279	495,341	516,606	21,265	4.1%
TOTAL COMMUNITY SERVICES	3,123,597	3,123,597	3,202,696	79,099	2.5%
TOTAL EXPENDITURES	33,761,652	34,667,097	36,374,184	1,707,088	4.7%

General Fund expenditures are projected to increase by \$1,707,088. The increase factors in the following:

- Increase in transfers to other funds totaling \$901,519 to account for debt service costs for the 2007 Series B bonds. Although the debt service expense was budgeted, the transfer from the general fund to the debt service fund to cover the payment was inadvertently left out of the original budget.
- Increase in overtime costs for the fire departments in the amount of \$617,632. Most of the extra costs incurred by the Fire department will be reimbursed as mutual aid compensation.
- Increases in part-time staffing costs totaling approximately \$96,000 result from the recent minimum wage increase and additional costs attributed to the implementation of sick time benefits for part time staff, as mandated under California Paid Sick Leave Law.
- Additional increases are requested for banking services - \$42,000, fencing for the West Valley Habitat Conservation Plan - \$46,000, fire vehicle maintenance - \$47,600, new payment kiosks - \$21,000, and other nominal increases to various line items totaling \$27,970 across all departments.
- These increases are partially offset by various line item reductions in all departments totaling \$92,633.

The revenue and expenditure adjustments recommended herein are projected to result in the following fund balance outcome for the General Fund:

Fund Balance as of June 30, 2015	\$ 6,814,277
Projected Revenues for FY 2015-16	34,475,732
Projected Expenditures for FY 2015-16	<u>36,374,184</u>
FY 2015-16 Surplus/ (Deficit)	(1,898,452)
Estimated Fund Balance on June 30, 2015	<u>\$ 4,915,825</u>

These amendments reduce the general fund structural deficit to \$1.8 million from the \$2.5 million deficit reflected in the originally adopted budget. The General Fund reserve balance at June 30, 2015 is projected to be \$4,915,825, or 13.5% of expenditures, meeting the City's 10% reserve requirement.

Enterprise Funds

The City's major enterprise funds, namely Electric, Water and Wastewater, are all recommended for adjustment at mid-year. It should be noted that each of these operations met or exceeded projected operating results for the prior fiscal year.

Electric

The Electric Department is projecting overall revenues to be in line with the original adopted budget, and expenditures are projected to increase by approximately \$2,732. The change is primarily attributed to the recalculation of the GFT resulting in a decrease in the amount of \$161,236, as recalculated based on actual revenues realized at the end of the prior fiscal year in accordance with the flow of funds ordinance. This decrease is offset by increases in salaries and benefits resulting from the implementation of the negotiated IBEW salary survey, as well as other nominal line item adjustments that are routine in nature.

Based upon current estimates, the Electric Fund is expected to end the year with an approximate balance of \$39.9 million which represents approximately 41% of the current expenditure levels.

Water

The Water Fund revenue projections reflect a net decrease of \$1,319,918. Expenditures reflect a decrease of \$701,372. The decrease in revenues can be attributed to the State Mandated Water Conservation Program resulting in a 14% reduction in water consumption. The decrease in expenditures is resulting from a decrease in energy costs due to repairs on a couple of wells and as well as reductions in electrical pumping cost for Well 15. Additional decreases are attributed to reductions in perchlorate legal fees and delay of the new well CIP to future years.

Wastewater

The latest revenue projections in the Wastewater Fund reflect an increase of \$105,024 mainly attributed to an increase in sewer capacity/connection fees. Expenditures are projected to decrease by \$63,571, which is associated with the delay in the purchase of a ¾ ton pickup truck, as well as part time salary savings. All other changes in appropriations are routine in nature.

All Other Funds

All revenue or expenditure adjustments recommended for any other funds (not previously mentioned earlier in this report) are considered routine in nature and reflected on the Actual and Projected Fund Balances worksheet attached to this report.

All projections have been updated for balances as reflected in the recently issued 2015 CAFR, as well as any other known items through the date of this report.

FISCAL IMPACTS

Adoption of the attached resolutions will amend the budget to reflect the most current estimates to close the fiscal year. In summary, the respective funds are expected to end with the following projected balances:

ALTERNATIVES

1. Provide alternative direction to staff.

ATTACHMENTS

1. Actual and Projected Fund Balances Worksheet
2. City Council Resolution and Exhibit A
3. Utility Authority Resolution
4. Housing Authority Resolution

City of Colton
Actual and Projected Fund Balances

	6/30/2015		FY 2015/16 Revenues			FY 2015/16 Expenditures			FY 2015-16	6/30/2016
	Audited	Fund Balance	Current Budget	Mid-Year Adjustments	Year-End Projection	Current Budget	Mid-Year Adjustments	Year-End Projection	Operating Surplus/(Deficit)	Fund Balance Estimated
100 General Fund	6,164,277		32,713,674	1,762,058	34,475,732	34,667,097	1,707,088	36,374,184	(1,898,452)	4,265,825
100 General Fund Reserve for Parks & Rec	250,000		0	0	0	0	0	0	0	250,000
100 General Fund Reserve for Fire Operations	400,000		0	0	0	0	0	0	0	400,000
Total General Fund	6,814,277		32,713,674	1,762,058	34,475,732	34,667,097	1,707,088	36,374,184	(1,898,452)	4,915,825
Special Revenue Funds										
206 Community Child Care	31,505		776,084	18,500	794,584	778,226	15,929	794,155	429	31,934
210 Special Gas Tax	777,512		1,307,244	0	1,307,244	1,340,040	(8,675)	1,331,365	(24,121)	753,391
211 Library Grant Fund	16,302		63,304	(2,000)	61,304	63,761	1,000	64,761	(3,457)	12,845
212 State Traffic Relief	0		800	0	800	0	0	0	800	800
214 Air Quality Fund (AQMD)	429,309		57,734	0	57,734	377,648	0	377,648	(319,914)	109,395
215 CDBG Fund	(2,190)		849,135	20,027	869,162	866,970	0	866,970	2,192	2
217 Drug/Gang Intervention	16,432		0	380	380	5,000	0	5,000	(4,620)	11,812
218 Measure I Fund	2,600,287		798,052	0	798,052	2,631,082	4,354	2,635,436	(1,837,384)	422,903
220 ViTep	25,029		50,000	10,000	60,000	656	0	656	59,344	84,373
225 Miscellaneous Grants	(16,551)		7,061,378	44,575	7,105,953	7,065,626	(15,292)	7,050,334	55,619	39,068
240 Host City Fees	179,432		0	105,660	105,660	0	0	0	105,660	285,092
261 Asset Seizure Fund	150,189		80,000	32,305	112,305	85,000	0	85,000	27,305	177,494
Total Special Revenue Funds	3,867,256		11,043,731	229,447	11,273,178	13,214,009	(2,684)	13,211,325	(1,938,147)	1,929,109
Capital Projects Funds										
248 Park Development Fund	404,328		35,600	5,555	41,155	42,070	9,409	51,479	(10,324)	394,004
249 Traffic Impact Fee Fund	1,894,710		131,790	7,163	138,953	1,498,024	(6,314)	1,491,710	(1,352,757)	541,953
250 New Facilities Development Fees	157,595		20,248	0	20,248	0	0	0	20,248	177,843
251 Civic Center Development Fee	18,142		0	2,264	2,264	0	0	0	2,264	20,406
252 Fire Facility Development Fee	40,052		0	1,755	1,755	0	0	0	1,755	41,807
253 Police Facility Development Fee	19,346		0	4,254	4,254	0	0	0	4,254	23,600
450 Capital Improvement Fund (450)	185		6,032,525	4,715	6,037,240	6,036,882	358	6,037,240	0	185
451 Colton Crossing Fund (451)	2,539,317		220,616	11,002	231,618	2,780,371	(53,122)	2,727,249	(2,495,631)	43,686
Total Capital Projects Funds	5,073,674		6,440,779	36,708	6,477,487	10,357,347	(49,669)	10,307,678	(3,830,191)	1,243,483
Debt Service Funds										
350 Public Financing Authority	2,693,968		802,000	901,519	1,703,519	1,191,152	15,045	1,206,197	497,322	3,191,290
357 POB - Non-Enterprise	128,257		0	0	0	0	0	0	0	128,257
358 Taxable Pension Bonds	1,869,209		2,726,485	11,613	2,738,098	2,608,727	1,250	2,609,977	128,121	1,997,330
364 Water Improvement District A	(19,736)		31,567	437	32,004	31,567	0	31,567	437	(19,299)
Total Debt Service Funds	4,671,698		3,560,052	913,569	4,473,621	3,831,446	16,295	3,847,741	625,880	5,297,578
CFD's and Assessment Districts										
703 CFD 87-1	267,786		0	84,100	84,100	102,174	232,080	334,254	(250,154)	17,632
707 CFD 88-1	289,690		0	0	0	0	0	0	0	289,690
744 CFD 89-1 Debt Service	504,947		247,000	3,500	250,500	252,481	(1,000)	251,481	(981)	503,966
734 CFD 89-2 Construction	1		0	0	0	0	0	0	0	1
745 CFD 89-2 Debt Service	741,012		285,000	16,575	301,575	284,968	(1,500)	283,468	18,107	759,119
781 CFD 90-1 Debt Service	529,756		270,000	3,800	273,800	263,448	(1,410)	262,038	11,762	541,518
722 Storm Water	236,586		579,272	0	579,272	685,313	6,633	691,946	(112,674)	123,912
702 LLMD #1	0		327,527	0	327,527	324,797	12,655	337,452	(9,925)	(9,925)
701 LLMD #2	3,000		138,949	0	138,949	121,160	19,897	141,057	(2,108)	892
Total CFD's and Assessment Districts	2,572,779		1,847,748	107,975	1,955,723	2,034,341	267,355	2,301,696	(345,973)	2,226,806

