

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

May 3, 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 5:05 p.m.*), Navarro, González, Bennett, 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 the City Council would meet in Closed Session to Discuss Items A through C.

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 Owner UPRR APN: 0161-221-21
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 LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant Exposure to Litigation
Pursuant to Government Code Section 54956.9(d)(2)/(e)(1)
One (1) potential case

Mayor DeLaRosa adjourned the meeting to Closed Session at 5:02 p.m. and at 6:06 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 C; with direction given to staff and no reportable action.

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

May 3, 2016

Regular Meeting held on the above-given date at 6:07 p.m. in the Council Chambers of City Hall, with Mayor DeLaRosa presiding.

INVOCATION

Pastor Eric Strutz, The Door Christian Fellowship

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
Deirdre H. Bennett
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

None

CEREMONIAL MATTERS *Presentations, Awards, Proclamations*

- Proclamation - National Day of Prayer
Mayor DeLaRosa presented a Proclamation declaring May 5, 2016 National Day of Prayer; accepted by Pastor Tim Isom of Faithway Fellowship.
- Proclamation - Colton Area Museum/Colton Area Museum Day; Saturday, May 7, 2016;
CM González presented a Proclamation to the Colton Area Museum declaring Saturday, May 7, 2016 Colton Area Museum Day; accepted by Mike Murphy, President, Colton Area Museum

MAYOR AND COUNCIL ITEMS

POSSIBLE CONFLICT OF INTEREST DISCLOSURES FOR THE COUNCIL MEETING OF MAY 3, 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)*). None disclosed.

With no objection by Council Mayor DeLaRosa brought forward Item 12 for discussion and action.

BUSINESS ITEMS

- (12) Waste Disposal Agreement - Approve Amendment No. 6 to the Waste Disposal Agreement (WDA) between the County of San Bernardino and the City of Colton to change the termination date from June 30, 2016 to June 30, 2021. (*Item #9, 4/19/16 agenda*).

Staff Presentation

City Manager Smith requested Item 12 pulled from tonight's Agenda to return for discussion and action for the Council Meeting of May 17, 2016. No objection by Councilmembers present.

MAYOR AND COUNCIL DISCUSSION ITEMS

- City Attorney Work Authorization

Mayor DeLaRosa requested this item to be added to the agenda to freshen our discussion as to how we deal with the City Attorney; as far as making recommendations or asking our City Manager to look into things. Mayor DeLaRosa asked City Manager Smith to give a brief overview of what the policy requires and if we are going by the policy or do we need advice as part of what we are doing.

City Manager Smith believed this issue is covered in the MOP and referred to the following:

I. ORDINANCES, RESOLUTIONS AND CONTRACTS

I-1 PREPARATION OF ORDINANCES, RESOLUTIONS AND CONTRACTS

- (A) ORDINANCES. All ordinances shall be prepared by the City Attorney and shall be presented to the Council only when ordered by the Council, requested by the Mayor, City Manager or prepared by the City Attorney on his own initiative.

City Manager Smith indicated this was a clear understanding of the City Attorney role but Council can amend as they like.

Discussion continued on the average hours that may occur during the year and within a 30 day period; City Manager Smith recently began issuing to Council an itemized version of all costs incurred regarding BB&K which included costs both on the staff level and the Council level.

Discussion continued with the intention of reducing office hours so that it reflects a reduction in over all budget cost.

A consensus was determined regarding City Attorney office hours on Tuesday of the Regular Council Meeting: City Attorney will begin his office hours at 5 p.m. unless there is a scheduled appointment and it will be set for just prior to 5 p.m.

In addition, a consensus to amend the verbiage in the City Council Meetings/Manual of Procedure, Section I, I-1, (A) to change '. . . when ordered by the Council . . .' to read: '. . . when ordered by *the majority of the Council* . . .'

CITY TREASURER'S REPORTS

- Receive and File City Treasurer's Report for February 2016.

City Treasurer Aurelio De La Torre presented the report for February 2016 for Council consideration and with no objection report was received and filed.

PUBLIC COMMENT

The following community members addressed the Council: Terry Boykins, John Morales/Isabel Salas, Ashley Jones, representing Assembly Member Cheryl Brown, Robert Chevez, and Marvin Norman.

CONSENT CALENDAR

Mayor DeLaRosa presented the Consent Calendar Items 1 through 10.

Councilmembers present selected items for discussion and clarification by staff: CM González/Mayor DeLaRosa, Item 4; Mayor DeLaRosa, Item 5; CM González/CM Navarro, Item 8.

