

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

June 7, 2016

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

CITY COUNCIL ROLL CALL

Councilmembers present were, Toro, Jorin (*appeared at 5:15 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 the City Council would meet in Closed Session to discuss Item B; Item A to be continued to the next Council Regular Meeting of June 21, 2016.

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

(Continued to the next Council Meeting of 6/21/2016)

B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Initiation of Litigation, Pursuant to Government Code Section 54956.9(d)(4)

Two (2) potential cases

Mayor DeLaRosa adjourned the meeting to Closed Session at 5:05 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 B; 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

June 7, 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 Treavor Sellnow, World Mission Society Church of God

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

CEREMONIAL MATTERS *Presentations, Awards, Proclamations*

- Recognition - Mr. Treavor Sellnow, World Mission Society Church of God
CM Navarro with assistance of Mayor DeLaRosa presented a You Make A Difference Certificate; accepted by Mr. Treavor Sellnow of the World Mission Society Church of God.
- Presentation - Colton Police Officers Association – Richard Maloof
Officer Robert Richard Randolph with assistance of CM Navarro and Colton Police Chief Mark Owens presented a Plaque from the Colton Police Officers Association in appreciation of a donation on behalf of the Fred Maloof Memorial Fund donated to the Colton Police Officers Association to be used to assist families of fallen local police officers; accepted by Richard Maloof (*son of Fred Maloof*), Officer Fred Maloof retired from the Colton Police Department and was killed during a robbery in April 1996 at a local restaurant.
- Presentation - Cooley Ranch Elementary School Parent Teacher Organization (PTO)
Mayor DeLaRosa presented a You Make a Difference Certificate to the Cooley Ranch Elementary Parent Teacher Organization; accepted by Roy Ramirez (President) and fellow Members of the Cooley Ranch Elementary Parent Teacher Organization.

MAYOR AND COUNCIL ITEMS

POSSIBLE CONFLICT OF INTEREST DISCLOSURES FOR THE COUNCIL MEETING OF JUNE 7, 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)*).

MPT Suchil announced that CM Toro, CM Bennett, and he attended the International Conference for Shopping Centers in Nevada, from May 23, 2016 to May 25, 2016.

CITY TREASURER'S REPORTS

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

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

PUBLIC COMMENT

None

CONSENT CALENDAR

Mayor DeLaRosa presented the Consent Calendar Items 1 through 15.

Councilmembers present selected items for discussion and clarification by staff: CM González, Item 5; Item 8; and Item 12; CM Toro/ CM González, Item 7; Mayor DeLaRosa, Item 11; and MPT Suchil, Item 13.

Motion and Second by MPT Suchil/CM Navarro to approve the Consent Calendar Items 1 through 15.

Vote: Motion carried with CM Jorrin/CM González: Voting NO on Item 3; MPT Suchil: Voting NO on Item 11 and Item 13; CM Bennett, Absent.

- (1) Minutes – Approval of Minutes for the City Council Regular Meeting Held May 17, 2016 on File in the Office of the City Clerk.
- (2) Warrants – Approve voucher numbers 155915 to 156074 dated 05/12/2016 and totaling \$1,281,998.28; voucher numbers 156077 to 156217 dated 05/19/2016 and totaling \$1,908,171.62; voucher numbers 156220 to 156307 dated 05/24/2016 and totaling \$781,253.55, less voided checks totaling \$1,022.14 and a payroll disbursement listing for the period 04/23/2016 to 05/10/2016 and totaling \$755,254.32.
- (3) Second Reading of Ordinance No. O-09-16 - Waive full reading and pass second reading of an ordinance of the of the City Council of the City of Colton amending Title 7 of the Colton Municipal Code relating to the City's comprehensive animal regulations, ORDINANCE NO. O-09-16.
- (4) Calling the General Municipal Election for November 8, 2016 – Approve and adopt a Resolution calling and giving notice of a General Municipal Election to be held Tuesday, November 8, 2016; requesting that the County of San Bernardino to render specified services; and adopting regulations for candidates for elective office, RESOLUTION NO. R-41-16 and R-52-16.
- (5) Landscape Lighting Maintenance District 1 Fiscal Year 2016-17 – Approve and adopt the following resolutions to initiate proceedings for the annual levy of assessments for Landscape Lighting and Maintenance District 1 for Fiscal Year 2016-17; 1) Resolution initiating proceedings; 2) Resolution approving the preliminary Engineer's Report; and 3) Resolution of intention to set the public hearing date for June 21, 2016, RESOLUTION NOS. R-42-16, R-43-16, R-44-16.
- (6) Landscape Lighting Maintenance District 2 Fiscal Year 2016-17 – Approve and adopt the following resolutions to initiate proceedings for the annual levy of assessments for Landscape Lighting and Maintenance District 2 for Fiscal Year 2016-17; 1) Resolution initiating proceedings; 2) Resolution approving the preliminary Engineer's Report; and 3) Resolution of intention to set the public hearing date for June 21, 2016, RESOLUTION NOS. R-45-16, R-46-16, R-47-16.