City of Colton
Actual and Projected Fund Balances

	6/30/2015 Audited Fund Balance	FY 2015/16 Revenues			FY 2015/16 Expenditures			FY 2015-16 Operating Surplus/(Deficit)	6/30/2016 Fund Balance Estimated
		Current Budget	Mid-Year Adjustments	Year-End Projection	Current Budget	Mid-Year Adjustments	Year-End Projection		
Enterprise Funds									
520 Electric Utility	38,149,876	63,905,082	0	63,905,082	72,124,569	2,732	72,127,301	29,927,657	
526 Public Benefit Fund	2,353,432	748,548	(114,253)	634,295	1,244,000	0	1,244,000	1,743,727	
521 Water Utility	6,476,963	11,693,848	(1,319,918)	10,373,930	13,938,282	(701,372)	13,236,910	3,613,983	
522 Wastewater Utility	11,414,214	9,303,763	105,024	9,408,787	13,948,518	(63,571)	13,884,947	6,938,054	
523 Solid Waste	(68,182)	2,775,000	5,100	2,780,100	2,531,648	5,044	2,536,692	175,226	
527 Wastewater - Grand Terrace	0	0	0	0	0	0	0	0	
560 Cemetery Endowment	817,017	0	4,965	4,965	0	0	0	821,982	
Total Enterprise Funds	59,143,321	88,426,241	(1,319,082)	87,107,159	103,787,017	(757,167)	103,029,850	43,220,630	
Internal Service Funds									
605 Facility & Equip Maint. Fund	283,680	679,342	0	679,342	685,221	(44,644)	640,577	322,445	
608 Automotive Shop	13,414	638,971	0	638,971	764,341	4,970	769,311	(116,926)	
606 Information Services	1,142,336	938,258	0	938,258	946,258	12,237	958,495	1,122,099	
607 Risk Management	(784,640)	2,975,136	0	2,975,136	2,590,089	49,847	2,639,936	(449,440)	
Total Internal Service Funds	654,789	5,231,707	0	5,231,707	4,985,909	22,410	5,008,319	878,177	
Housing Authority									
Total Housing Authority	1,779,649	763,100	(75,367)	687,733	495,682	(154,101)	341,581	2,125,801	
Grand Totals	83,927,442	150,027,032	1,655,308	151,682,340	173,372,848	1,049,527	174,422,374	61,187,408	

1 **Exhibit A**

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3 Fiscal Year 2015-16 Budget amounts shall be adjusted as follows:

	Revised Estimated Revenue	Revised Budgeted Expenditures	
4			
5			
6			
7	100 <u>General Fund</u>	34,475,732	36,374,184
8			
9	<u>Special Revenue Funds</u>		
10	206 Community Child Care	794,584	794,155
11	210 Special Gas Tax	1,307,244	1,331,365
12	211 Library Grant Fund	61,304	64,761
13	212 State Traffic Relief	800	0
14	214 Air Quality Fund (AQMD)	57,734	377,648
15	215 CDBG Fund	869,162	866,970
16	217 Drug/Gang Intervention	380	5,000
17	218 Measure I Fund	798,052	2,635,436
18	220 ViTep	60,000	656
19	225 Miscellaneous Grants	7,105,953	7,050,334
20	240 Host City Fees	105,660	0
21	261 Asset Seizure Fund	112,305	85,000
22	Total Special Revenue Funds	11,273,178	13,211,325
23			
24	<u>Capital Projects Funds</u>		
25	248 Park Development Fund	41,155	51,479
26	249 Traffic Impact Fee Fund	138,953	1,491,710
27	250 New Facilities Development Fees	20,248	0
28	251 Civic Center Development Fee	2,264	0
29	252 Fire Facility Development Fee	1,755	0
30	253 Police Facility Development Fee	4,254	0
31	450 Capital Improvement Fund (450)	6,037,240	6,037,240
32	451 Colton Crossing Fund (451)	231,618	2,727,249
33	Total Capital Projects Funds	6,477,487	10,307,678
34			
35	<u>Debt Service Funds</u>		
36	350 Public Financing Authority	1,703,519	1,206,197
37	357 POB - Non-Enterprise	0	0
38	358 Taxable Pension Bonds	2,738,098	2,609,977
39	364 Water Improvement District A	32,004	31,567
40	Total Debt Service Funds	4,473,621	3,847,741

	Revised Estimated Revenue	Revised Budgeted Expenditures
<u>CFD's and Assessment Districts</u>		
703 CFD 87-1	84,100	334,254
707 CFD 88-1	0	0
744 CFD 89-1 Debt Service	250,500	251,481
734 CFD 89-2 Construction	0	0
745 CFD 89-2 Debt Service	301,575	283,468
781 CFD 90-1 Debt Service	273,800	262,038
722 Storm Water	579,272	691,946
702 LLMD #1	327,527	337,452
701 LLMD #2	138,949	141,057
Total CFD's and Assessment Districts	1,955,723	2,301,696
<u>Enterprise Funds</u>		
520 Electric Utility	63,905,082	72,127,301
526 Public Benefit Fund	634,295	1,244,000
521 Water Utility	10,373,930	13,236,910
522 Wastewater Utility	9,408,787	13,884,947
523 Solid Waste	2,780,100	2,536,692
527 Wastewater - Grand Terrace	0	0
560 Cemetery Endowment	4,965	0
Total Enterprise Funds	87,107,159	103,029,850
<u>Internal Service Funds</u>		
605 Facility & Equip Maint. Fund	679,342	640,577
608 Automotive Shop	638,971	769,311
606 Information Services	938,258	958,495
607 Risk Management	2,975,136	2,639,936
Total Internal Service Funds	5,231,707	5,008,319
<u>Housing Authority</u>		
855 Rancho Med Park Development	82,560	0
856 Rancho Med Bond Proceeds	0	0
857 LMI Asset Fund	0	0
864 Low/Mod Bond Proceeds	5,000	0
865 Rancho Med CHFA	0	0
870 Rancho Med Park Operations	80,000	93,842
874 Low/Mod Debt Service	0	0
898 Low/Mod Capital Projects	520,173	247,739
Total Housing Authority	687,733	341,581

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RESOLUTION NO. CUA 01-16

**RESOLUTION OF THE UTILITY AUTHORITY
OF THE CITY OF COLTON, CALIFORNIA
AMENDING THE BUDGET FOR FISCAL YEAR
COMMENCING JULY 1, 2015 AND ENDING
JUNE 30, 2016**

WHEREAS, the Colton Utility Authority (CUA) adopted budgets for the fiscal year commencing July 1, 2015 and ending June 30, 2016; and

WHEREAS, the CUA conduct regular reviews of their budgets as it is fiscally prudent to do so; and

WHEREAS, based upon the review conducted February 17, 2016, the CUA desires to amend the budget;

NOW, THEREFORE, UTILITY AUTHORITY OF THE CITY OF COLTON DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. The budgetary projections amending the budget for the City of Colton for the fiscal year commencing July 1, 2015 and ending June 30, 2016, which includes the Utility Authority operations, is hereby approved and adopted and incorporated herein.

