

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

March 1, 2016

Closed Session Meeting was held on the above given date at 5:00 p.m., in the Council Chambers of City Hall, with Mayor DeLaRosa presiding.

CITY COUNCIL ROLL CALL

Councilmembers present were, Toro (*appeared at 5:02 p.m.*), Jorrin (*appeared at 5:03 p.m.*), Navarro, González, Bennett (*absent*), MPT Suchil, and Mayor DeLaRosa.

STAFF PRESENT

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

PUBLIC COMMENT

None.

CLOSED SESSION

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

- A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)
Largo Concrete, Inc., v. City of Colton, et al.
San Bernardino Superior Court, Case No. CIVDS 1400406

- B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Pursuant to Government Code Section 54956.8
Property APN: 0254-191-11
Negotiating Parties: Bill Smith, City Manager; Mark Tomich, Development Services Director; Arthur Morgan, Economic Development Manager; Carlos Campos, City Attorney
Under Negotiation: Price and Terms of Purchase

- C. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Pursuant to Government Code Section 54956.8
Owner: Successor Agency to the Redevelopment Agency for the City of Colton
Property APN: 0276-144-48, 49, 52 and 53
Negotiating Parties: Bill Smith, City Manager; Mark Tomich, Development Services Director; Arthur Morgan, Economic Development Manager; Carlos Campos, City Attorney
Under Negotiation: Price and Terms of Purchase

- D. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant Exposure to Litigation, Pursuant to Government Code Section 54956.9(d)(2)
One (1) potential case, Charles McCann, Claim No. 14552757

- E. CONFERENCE WITH LABOR NEGOTIATORS
Pursuant to Government Code Section 54957.6
Agency designated representatives: City Manager / Human Resources Manager
Employee Group: Colton Fire Association
- F. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Pursuant to Government Code section 54957(b)
Title: City Manager
- G. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Pursuant to Government Code section 54957(b)
Title: Executive Administrator to the Mayor and City Council

Mayor DeLaRosa adjourned the meeting to Closed Session at 5:03 p.m. and at 6:01 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; with direction given to staff and no reportable action; discussion of Items E through G will continue at the end of the Regular Council Meeting.

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

March 1, 2016

Regular Meeting held on the above-given date at 6:02 p.m. in the Council Chambers of City Hall, with Mayor DeLaRosa presiding.

INVOCATION

Pastor Paul Stumpf, Colton Community Church

FLAG SALUTE

American Legion Post #155; Member(s) Louie Barrera, and Steve Ferrence.

CITY COUNCIL ROLL CALL

Council Members Present

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

Staff Present

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

Council Members Absent

Deirdre H. Bennett (excused)

CEREMONIAL MATTERS *Presentations, Awards, Proclamations*

- Presentation - Recognition of Ashley Furniture for Donation to Fire Department
Fire Chief Tim McHargue assisted staff (*Captain Jeff Miller, President of the Colton Firefighters Association*) on presenting a recognition certificate/plaque to Ashley Furniture Colton Plant (*furniture donation to Fire Department: 13 chairs, and 19 Box Springs and Mattresses*); accepted by Carlos Rodriguez, CQI Manager and Tim Anderson, Distribution Manager.

MAYOR AND COUNCIL ITEMS

POSSIBLE CONFLICT OF INTEREST DISCLOSURES FOR THE COUNCIL MEETING OF MARCH 1, 2016.

GIFT DISCLOSURES

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)*).

In the month of February 2016 CM Jorin attended the League of California Cities Dinner held at the Sierra Lakes Golf Course in the City of Fontana.

CITY TREASURER'S REPORTS

- Receive and File City Treasurer's Report for December 2015.
City Treasurer Aurelio De La Torre presented the report for December 2015 for Council consideration and with no objection report was received and filed.

PUBLIC COMMENT

The following community members addressed the Council: Cadet Adrian Gonzalez; John Morales and Isabel Salas; and Representative Ashley Jones (*Assemblyperson Cheryl Brown/San Bernardino District Office*).

CONSENT CALENDAR

Mayor DeLaRosa presents the Consent Calendar Items 1 through 7.

Councilmembers present selected items for discussion and clarification by staff: Mayor DeLaRosa and MPT Suchil, Item 6.

Motion and Second by MPT Suchil/CM González to approve the Consent Calendar Items 1 through 7.

Vote: Motion carried CM Bennett absent.

(1) Minutes – Approval of Minutes for the City Council Regular Meeting held February 16, 2016; Minutes for the Special Meeting held February 17, 2016 and Minutes for the Special Meeting held February 22, 2016, on File in the Office of the City Clerk.