Motion and Second by CM Navarro/MPT Suchil to approve the Consent Calendar Items 1 through 10.

Vote: Unanimous vote.

- (1) Minutes – Approval of Minutes for the City Council Special Meeting Held March 21, 2016; Approval of Minutes for the City Council Regular Meeting Held April 19, 2016; on File in the Office of the City Clerk.
- (2) Warrants – Approve U.S. Bank voucher numbers 155387 to 155492 dated 04/14/2016 and totaling \$3,045,447.13; voucher numbers 155493 to 155655 dated 04/21/2016 and totaling \$1,001,531.84; less voided checks totaling \$10,788.87; and a payroll disbursement listing for the period 03/26/2016 to 04/08/2016 and totaling \$709,265.24.
- (3) Ticket and Passes Distribution Policy – Approve and adopt a resolution to establish a Ticket and Passes Distribution Policy in accordance with the Fair Political Practices Commission (FPPC) regulations, RESOLUTION NO. R-32-16.
- (4) First Amendment to Professional Agreement with Interwest Consulting Group – Authorize the City Manager to execute the First Amendment to the Professional Services Agreement (PSA) with Interwest Consulting Group to provide supplemental building plan review and inspection services for the City of Colton, and approve and adopt a Resolution to amend the FY2016-16 budget, RESOLUTION NO. R-33-16.
- (5) Award Bid for Professional Services Agreement to J Sahl & Associates – Award bid for the Professional Services to complete the City of Colton's Urban Forestry Management Plan and Tree Planting Component to J Sahl & Associates in the amount of \$168,831 and authorize the City Manager to execute the contract documents.
- (6) Authorize the purchase of John Deere Utility Machinery to RDO Equipment Company – 1) Award to RDO Equipment Company for the purchase and delivery of one new John Deere 310SL backhoe for the Water Division in the amount not to exceed \$116,130.48. 2) For the purchase and delivery of one new John Deere 644K loader for the Wastewater Division in the amount not to exceed \$320,329.17.
- (7) Request to Appoint Police Dispatcher – Authorize the recruitment and appointment of a Police Dispatcher in the Police Department.

- (8) Purchase of Police Vehicles – Approve the purchase of four (4) new Ford Interceptor Police SUV vehicles and the related emergency equipment including installation (estimated cost of \$41,825.46 per vehicle, or \$167,301.84 total).
- (9) Utility Agreement between Colton and SANBAG – Approve the utility Agreement between the City of Colton and the San Bernardino Associated Governments (SANBAG) for the relocation of the existing sewer main line for the Interstate 215 and Barton Road interchange project.
- (10) Professional Services Agreement with KOA Corporation – Authorize the award of Professional Services Agreement to KOA Corporation in the amount not to exceed \$204,357.04 for the Environmental and Design of the I-10/Rancho Avenue Interchange Eastbound On-ramp Improvement Project.

BUSINESS ITEMS

- (11) Disbanding of Certain Boards and Commissions – Waive Full Reading, Read by Title Only and Introduce an Ordinance to Amend certain sections of Chapter 2.30 of the Colton Municipal Code relating to the dissolution of certain Boards and Commissions. ORDINANCE NO. O-10-16.

Staff Presentation

City Attorney Campos presented an overview of the Agenda Report and requested approval of staff's recommendation.

Council Discussion

Discussion and discernment by Councilmembers present with clarification provided by staff.

Motion and Second by MPT Suchil/CM Jorin to waive full reading, read by title only and introduce Ordinance No. O-10-16.

Vote: Unanimous vote.

MAYOR AND COUNCIL ORAL REPORTS AND COMMENTS

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

Mayor DeLaRosa referred back to Item 12 on the Agenda Waste Disposal Agreement - Approve Amendment No. 6 to the Waste Disposal Agreement (WDA) between the County of San Bernardino and the City of Colton to change the termination date from June 30, 2016 to June 30, 2021. (Item #9, 4/19/16 agenda). Discussion and consensus to return the item for discussion and action to May 11, 2016, instead of waiting until the next regular council meeting of May 17, 2016.

CITY MANAGER'S REPORTS

City Manager Smith reviewed with Council information sent in the form of a memorandum related to the restrooms at all city parks and hours they will be open; this included Fleming Park.

ADJOURNMENT

At 7:49 p.m., Mayor DeLaRosa adjourned the Regular Council Meeting in memoriam of Hope Luna;



Carolina R. Padilla
City Clerk