SECTION 2. Under the direction of the City Manager and Approved by the Utility Authority the Finance Department may make the reallocation of appropriations within the funds as defined herein.

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APPROVED AND ADOPTED this 17th day of February, 2016.

RICHARD DELAROSA, Chairperson

ATTEST:

CAROLINA R. PADILLA, Secretary

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RESOLUTION NO. CHA 01-16

**RESOLUTION OF THE HOUSING
AUTHORITY OF THE CITY OF COLTON,
CALIFORNIA AMENDING THE BUDGET FOR
FISCAL YEAR COMMENCING JULY 1, 2015
AND ENDING JUNE 30, 2016**

WHEREAS, the Colton Housing Authority adopted budgets for the fiscal year commencing July 1, 2015 and ending June 30, 2016; and

WHEREAS, the Colton Housing Authority conducts regular reviews of their budgets as it is fiscally prudent to do so; and

WHEREAS, based upon the review conducted February 17, 2016, the Colton Housing Authority desires to amend the budget;

NOW, THEREFORE, UTILITY AUTHORITY OF THE CITY OF COLTON DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. The budgetary projections amending the budget for the City of Colton for the fiscal year commencing July 1, 2015 and ending June 30, 2016, which includes the Housing Authority operations, is hereby approved and adopted and incorporated herein.

SECTION 2. Under the direction of the City Manager and Approved by the Housing Authority the Finance Department may make the reallocation of appropriations within the funds as defined herein.

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APPROVED AND ADOPTED this 17th day of February, 2016.

RICHARD DELAROSA, Chairperson

ATTEST:

CAROLINA R. PADILLA, Secretary

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STAFF REPORT

DATE: FEBRUARY 17, 2016
TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS
FROM: BILL SMITH, CITY MANAGER *[Signature]*
SUBJECT: MID-YEAR BUDGET – ORGANIZATIONAL CHANGES

RECOMMENDED ACTION

That the City Council authorize the recommended filling of current vacancies in the organization to ensure continuity of service.

BACKGROUND

Several months ago, staff implemented an administrative hiring freeze on all positions affecting the General Fund. On January 19, 2016, City Council enacted a city-wide hiring freeze. These actions have resulted in significant savings to the city, in light of recent budget challenges. As part of the mid-year budget review, staff is requesting to fill certain positions that it considers to be essential to maintain current levels of service to the community. Additionally, staff is in the process of reorganizing some city operations to further increase efficiency, and to minimize the need to fill vacant positions.

ISSUES/ANALYSIS

ORGANIZATION

The organizational structure to begin the current fiscal year consisted of seven (7) departments, as listed:

- Community Services
- Development Services
- Electric
- Finance
- Fire
- Police
- Public Works, Water/Wastewater

Staff is currently in the process of reorganizing city operations, under six (6) departments, as listed:

- Administrative Services (currently Finance)
- Community Services
- Development Services
- Fire
- Police
- Public Works & Utility Services (combining w/Electric)

The Administrative Services Department will take on the additional functions of Customer Service, Information Services, and Purchasing. These functions are currently overseen by the Electric Department. By moving these functions out of the Electric Department, this will allow the current Electric Director to maintain an appropriate span of control in taking on the Public Works, Water, and Wastewater functions.

The Administrative Services Department will also take on the Human Resources (HR) Division. The resulting Administrative Services Department structure will be almost identical to the former Management Services Department, which served the city for several years, most-recently in 2013.

The Administrative Services Department will be supervised by the current Finance Director, and the Public Works & Utility Services Department will be supervised by the current Electric Director. Since November 2015, the Electric Director has been overseeing the Public Works, Water, and Wastewater functions, and during this time, these functions have seen an increase in productivity. By moving the aforementioned functions out of the Electric Department and into the Administrative Services Department, this will further enhance the director's ability to manage all Public Works and Utility functions.

The resulting organizational structure for the city has the following advantages:

- Saves approximately \$240,000 in total compensation for a director level position (approximately \$87,000 in General Fund impact)
- Groups divisions with complimentary functions for greater efficiency
 - Ex: HR/Payroll, Accounting/Purchasing, Customer Service/Finance, city crews
- Separates enterprise funds from accounting/billing for greater redundancy and institutional control
- Improves supervisory abilities through the centralization of departments in single locations
- No salary adjustments are proposed as a part of this action

HIRING NEEDS

To maintain service for residents, staff is recommending to fill the following current vacancies in the organization:

Police (7 positions)

The department currently has seven (7) vacancies, including one Lieutenant, one Sergeant, three (3) Corporals, and two (2) Police Officers. Staff is recommending authorization to fill all seven (7) of these positions. Staff feels as though this is necessary to maintain police service to the community, and to retain adequate supervision within the department.

Fire (3 positions)

The department currently has six (6) vacancies. Staff is recommending authorization to fill three (3) of six (6) vacancies. This will reduce overtime costs as well as stress on current staffing, which has to cover existing vacancies.

Development Services (one position)

Staff is recommending authorization to fill the vacant Building Official position. This position is essential to providing service to incoming businesses and residents. Since the position has been vacant, there has been a decrease in service to customers. Current services are being provided by contract staff, with limited hours.

Community Services (2 positions)

Staff is recommending authorization to fill the vacant Community Services Director position. The staff member currently acting in this role is in a one-year (maximum) acting assignment that expires in April, 2016. It is essential that this department has adequate oversight, given the number of staff members, facilities supervised, and the number of daily contacts with the public, which far exceeds any other city department. Staff is also recommending authorization to fill the vacant Assistant Site Supervisor position in the Early Childhood Education (ECE) Division. This position is necessary, according to State licensing requirements, and is entirely grant-funded, with no impact on the General Fund.

Public Works & Utility Services (3 positions)

Staff recommends authorization to create and fill the position of Public Works Supervisor. This position would oversee the Public Works function exclusively. Currently, the Water/Wastewater (W/WW) Superintendent is also overseeing the Public Works function. Given the workload, combined with upcoming projects in both the Water and Wastewater divisions, staff feels it necessary to have supervisory staff devoted only to Public Works. Additionally, staff is recommending authorization to fill both the W/WW Utilities Inspector and Electric Meter Technician Apprentice positions. These two positions are considered essential to the maintenance of current service levels, and neither has any General Fund impact.

Approval of these recommendations would fill 16 of 29 current vacancies in the organization.

FINANCE COMMITTEE

The Finance Committee met on Monday, February 1, 2016. This committee consists of Mayor Delarosa, Mayor Pro Tempore Suchil, Council Member Navarro, City Treasurer Delatorre, Finance Director Agramonte, Finance Manager Dabbs, and City Manager Smith. The Committee was presented with these requests, and provided recommendations to staff.

The Committee also requested some follow-up data and a couple of recommendations be brought forward to the mid-year budget review. Staff will present these recommendations and data at the February 17 workshop.