- (7) Authorize the disposition of surplus Police service dog Eddie and purchase by handler – Declare as surplus Police Service Dog “Eddie” from the Police Department inventory and approve Police Service Dog “Eddie” be purchased by his handler, Officer Greg Castillo. It is further recommended that Police Service Dog “Eddie” be purchased by Officer Castillo in the amount of \$1.00. *(CM Toro presented \$1.00 to the Police Department as a donation for the purchase of “Eddie”; of which Officer Castillo will be reimbursed as part of the purchase amount for “Eddie”).*
- (8) Wildland Protection Reimbursement Agreement – Approve the Local Responsibility Area Wildland Protection Reimbursement Agreement and adopt RESOLUTION NO. R-50-16.
- (9) Annual DBE Participation Level for FY 16-17 – Approve the Federal Fiscal Year 2016-2017 Annual Anticipated Disadvantaged Business Enterprise (DBE) Participation Level (AADPL) of 16.8% and the methodology that are presented herein and authorize the City Manager or his designee to execute the DBE Annual Submittal Form, RESOLUTION NO. R-51-16.
- (10) Joint Powers Agreement for Omnitrans – Approve the amended and restated Joint Powers Agreement between the County of San Bernardino and the cities of Chino, Chino Hills, Colton, Fontana, Grand Terrace, Highland, Loma Linda, Montclair, Ontario, Rancho Cucamonga, Redlands, Rialto, San Bernardino, Upland, and Yucaipa creating a County Wide Transportation Authority to be known as “Omnitrans.”
- (11) Professional Services Agreement for Traffic Engineering Consultant – 1) Authorize execution of a Professional Services Agreement (PSA) with Minagar and Associates, Inc., for Traffic Engineering Services for FY 2016-2017, in an amount not to exceed \$50,000 per year, with an option to renew for three additional one-year terms. 2) Authorize the City Manager to execute the City’s Professional Service Agreement on behalf of the City. 3) Authorize the City Manager to extend the Agreement on an annual basis for three (3) additional one-year terms upon the same terms and conditions at the City’s discretion.
- (12) Notice of Completion – 1) Approve Change Order No. 1 for the FY 15-16 Sewer Lining Project in the amount of \$26,285.00. 2) Authorize the execution and recordation of Notice of Completion for the FY 15-16 Sewer Lining Project.
- (13) Award of Contract to Babcock Laboratories, Inc. – 1) Authorize the award of Contract Agreement to Babcock Laboratories, Inc. in the amount not to exceed \$54,761.00 for the Wastewater Laboratory Sampling and Analysis Services. 2) Authorize the City Manager to execute up to four (4) one-year renewal options to the Agreement.
- (14) Purchase of Wastewater Bypass Pump – Award to Xylem Dewatering Solutions, Inc. for the purchase and delivery of one new 4” wastewater bypass pump and all necessary equipment in an amount not to exceed \$51,750.36.
- (15) Amendment to Manual of Procedure (MOP) – Adopt a Resolution Amending Section I, I-1 (A) of the City Council Manual of Procedure Related to Preparation of Ordinances, Resolutions, and Contracts, RESOLUTION NO. R-53-16.

PUBLIC HEARINGS

- (16) Fee Schedule Update for Police Department

TIME AND PLACE FIXED TO CONSIDER A PUBLIC HEARING TO APPROVE AND ADOPT A RESOLUTION ESTABLISHING AN UPDATED FEE SCHEDULE FOR SERVICES PERFORMED BY THE POLICE DEPARTMENT AND REPEALING PORTIONS OF RESOLUTION NO. R-05-13 AS APPLICABLE THERETO.

Mayor DeLaRosa declared the Public Hearing Open.

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

Staff Presentation

Lieutenant Mike Hadden, Colton Police Department, presented for Council consideration and requested approval of an increase in Police Department fees as outline in the Agenda Report.

PUBLIC COMMENT

None

Motion and Second my MPT Suchil/CM Jorin to close the Public Hearing.

Vote: Motion carried with CM Bennett, Absent.

Council Discussion

Discussion and discernment by Councilmembers present with clarification provided by staff: Lt. Hadden and Police Chief Owen.

Motion and Second by MPT Suchil/CM Navarro to approve staff's recommendation; to Approve and Adopt Resolution R-48-16.

Vote: Motion carried CM Bennett, Absent.

(17) Fee Schedule Update for Fire Department

TIME AND PLACE FIXED TO CONSIDER A PUBLIC HEARING TO APPROVE AND ADOPT A RESOLUTION ESTABLISHING AN UPDATED FEE SCHEDULE FOR SERVICES PERFORMED BY THE FIRE DEPARTMENT AND REPEALING PORTIONS OF RESOLUTION NO. R-05-13 AS APPLICABLE THERETO.

Mayor DeLaRosa declared the Public Hearing Open.

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

Staff Presentation

Fire Chief Tim McHargue, Colton Fire Department, presented for Council consideration and requested approval of an increase in Fire Department fees as outline in the Agenda Report.

PUBLIC COMMENT

None

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

Vote: Motion carried with CM Bennett, Absent.

Motion and Second by CM Navarro/MPT Suchil to approve staff's recommendation; to Approve and Adopt Resolution R-49-16.

Vote: Motion carried CM Bennett, Absent.

MAYOR AND COUNCIL ORAL REPORTS AND COMMENTS

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

CITY MANAGER'S REPORTS

City Manager Smith referenced a recent newspaper article related to the State of California Transportation Improvement Fund being pulled and assured Council this would not affect our project at the I-215 & Washington Street.

The upcoming Council informational memorandum issued on a weekly basis will outline the enforcement plan for the upcoming 4th of July holiday.

ADJOURNMENT

At 8:22 p.m., Mayor DeLaRosa adjourned the Regular Council Meeting; in memoriam of Daniel Martel.



Carolina R. Padilla
City Clerk