- (2) Warrants – Approve voucher numbers 154188 to 154322 dated 02/11/2016 and totaling \$959,250.36; voucher numbers 154323 to 154434 dated 02/18/2016 and totaling \$2,206,868.32, less voided checks totaling \$368.23; a payroll disbursement listing for the period 01/16/2016 to 01/29/2016 and totaling \$738,379.51; and a payroll disbursement listing for the period 01/30/2016 to 02/12/2016 and totaling \$716,811.17.
- (3) I-10 Freeway/Rancho Ave. Interchange Eastbound On-ramp Improvement Project - Approve a Cooperative Agreement between the City of Colton and Caltrans for the I-10 Freeway/ Rancho Avenue Interchange Eastbound On-ramp Improvement Project (Project) and authorize the City Manager and the City Attorney to approve any minor non-substantive changes; approve and adopt Resolution No. R-18-16 to establish an appropriation for I-10/Rancho Avenue Eastbound On-ramp Improvement Project in the amount of \$1,250,000 and amend the Capital Improvement Program (CIP) to include in the Project, RESOLUTION NO. R-18-16.
- (4) Weed Abatement - Approve and adopt Resolution No. R-19-16 and set the public hearing for the Annual Weed Abatement Program for March 15, 2016. RESOLUTION NO. R-19-16.
- (5) Annual Agreement with HdL Companies – Approve the annual agreement with Hinderliter, de Llamas and Associates for Sales Tax information and audit services in the amount of \$15,100; and the annual agreement with HdL Coren and Cone for property tax reporting services in the amount of \$13,860, each with four (4) one-year options to extend the contracts, for a total of five (5) years.
- (6) Successor Agency – Review and accept for filing Recognized Obligation Payment Schedule for the period covering July 1, 2016 through June 30, 2017 (ROPS 16-17) pursuant to Health and Safety Code Section 34177.
- (7) Adjustment of Bridge Seismic Retrofit Project – Approve the adjustment of funding for the Bridge Seismic Retrofit Construction Project to reflect the actual bid cost for each bridge, RESOLUTION NO. R-21-16.

PUBLIC HEARING

- (8) 2016-17 CDBG Projects

TIME AND PLACE FIXED TO CONSIDER A PUBLIC HEARING FOR PRIORITIZATION OF 2016-17 CDBG PROJECTS.

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

Mark Tomich, Development Services Director, introduced Arthur Morgan, Economic Development Manager, who presented staff's recommendation: the City Council accept all public testimony at the duly-noticed public hearing concerning the Community Development Block Grant Funding ("CDBG") proposals, determine the final prioritized list of CDBG projects for Fiscal Year 2016-2017.

Public Comment

None.

Motion and Second by CM Navarro/MPT Suchil to Close the Public Hearing.

Vote: Motion carried with CM Bennett absent.

Motion and Second by CM Jorrin/MPT Suchil to approve and adopt Resolution NO. R-20-16.

Vote: Motion carried with CM Bennett absent.

BUSINESS ITEMS

- (9) Audit /CAFR – Receive and File the 2014-15 Comprehensive Annual Financial Report (CAFR), the Single Audit Report, the GAS Report, Management Letter, GANN Report, and the Communication with those in charge of governance (exit letter).

Staff Presentation

Anita Agramonte, Finance Director introduced Nitin P. Patel, CPA, White Nelson Diehl Evans LLP, Certified Public Accountants & Consultants; who presented with the assistance of a Power Point presentation (*15 slides*) the annual financial audit of the City of Colton; incorporated how the audit was planned and conducted.

Council Discussion

Discussion by Councilmembers present with clarification provided by Consultant Patel.

With no objection report was received and filed.

MAYOR AND COUNCIL ORAL REPORTS AND COMMENTS

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

CITY MANAGER'S REPORTS

None.

ADJOURNMENT

At 6:53 p.m., Mayor DeLaRosa announced the business of the Regular Meeting of the City Council has been concluded and asked City Attorney Campos to take the Council into Closed Session.

CLOSED SESSION (*cont'd*)

City Attorney Campos read Closed Session Items E, F, and G., into the record.

- E. CONFERENCE WITH LABOR NEGOTIATORS
Pursuant to Government Code Section 54957.6
Agency designated representatives: City Manager / Human Resources Manager
Employee Group: Colton Fire Association
- F. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Pursuant to Government Code section 54957(b)
Title: City Manager
- G. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Pursuant to Government Code section 54957(b)
Title: Executive Administrator to the Mayor and City Council

Mayor DeLaRosa adjourned the meeting to Closed Session at 6:54 p.m. and at 8:01 p.m., the meeting reconvened, with all members present as heretofore.

Attorney Campos read out of Closed Session that the City Council did meet in Closed Session and discussed Items E, F, and G; with direction to staff and no reportable action.

ADJOURNMENT *(cont'd)*

At 8:02 p.m., Mayor DeLaRosa adjourned the Regular Council meeting.



Carolina R. Padilla
City Clerk