FISCAL IMPACTS

The General Fund (GF) impacts of staff recommendations are as follows:

- Police & Fire recommendations are not anticipated to have any GF impact for the remainder of the current fiscal year, due to the time needed to recruit and fill positions.
- The Building Official position has an anticipated impact of approximately \$25,334 for the remainder of the current fiscal year, and \$152,000 annually (salary & benefits).
- The Community Services Director position is not anticipated to have any GF impact, as the position is currently filled in an acting capacity, at the same salary level.
- The Public Works Supervisor position has an anticipated impact of \$10,000-\$15,000 for the remainder of the current fiscal year, and \$111,888 annually (salary & benefits).

When combined with anticipated total compensation savings resulting from the current hiring freeze, net of recent retiree/separation payments, the total anticipated savings to the General Fund, for the remainder of the current fiscal year, is estimated at \$150,000-\$250,000. This would be in addition to the savings projected in the mid-year budget report from the Finance Department.

ALTERNATIVES

1. Provide alternative direction to staff.

ATTACHMENTS

N/A



STAFF REPORT

DATE: FEBRUARY 17, 2016
 TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS
 FROM: BILL SMITH, CITY MANAGER *BS*
 PREPARED BY: TIM McHARGUE, FIRE CHIEF *TM*
 SUBJECT: RATIFICATION OF 40-HOUR FIRE CAPTAIN FUNCTIONING AS EMERGENCY MEDICAL SERVICES CAPTAIN

RECOMMENDED ACTION

The Fire Department is recommending that Council ratify the prior placement of a Colton Shift Captain to a 40-hour Emergency Medical Services (EMS) Captain as described in the Joint Strategic Plan for the functional consolidation with Loma Linda.

BACKGROUND

Since the start of the functional consolidation with Loma Linda, it was apparent that several special duty assignments which had not previously existed in either Department would be necessary to fully integrate the two organizations. These special assignments are enhancements to the duties and responsibilities of existing funded positions, not any new-hire positions. As the functional consolidation matures there will likely be a need to formally recognize these special assignments in contractual agreements with the respective Fire Associations.

The benefits of the functional consolidation have been the increase of staffing for nearly no additional cost. The Fire Command Staff-Colton (COL) before the functional consolidation consisted of: a Fire Chief, three Shift Battalion Chiefs, a Fire Marshal, and an Executive Assistant. The only non-shift personnel were the Fire Chief and the Fire Marshal; this arrangement reduces the administrative capacity of staff due to the rotating nature of shift work.

Joint Fire Staff now consists of: Fire Chief-COL, Senior Deputy Chief of Administration Loma Linda (LOM), Deputy Chief of Operations COL (pending), three Shift Battalion Chiefs (two COL, one LOM), Training Battalion Chief-LOM, EMS Captain-paid by LOM filled by COL, Emergency Services Coordinator-LOM, Executive Assistant-COL, Executive Aid-LOM, two Fire Marshals-LOM and COL. LOM provides the Battalion Chief's emergency response vehicle at this time. COL provides the Emergency Services Coordinator's vehicle at this time.

The shared positions that are the greatest administrative benefit to the cities are: Deputy Fire Chief of Operations-COL, Joint Emergency Services Coordinator-LOM, Training Battalion Chief-LOM, and EMS Captain-paid by LOM filled by COL.

If the City were to hire personnel with the skillsets to perform the work of the existing shared positions it would cost more than \$660,000. These shared positions have resulted in the following: proactive response to evolving emergency response issues, Injury and Illness Prevention Program, Cal-OSHA Compliance, Advanced Resuscitation Training (ART), Quality Improvement, Continuing Education Provider, involvement on county level as EMS Officers President, involvement in the county with Training Officers Association, involvement with the disaster preparedness Operational Area Coordinating Committee, and cutting edge cardiac monitor purchases to name a few.

The potential of the functional consolidation has not been fully realized to this point.

Fire Staff is continuing to find areas of neglect in compliance and other issues that have not had adequate staffing to manage at any point in the history of the Fire Department. These areas of neglect expose the City to liability with Cal-OSHA and other potential litigation. Fire Staff is working to provide due diligence to all weaknesses in compliance and policy.

During a Special Meeting of the City Council on April 29, 2014, Council was delivered a PowerPoint titled "Fire Department Operations Workshop". That workshop provided Council with an update, at that time, of joint Fire Department operations including the introduction of a proposed reorganized Command Staff. The presentation included a Command Staff organizational chart of COL and LOM funded positions including LOM funded Administrative Captains; one for EMS and one for Training (Attachment A).

On February 3, 2015, Council adopted the Joint Strategic Plan that included the Administrative Areas of Responsibility list which included the organizational chart and a description of specific responsibilities in the Joint Department including an EMS Captain.

One of the shared positions in the functional consolidation has been a non-shift EMS Captain. The position of EMS Captain is a LOM funded position that is presently filled by a COL Captain. This arrangement, while complex, is working for both cities for very little additional cost. The incumbent has filled this position since August 7, 2014; he has practiced as a paramedic for nearly 30 years; he has been in Colton since 1994 and prior to that worked for the Los Angeles City Fire Department. The incumbent brings expertise and a level of dedication to this newly created position. The EMS Captain is provided a take-home vehicle by LOM so that he is able to respond to emergency incidents off-duty. On several occasions in the past year, the EMS Captain has responded to incidents in COL and LOM with his LOM emergency vehicle.

Shift firefighters work a 56-hour workweek or 2,912 hours per year versus a non-shift or 40-hour workweek person who works 2,080 hours per year. In order to place the incumbent into a non-shift position, some type of employment arrangement was necessary. The Colton Firefighters MOU has no mechanism for a non-shift position to work a 40-hour workweek (except for Fire

Marshal). After consultation with Human Resources, it was determined that an arrangement similar to the arrangement for the Administrative Battalion Chief would be necessary to move a Captain into the EMS Captain position.

In August 2014, a memorandum was written to provide the mechanism to move a COL Captain into the 40-hour LOM EMS Captain position; the EMS Captain Essential Job Functions (Attachment B) and signed memorandum (Attachment C) are attached to this document. The terms of the agreement included an 8.5% pay increase to compensate for the loss of PERS reportable Holiday pay and FLSA overtime pay. If the pay increase was not included in the assignment to EMS Captain, the person filling the position would be taking on additional responsibilities for less money; this would amount to a disincentive to taking the position.

There was a vacancy created in COL on A-shift due to the incumbent being assigned as the EMS Captain. LOM fills the vacancy created by incumbent with a LOM Captain who is annually assigned to the position. This also is an innovation of the functional consolidation.

In the past weeks, after consultation with Finance and audit considerations, it was determined that this position should be brought before the City Council for ratification.

ISSUES/ANALYSIS

The incumbent is currently filling one of four crucial roles in the functional consolidation. As EMS Captain, the incumbent has overseen the purchase and placement of cutting edge Zoll Cardiac Monitors; the first of their type in San Bernardino County. These monitors cost \$227,341 and were purchased with using one-time revenue from the first year of the functional consolidation at a cost to COL of \$8,677. The incumbent is functioning as the President of the San Bernardino County EMS Officers, a very influential role in the delivery of EMS. His position gives the cities of COL and LOM influence on the future of EMS in this County. The EMS Captain has also implemented a cutting edge method of cardiac life support called Advanced Resuscitation Training (ART) overseen by Dr. Daniel Davis.

Dr. Davis is adjunct professor in the Department of Emergency Medicine at UC San Diego, Medical Director for six air medical bases in Southern California and Scientific Advisor to Air Methods Corporation, the largest air medical provider in the world. Dr. Davis is directly delivering ART to all COL and LOM paramedics. In the last class delivered on January 22, 2016, members of Rancho Cucamonga and other fire departments were in attendance to explore implementing this cutting edge treatment currently being used in COL.

COL and LOM Fire Departments are the only departments in San Bernardino County providing ART to our citizens. Statistics are being gathered now that are showing an increase in the save rate of cardiac arrest patients. If COL did not have the functional consolidation and the incumbent filling the position, these innovations would not be taking place. The incumbent is the first full-time EMS Captain in the history of the COL Fire Department.

The functional consolidation is still in its beginning. To the knowledge of Fire Staff, there is no other fire department in California doing what has been done in LOM and COL; specifically, the ability to assign personnel from one organization to an annual assignment in the other. This ability is the “out-of-the-box” thinking that has been discussed at many Council meetings. As such, innovation has been required to determine new ways of managing existing positions. Some of the positions have been filled by personnel with specific skills that do not reside anywhere else in the organization. As the functional consolidation ages, succession planning will allow other younger firefighters to gain the training and experience to move into the special assignment created by this process; currently there are not enough.

FISCAL IMPACTS

The cost of the 8.5% increase for the current incumbent is \$8,731 per year.

The other additional cost to the City occurs when the EMS Captain fills a vacant Captain position at night or on weekends. The difference occurs because the EMS Captain has a different hourly rate due to working a 40-hour workweek. The difference in pay is \$27.25 per hour; this pay difference is currently being addressed.

The EMS Captain attends the following meetings: County Fire Chief’s EMS Officers/Medical Advisory Committee (6 hours/month); County Fire Chiefs Association (3 hours/month); System Advisory Committee (3 hours/month); Confire Support Group (4 hours/month); Emergency Medical Care Committee (3 hours/every other month); EMS Oversight: equipment, Continuous Quality Improvement, Electronic Patient Care Reporting; Advanced Cardiac Life Support, ART, CPR (3 hours/month). By attending these meetings and/or conducting these training sessions as an EMS Captain, there is no overtime cost to the City, presently saving approximately \$19,826 per year in overtime compensation. Without an EMS Captain, a shift Captain must either attend on or off-duty with overtime compensation. If the City chooses to reduce the current level of EMS support, the overtime cost can be decreased.

ALTERNATIVES

1. Do not approve item. This will result in an immediate decrease in joint EMS functions with the return of the incumbent to a COL Shift Captain position. The EMS Captain position will be placed on hold as LOM is anticipating the retirement of a Shift Captain; there will not be enough Captains to fill this position. The effectiveness of the functional consolidation will decrease and the forward progress made over the last 18 months will be impaired.
2. Provide alternative direction to staff.

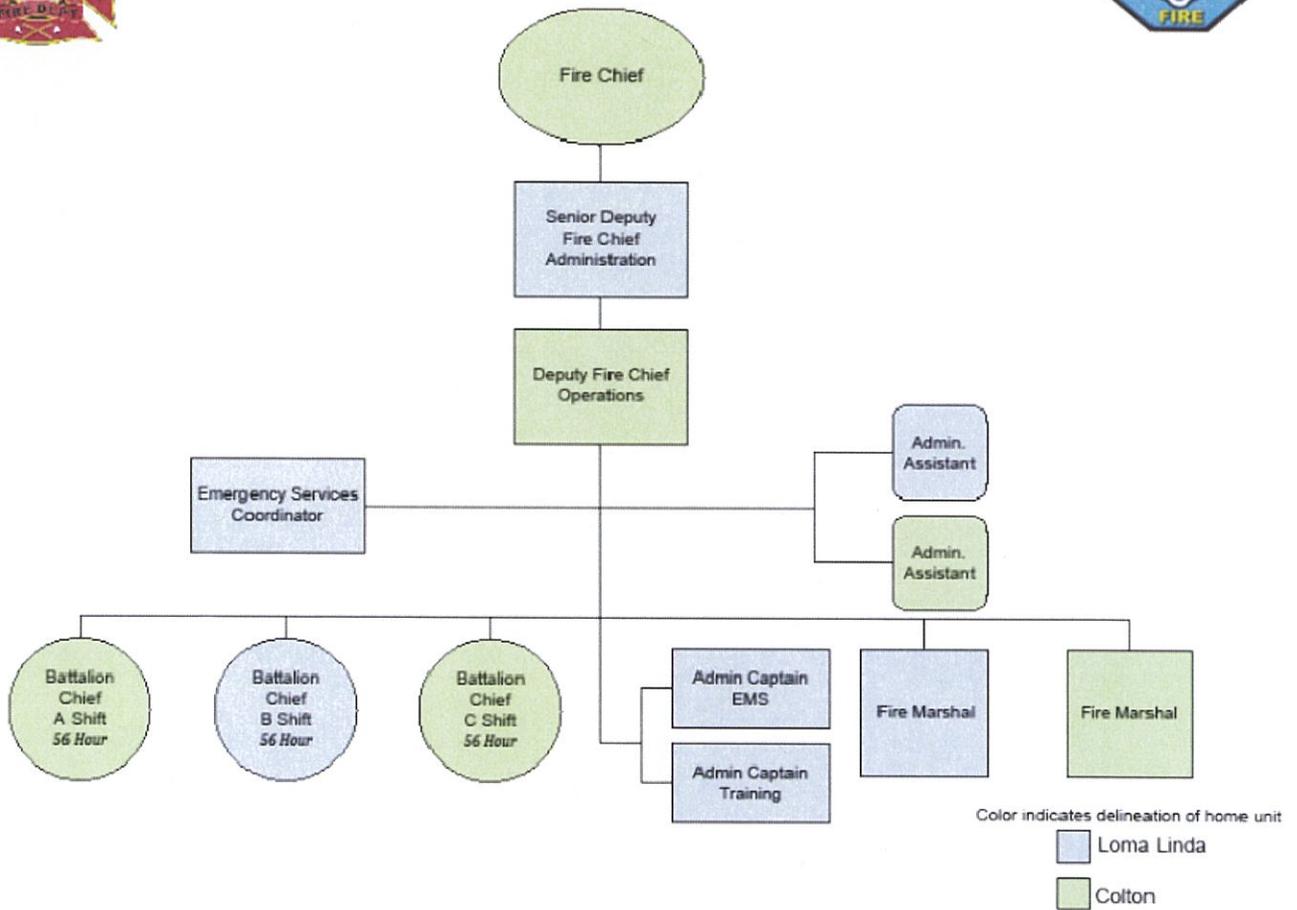
ATTACHMENTS

- A. Fire Department Operations Workshop PowerPoint Organizational Chart
- B. Emergency Medical Services (EMS) Captain Essential Job Functions
- C. Memorandum- Special Assignment, Fire Captain Henry Perez

ATTACHMENT A
FIRE DEPARTMENT OPERATIONS WORKSHOP
APRIL 29, 2014



Proposed Reorganized Command Staff



ATTACHMENT B
EMS CAPTAIN ESSENTIAL JOB FUNCTIONS



Memorandum



Reference Number: 14-033

To: Tim McHargue, Fire Chief
Jeff Bender, Fire Chief

CC: Henry Perez, EMS Captain

From: Dana J. DeAntonio, Administrative Battalion Chief

Date: August 14, 2014

Re: Emergency Medical Services (EMS) Captain Essential Job Functions
Destruction Date: August 14, 2015

The following are the duties performed by the EMS Captain. However, this job specification is intended to identify essential functions and should not be considered all-inclusive:

- Provides training and direction to EMT and EMT-P personnel.
- Identifies and coordinates Emergency Medical Services related training needs; identifies options and secures resources to meet training needs; and conducts training as appropriate.
- Monitors licensure and accreditation requirements for all personnel identified as EMT or EMT-P's to ensure all personnel are properly certified.
- Coordinates and oversees the Quality Improvement Program Plan.
- Evaluates and researches policies and treatment/medical protocols to insure they are in compliance with Federal, State, and local governmental agencies.
- Maintains and coordinates the Exposure Control Plan including facilitating annual plan updates and monitoring applicable regulatory changes to ensure compliance.
- Serves as liaison between the contract Medical Director and EMS personnel.
- Oversees medical equipment and medication including coordination with the Medical Director for the purchase of controlled narcotics, conducting inspections, maintaining control of drug inventory, and coordination of medical waste disposal.
- Serves as Infection Control Officer.
- Serves as the chair of the EMS Committee and liaison to the San Bernardino County EMS Officers Association and other EMS related organizations.
- Acts as the AED (Automated External Defibrillator) liaison for the City and the community.
- Coordinates Paramedic new hire testing including development of test curriculum and coordination of assessment center.
- Provides budget input for EMS related supplies, services and training.
- Coordinates training schedule with Training Officer and Training Captain.
- Develops and implements public education programs.
- Serve as a Fire Suppression Captain on an as-needed basis.

ATTACHMENT C
MEMORANDUM- SPECIAL ASSIGNMENT, FIRE CAPTAIN HENRY PEREZ

CITY OF COLTON

INTEROFFICE MEMORANDUM

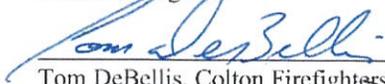
TO:	Tom DeBellis, Colton Firefighters Association
FROM:	Ted Cooper, Human Resources Manager
SUBJECT:	Special Assignment, Fire Captain Henry Perez
DATE:	August 7, 2014

The purpose of this memorandum is to document the need for the City of Colton (City) to temporarily engage the services of Fire Captain Henry Perez in a special assignment to facilitate the management of Emergency Medical Services (EMS) and the implementation of new EMS projects between Colton and Loma Linda. In as much as Mr. Henry Perez is a member of the Colton Firefighters Association and such assignments are not contemplated under the current MOU between the City and the Association, this memorandum shall also serve as notice to the Association of the City's request. The expected duration of the assignment is not to exceed 18 months commencing on August 11, 2014. The assignment may only be extended by mutual agreement of all parties.

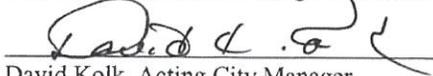
For the duration of this assignment Mr. Henry Perez' terms and conditions of employment shall be temporarily modified to the extent necessary to accomplish the special assignment. The broad parameters of these terms and conditions as they relate to shift assignment, leave accruals, etc. are attached. Mr. Henry Perez' status/standing as a member of the Colton Firefighters Association is in no way diminished by his participation in this assignment.

At such time as the previously referenced agreement is approved the duties and responsibilities described in the agreement shall be classified and the resultant position posted for competitive recruitment.

Attest and Agree:



Tom DeBellis, Colton Firefighters Association



David Kolk, Acting City Manager



Ted Cooper, Human Resources Manager

 8/7/14

Tim McHargue, Fire Chief

ADMINISTRATIVE FIRE CAPTAIN (SPECIAL ASSIGNMENT)

Below is the list of benefit and or working condition changes approved for this special assignment to Administrative Captain (Admin Captain). Any term or condition of employment not specifically mentioned below remains in effect for this assignment.

- **Term.** Minimum 18-month term. This term may be shortened by the Fire Chief to meet Department needs.
- **Compensation.** In addition to regular Fire Captain salary, the Admin Captain shall receive a staff premium equal to 8.5% of base hourly rate. (This is to compensate for the loss of PERS reportable Holiday pay and FLSA overtime pay).
- **Additional Shift Coverage.** The Admin Captain will be allowed to voluntarily work up to 18 hours per month of shift coverage or a total of nine 24-hour shifts per year, in addition to his/her 40-hour workweek, paid at his/her 40-hour time and one-half rate. Two-hour call back will be limited to four hours. Additional shift coverage is voluntary except during a local emergency.
- **Strike Team, Reimbursable Incidents.** The Admin Captain will be allowed to respond as a member of a Strike Team or other position or to voluntarily backfill for a Captain on reimbursable incidents as per Department Policy. When the Admin Captain fills these positions, there will be no cost to the City of Colton.
- **Holidays.** Upon entering this assignment, the Admin Captain agrees to return unearned holiday credit hours equal to 14 hours per month for the balance of the fiscal year. The Admin Captain will in turn receive the remaining 10-hour holidays and 12-hour floating holiday time for non-shift personnel for the fiscal year. If, during the fiscal year after completion of at least an 18-month term, the Admin Captain returns to a shift Captain assignment s/he will receive prorated holiday credit equal to 14 hours per month.

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STAFF REPORT

DATE: FEBRUARY 17, 2016
TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS
FROM: BILL SMITH, CITY MANAGER *BS*
PREPARED BY: CARLOS CAMPOS, CITY ATTORNEY
ANITA AGRAMONTE, DIRECTOR OF FINANCE *AA*
SUBJECT: LOCAL INITIATIVE MEASURE – INCREASING GENERAL FUND TRANSFER FROM ELECTRIC SYSTEM SURPLUS REVENUE FUND TO A MAXIMUM OF 20% OF GROSS REVENUES AND ESTABLISHING AN ELECTRIC UTILITY RATE FREEZE FOR FIVE YEARS

RECOMMENDED ACTION

It is recommended that the City Council consider adopting the following Resolutions:

- Resolution No. R-14-16 calling for the placement of the general fund transfer/electric rate freeze initiative measure on the June 7, 2016 ballot;
- Resolution No. R-15-16 requesting the County of San Bernardino to consolidate this election with the Statewide Primary Election also to be held on June 7, 2016; and
- Resolution No. R-16-16 setting deadlines and rules for the submission of primary and rebuttal arguments for and against the proposed imitative measure.

Please note that these resolutions need to be approved by a unanimous (7-0) vote of the City Council.

BACKGROUND

Over the last few years, the City's General Fund has been operating with structural deficits. This can be attributed to, among other things, the Great Recession of 2007 (reducing property, sales and business license tax revenue), the expiration of the City's utility users tax in 2010 (which generated approximately \$4.9 million of annual General Fund revenue), and the loss of Redevelopment in 2012. Overall, General Fund revenues declined by \$14.7 million from 2007 to 2012.

The General Fund pays for general City programs such as police, fire and paramedic response, parks, libraries and youth/senior programs. The City Council has responded to these substantial revenue losses by implementing furloughs, layoffs and hiring freezes, eliminating programs citywide, reducing operating hours at city facilities, deferring capital maintenance, replacement and improvements, and reducing budgets in all departments. In 2013 and 2015, the City also used certain one-time revenues to help balance the budget for those fiscal years.

However, there is general consensus that further budget cuts cannot be accomplished without sacrificing more public services and one-time revenues are not a sustainable form of financing the City's ongoing obligations. Therefore, over the last several months, the City Council, Finance Subcommittee and staff have been looking into ways to generate additional General Fund revenue in order to close the deficit and maintain public services. Among the options explored were reinstating the utility users tax, the implementation of a transactions and use tax, a parcel tax or the increase of the Electric Utility transfer to the General Fund. Ultimately, the Finance Subcommittee recommended to authorize the City Council to transfer a larger percentage of surplus Electric Utility revenues to the General Fund.

The City's Electric Utility is operating with a surplus. The Colton Municipal Code currently authorizes the City Council to transfer part of this surplus to the General Fund, up to a maximum of 12.39% of the Utility's gross revenues for the prior year. (C.M.C. §3.44.030(iii)(i)) This General Fund Transfer dates back to 1994 and, over the years, has assisted the City in balancing the budget so that general City programs are maintained. Furthermore, this type of transfer is a common practice among cities that operate an Electric Utility.

ISSUES/ANALYSIS

The proposed measure would increase the maximum General Fund Transfer amount from 12.39% to 20% of the Utility's gross revenues. Staff estimates that this increase could generate as much as \$4.8 million annually, closing the City's current General Fund structural deficit and allowing for some reasonable reserves. The Council would retain the authority to adjust the General Fund Transfer from time to time, and each year during the budget process, subject to the 20% maximum.

The proposed measure would also impose a 5-year Electric Utility rate freeze. For 5 years from the measure's effective date, the City Council would be prohibited from increasing Electric Utility rates above what were approved on June 18, 2013 (Resolution No. R-39-13). This was the last time the Council set electric rates. The measure would only allow the Council to raise rates during this 5-year period by adopting a resolution, approved by *unanimous vote* of the Council, with written findings of emergency. Once the rate freeze expires, the Council would be able to increase rates in accordance with applicable law.

The City Attorney's Office has advised that the proposed General Fund Transfer increase from 12.39% to 20% is equivalent to a general tax increase under California Proposition 26. Therefore, majority voter approval is required. As such, the Council is not being asked to adopt the proposed measure. Instead, staff requests that the Council consider adopting the three resolutions attached

to this report in order to place the measure on the June 7, 2016 ballot so that Colton voters can decide.

Resolution R-14-16 is the principal resolution which calls the election and places the measure on the June 7, 2016 ballot. Under California Proposition 218, general tax measures must usually go on the ballot at the same time when Councilmembers are elected (November 8, 2016). However, Proposition 218 allows the Council to place a general tax measure on a ballot at another time, if, *by unanimous vote*, it makes findings of fiscal emergency that require the measure to be decided prior to the next Council election. Resolution R-14-16 includes fiscal emergency findings for the Council's consideration. We emphasize that if the Council cannot reach a unanimous decision, the earliest the measure could be put on the ballot is November 8, 2016 (which would require a minimum 2/3 supermajority).

Resolutions R-15-16 and R-16-16 are largely boilerplate resolutions to help set up the election on the measure. One resolution consolidates the measure with the June Statewide Primary Election, effectively allowing the San Bernardino County Registrar of Voters to conduct the election on the City's behalf. The other resolution sets deadlines and rules for how and when interested persons may submit arguments for or against the proposed measure. A simple majority will pass these resolutions.

FISCAL IMPACT

If approved, the increased General Fund Transfer is anticipated to generate approximately \$4.8 million in additional annual General Fund revenues. It is anticipated that this revenue will be able to close the current General Fund structural deficit and maintain current public services.

ENVIRONMENTAL IMPACTS

None.

ALTERNATIVES

1. Provide alternative direction to staff.

ATTACHMENTS

1. Resolution R-14-16 (with Measure/Ordinance O-04-16 attached)
2. Resolution R-15-16
3. Resolution R-16-16

1 Constitution which requires that all general taxes which are imposed, extended or increased
2 must be approved by a majority vote of the voters; and

3 **WHEREAS**, Proposition 218 permits the City Council to call a special election to
4 impose, increase or extend a general tax, only if the City Council finds, by a unanimous vote,
5 that there exists an emergency requiring a special election to be conducted earlier than the
6 next regularly scheduled general election at which city council members are to be elected; and

7 **WHEREAS**, the next regularly scheduled general election at which city council
8 members are to be elected is not until November 8, 2016; and

9
10 **WHEREAS**, for the following reasons, the health, safety and general welfare of the
11 citizens of the City would be endangered if the City were unable to place this Measure before
12 its voters until November 8, 2016; and

13
14 **WHEREAS**, the General Fund of the City of Colton has sustained a severe revenue
15 drop of \$14.7 million from 2007 to 2012, due to the economic decline resulting from the
16 Great Recession, the loss of utility users tax revenues, and the loss of Redevelopment
17 funding; and

18 **WHEREAS**, while the City Council has been able to use certain one-time revenues to
19 help balance the City budget in 2013 and 2015, these revenues are not sustainable for long-
20 term budgeting purposes; and

21 **WHEREAS**, the City Council has responded to declining revenues by implementing
22 furloughs, layoffs, and hiring freezes, eliminating programs citywide, reducing operating
23 hours at city facilities, deferring capital maintenance, replacement and improvements, and
24 reducing budgets in all departments; and

25
26 **WHEREAS**, anticipated revenue increases and cost savings will not be sufficient to
27 avoid further reductions to City services, thus impacting Colton's quality of life and long-term
28 viability; and

WHEREAS, the City Council finds that there is a need to have the People of the City
of Colton decide the General Fund Transfer measure before the start of the upcoming fiscal

1 year (July 1, 2016) so that the Council may prudently budget for the City's expenses; and
2 delaying the election until November 8, 2016 will add substantial uncertainty to the FY 16-17
3 budgeting process, further jeopardizing City services and quality of life; and

4 **WHEREAS**, all of the circumstances described create an emergency situation
5 warranting the placement of the Measure on the next available special election ballot to
6 permit the voters to decide on the GFT Transfer pursuant to Proposition 218; and

7 **WHEREAS**, in conjunction with the General Fund Transfer, the City Council also
8 desires that the voters consider a ceiling on further electric system rate increases for a period
9 of five (5) years, during which the City Council would be prohibited from increasing electric
10 rates, except in a case of fiscal emergency declared by unanimous vote of the City Council
11 (the "Rate Ceiling"); and

12 **WHEREAS**, the Rate Ceiling portion of this Measure also requires majority voter
13 approval and is hereby submitted to the City's electorate.
14

15
16 **NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COLTON**
17 **DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:**

18
19 **Section 1. Findings.** The City Council finds that all of the preceding recitals are
20 true and correct, are incorporated herein by this reference, and made an operative part hereof.

21 **Section 2. Declaration of Emergency.** Pursuant to California Constitution,
22 Article XIIIIC, Section 2(b), the City Council, **by a unanimous vote**, hereby declares the
23 existence of an emergency in that there are imminent financial risks and dangers, as described
24 above, to the public welfare and the City's financial ability to provide necessary municipal
25 services without disruption, so that a special election is necessary to address such risks and
26 dangers.
27

28 **Section 3. Submission of Measure.** Pursuant to California Constitution, Article
XIIIIC, Section 2(b), California Government Code Section 53724 and any other applicable
requirements of the laws of the State of California relating to general law cities, the City

1 operation of the Measure, and transmit such impartial analysis to the City Clerk not later than
2 the deadline for submittal of primary arguments for or against the measure, as set forth in City
3 Resolution No. R-15-16.

4
5 The impartial analysis shall include a statement indicating whether the Measure was
6 placed on the ballot by a petition signed by the requisite number of voters or by the City
7 Council. In the event the entire text of the Measure is not printed on the ballot, nor in the
8 voter information portion of the sample ballot, there shall be printed immediately below the
9 impartial analysis, in no less than 10-font bold type, the following: **“The above statement is
10 an impartial analysis of Ordinance or Measure ___. If you desire a copy of the
11 ordinance or measure, please call the Office of the City Clerk at (909) 370-5001 and a
12 copy will be mailed at no cost to you.”**

13
14 **Section 8. Certification.** The City Clerk shall certify to the passage and adoption
15 of this Resolution and enter it into the book of original Resolutions.

16 **PASSED, APPROVED AND ADOPTED** this 17th day of February, 2016.

17
18
19 Richard A. DeLaRosa, Mayor

20 ATTEST:

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23 Carolina R. Padilla, City Clerk

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25
26 APPROVED AS TO FORM:

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28 Carlos Campos, City Attorney
Best Best & Krieger

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ATTACHMENT "A"

**ORDINANCE AUTHORIZING INCREASE IN GENERAL FUND
TRANSFER FROM ELECTRIC SYSTEM REVENUE ACCOUNT
AND SETTING FIVE-YEAR ELECTRIC UTILITY RATE FREEZE**

[SEE ATTACHED PAGES 7 THROUGH 9]

1 System's Gross Revenues of the preceding Fiscal Year (less (x) the
2 costs and expenses relating to sales of electricity for resale during such
3 Fiscal Year, (y) contributions in aid of construction during such Fiscal
4 Year and (z) the public benefit charge collected pursuant to Assembly
5 Bill 1890) or all available moneys in the Surplus Revenue Account if
6 less than such amount;

7”

8 **Section 2.** Section 3.44.040 is hereby added to Chapter 3.44 of Title 3 of the Colton
9 Municipal Code and shall read as follows:

10 ***"3.44.030 – Electric Utility Service Rate Freeze, Exception.***

11 (a) *For a period of five (5) years from the effective date of this Section, the City
12 Council may not set electric utility service rates for City of Colton customers in an amount
13 that exceeds those rates set by City of Colton Resolution No. R-39-13 (adopted June 18,
14 2013) (the “Rate Freeze”).*

15 (b) *The City Council may increase electric utility service rates beyond the
16 maximum amount set forth in subsection (a) only by resolution, duly adopted by a
17 unanimous vote of all members of the City Council, and making written findings that there
18 exists an emergency to the City’s Electric System that requires such an increase in rates.*

19 (c) *Upon the fifth (5th) anniversary of the effective date of this Section, the Rate Freeze
20 shall have no further force or effect and the City Council may set increased electric utility
21 service rates as otherwise permitted by law. However, it may not “back-bill” or apply rates
22 retroactively to the Rate Freeze period.*

23 (d) *As a voter-approved ordinance, pursuant to Elections Code Section 9217,
24 this Section 3.44.030 shall apply notwithstanding any ordinance, resolution or other action
25 of the City to the contrary.”*

26 **Section 3. Effective Date.** This ordinance is subject to a vote of the citizens of
27 Colton and shall take effect, if approved by a majority of the voters voting at such election,
28 ten (10) days following certification of the election results.

Section 4. Severability. If any section, sentence, clause or phrase of this ordinance is
for any reason held to be invalid or unconstitutional by a decision of any court of competent
jurisdiction, such decision shall not affect the validity of the remaining provisions of this
ordinance. The People of the City of Colton hereby declare that they would have adopted this
ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any

1 one or more section, subsections, sentences, clauses or phrases be declared invalid or
2 unconstitutional.

3

4 **Section 5. Certification/Summary.** Following certification that the citizens of
5 Colton have approved this Ordinance, the Mayor shall sign this Ordinance and the City Clerk
6 shall cause the same to be entered in the book of original ordinances of said City; and shall
7 cause the same, or a summary thereof, to be published as required by law.

8

9 I hereby certify that the forgoing ordinance was PASSED, APPROVED and
10 ADOPTED by the People of the City of Colton on the ____ day of _____, 2016.

11

12

13

Richard A. DeLaRosa, Mayor

14

ATTEST:

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Carolina R. Padilla, City Clerk

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APPROVED AS TO FORM:

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Carlos Campos, City Attorney
Best Best & Krieger

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RESOLUTION NO. R-15-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLTON, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN BERNARDINO TO CONSOLIDATE A SPECIAL MUNICIPAL ELECTION TO BE HELD ON JUNE 7, 2016 WITH THE STATEWIDE PRIMARY ELECTION TO BE HELD ON THAT DATE PURSUANT TO §10403 OF THE ELECTIONS CODE

WHEREAS, on February 17, 2016, the City Council of the City of Colton called a Special Municipal Election to be held on June 7, 2016; for the purpose of submitting to the voters the question relating to the General Fund Transfer/Electric Rate Freeze; and;

WHEREAS, it is desirable that the Special Municipal Election be consolidated with the Statewide Primary Election to be held on the same date and that within the City; the precincts, polling places and election officers of the two elections be the same, and that the election department of the County of San Bernardino canvass the returns of the Special Municipal Election and that the election be held in all respects as if there were only one election.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COLTON DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. Request for Consolidation. Pursuant to the requirements of §10403 of the Elections Code, the Board of Supervisors of the County of San Bernardino is hereby requested to consent and agree to the consolidation of a Special Municipal Election with the Statewide Primary Election on Tuesday, June 7, 2016, for the purpose of submitting to the voters the question relating to the General Fund Transfer/Electric Rate Freeze.

Section 2. Measure Language. A measure is to appear on the ballot as follows:

"To add approximately \$4,800,000 in funding annually for important general city services such as police, fire, paramedics, parks, libraries and senior services while also stabilizing electric utility rates; shall an ordinance be adopted authorizing a transfer up to twenty percent (20%) of annual electric utility gross revenues to the City's General Fund, and establishing a freeze on electric utility rate increases for a period of five (5) years, except in cases of financial emergency?"	Yes
	No

1 **Section 3. Canvass of Returns.** The County election department is authorized to
2 canvass the returns of the Special Municipal Election. The election shall be held in all
3 respects as if there were only one election, and only one form of ballot shall be used.

4 **Section 4. Necessary Steps.** The Board of Supervisors is requested to issue
5 instructions to the County election department to take any and all steps necessary for the
6 holding of the consolidated election.

7 **Section 5. Costs.** The City of Colton recognizes that additional costs will be
8 incurred by the County by reason of this consolidation and agrees to reimburse the County for
9 any costs.

10 **Section 6. Filing of Resolution.** The City Clerk is hereby directed to file a
11 certified copy of this resolution with the Board of Supervisors and the election department of
12 the County of San Bernardino.

13 **Section 7. Certification.** The City Clerk shall certify to the passage and adoption of
14 this Resolution and enter it into the book of original Resolutions.

15 **PASSED, APPROVED AND ADOPTED** this 17th day of February, 2016.

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Richard A. DeLaRosa, Mayor

ATTEST:

Carolina R. Padilla, City Clerk

APPROVED AS TO FORM:

Carlos Campos, City Attorney
Best Best & Krieger

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RESOLUTION NO. R-16-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLTON, CALIFORNIA, PROVIDING FOR THE FILING OF PRIMARY AND REBUTTAL ARGUMENTS AND SETTING RULES FOR THE FILING OF WRITTEN ARGUMENTS REGARDING A CITY MEASURE TO BE SUBMITTED AT THE JUNE 7, 2016 SPECIAL MUNICIPAL ELECTION

WHEREAS, a Special Municipal Election is to be held in the City of Colton, California on June 7, 2016, at which there will be submitted to the voters the following measure:

"To add approximately \$4,800,000 in funding annually for important general city services such as police, fire, paramedics, parks, libraries and senior services while also stabilizing electric utility rates; shall an ordinance be adopted authorizing a transfer up to twenty percent (20%) of annual electric utility gross revenues to the City's General Fund, and establishing a freeze on electric utility rate increases for a period of five (5) years, except in cases of financial emergency?"	Yes
	No

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COLTON, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. Primary Arguments. That the City Council authorizes (i) the City Council or any member(s) of the City Council, (ii) any individual voter eligible to vote on the above measure, (iii) a bona fide association of such citizens or (iv) any combination of voters and associations, to file a written argument in favor of or against the City measure, accompanied by the printed name(s) and signature(s) of the author(s) submitting it, in accordance with Article 4, Chapter 3, Division 9 of the Elections Code of the State of California, and to change the argument until and including the date fixed below by the City Clerk, after which no arguments for or against the City measure may be submitted to the City Clerk.

The deadline to submit arguments for or against the City Measure pursuant to this Resolution is declared by the City Clerk to be **Thursday, March 24, 2016, at 5:00 p.m.** Each argument shall not exceed 300 words and shall be filed with the City Clerk, signed, and include the printed name(s) and signature(s) of the author(s) submitting it, or if submitted on behalf of an organization, the name of the organization, and the printed name and signature of at least one of its principal officers who is the author of the argument.

Section 2. Rebuttal Arguments. Pursuant to Section 9285 of the Elections Code of the State of California, when the City Clerk has selected the primary arguments for and

1 against the City Measure(s) which will be printed and distributed to the voters, the Clerk shall
2 send copies of the primary argument in favor of the Measure(s) to the authors of the primary
3 argument against, and copies of the primary argument against to the authors of the primary
4 argument in favor. The authors or persons designated by them may prepare and submit
5 rebuttal arguments not exceeding 250 words. The rebuttal arguments shall be filed with the
6 City Clerk not later than **Tuesday, March 29, 2016 at 5:00 p.m.** Rebuttal arguments shall
7 be printed in the same manner as the primary arguments. Each rebuttal argument shall
8 immediately follow the primary argument which it seeks to rebut.

9 **Section 3. Prior Resolutions.** That all previous resolutions providing for the filing
10 of primary and rebuttal arguments related to City measures are repealed.

11 **Section 4. June 7, 2016 Election.** That the provisions of Sections 1 and 2 shall apply
12 only to the election to be held on June 7, 2016, and shall then be repealed.

13 **Section 5. Certification.** The City Clerk shall certify to the passage and adoption of
14 this resolution and enter it into the book of original Resolutions.

15 **PASSED, APPROVED AND ADOPTED** this 17th day of February, 2016.

16 _____
17 Richard A. DeLaRosa, Mayor

18 ATTEST:

19 _____
20 Carolina R. Padilla, City Clerk

21 APPROVED AS TO FORM:

22 _____
23 Carlos Campos, City Attorney
24 Best Best & Krieger
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