

MINUTES: of a regular meeting of the City Council of the City of Redlands held in the Council Chambers, Civic Center, 35 Cajon Street, on July 17, 2012 at 5:00 P.M.

PRESENT: Pete Aguilar, Mayor
Paul Foster, Mayor Pro Tem
Jon Harrison, Councilmember
Jerry Bean, Councilmember
Bob Gardner, Councilmember

ABSENT: None

STAFF: Enrique Martinez, City Manager; Dan McHugh, City Attorney; Sam Irwin, City Clerk; Carl Baker, Public Information Officer; Jeff Frazier, Fire Chief; Mark Garcia, Police Chief; Phil Mielke, Innovation and Technology Department; Fred Mousavipour, Municipal Utilities and Engineering Director; Fred Cardenas, Quality of Life Director; Tina Kundig, Finance Director/City Treasurer; Bob Dalquest, Development Services Department; Debbie Scott-Leistra, Human Resources Director

Mayor Aguilar called the meeting to order and offered those present the opportunity to provide public comment on any item on the agenda for the closed session.

PUBLIC COMMENT:

Transparency – Arlen Einertson expressed concern that no one knew about the City of San Bernardino impending bankruptcy until it was too late. He requested a plain language report to the residents of the City clearly laying out the financial state of Redlands.

CLOSED SESSION:

The meeting recessed at 5:03 P.M. to a closed session to discuss the following:

1. Conference with legal counsel: Anticipated Litigation - Government Code §54956.9(b)(2) - One Case
 - a. Facts and Circumstances: Consideration of a letter from the EPA threatening City liability for property environmental remediation costs
2. Conference with labor negotiator - Government Code §54957.6
Agency Negotiator: Richard Kreisler
Employee Organizations: Redlands Association of Department Directors; Redlands Association of Management Employees; Redlands Association of Mid-Management Employees; General Employees Association of Redlands (SBPEA); Redlands Civilian Safety Employees Association;

Redlands Police Officers Association; Redlands Professional Firefighters Association; Redlands Association of Safety Management Employees; and Redlands Association of Fire Management Employees

Unrepresented Employees: City Manager and City Attorney

The meeting reconvened at 6:02 P.M. with an invocation by Councilmember Gardner followed by the pledge of allegiance to the American flag.

CLOSED SESSION REPORT:

City Attorney McHugh announced that no reportable action was taken during the closed session.

PRESENTATIONS:

Redlands Animal Shelter – Animal Control Volunteers Cyndy Dunham and Juan Nunez introduced Brandy, a three year old female, dachshund/terrier mix, and her litter of puppies who are available for adoption, with 42 other dogs and 130 cats, at the Redlands Animal Shelter. Ms. Dunham informed the Council 32 dogs and 19 cats have been adopted since the last City Council meeting.

PUBLIC COMMENTS:

Science Education – Leonard Goldman introduced Henri DeRoule who is raising funds for the Banning Science & Technology Center, Inc., a non-profit facility being built to provide hands-on scientific experiences for students from eight to twenty years old. The goal of the facility is to be open by the end of 2013.

Market Night Signage – Bill Cunningham observed that signs are no longer being posted to warn people that cars will be towed from State Street during the Market Night.

CONSENT CALENDAR:

Minutes – On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the minutes of the regular meeting of July 3, 2012.

Settlement Details - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council agreed to receive and file a report of a full release and assignment agreement between the City of Redlands and the Hartford Fire Insurance Company. The Hartford agrees to pay the City \$29,475.76 for the loss, due to employee theft, of \$30,475.76

Fee Waiver - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved a waiver request from Mental

Health Services for fees associated with the Recovery Happens Walk at Sylvan Park to be held on September 8, 2012.

Cooking and Crafts - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved an independent contractor agreement between the City of Redlands and Hilda Hakim for cooking and craft classes at the Redlands Senior Center.

Resolutions No. 7181 and 7182 – Special Taxes within CFDs No. 2001-1 and 2003-1 - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved Resolution No. 7181 levying special taxes within the City of Redlands Community Facilities District (CFD) No. 2001-1 (Northwest Development Project) and Resolution No. 7182 levying special taxes in CFD No. 2003-1 (Redlands Business Center).

Resolution No. 7191 – Appropriation Limit - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved Resolution No. 7191 establishing \$93,547,951 as the legal limit on the amount of tax proceeds that can be appropriated in FY 2012-2013.

Resolution No. 7186 – Traffic Regulation - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved Resolution No. 7186 removing an existing no parking zone on the north side of Brookside Avenue from Ash Street to San Mateo Street.

Right of Entry - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved an agreement between the City of Redlands and Verizon Wireless granting Verizon access to the Sunset Reservoir.

CUP Extension - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved a one year time extension for Conditional Use Permit (CUP) No. 955, the Housing Authority of the County of San Bernardino application to develop a 228-unit planned residential project on approximately 19 acres located at the northeast corner of Orange Street and Lugonia Avenue.

Police Department Office Space - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved an agreement between the City of Redlands and Dill Lumber Company for commercial lease of office space at 1740 West Redlands Boulevard and ratified the effective date of the lease as July 1, 2012.

Resolution No. 7197 – Paramedic Service Tax - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously

approved Resolution No. 7197 establishing the rate for the voter-approved special tax for emergency paramedic service for FY 2012-2013.

COMMUNICATIONS:

Delegate Appointments - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the appointment of Mayor Aguilar to serve as the voting delegate and the appointment of Councilmember Gardner to serve as alternate voting delegate for the League of California Cities 2012 Annual Conference.

Campaign Finance – Councilmember Gardner introduced an ordinance used by the City of Santa Cruz to be used as a straw man in an attempt to reform election campaign financing in Redlands. As a public comment, Kent Marten and Chanel Emershy expressed support for the ordinance, but encouraged going further to curb the use of money as speech. Councilmember Harrison pointed out an ordinance would not go into effect until late in the campaign for the November 6, 2012 election. On motion of Councilmember Harrison, seconded by Mayor Pro Tem Foster, the City Council voted to direct staff to develop a voluntary campaign finance reform resolution for the City of Redlands, to be brought back to the City Council at the first regular meeting in September. The subject of campaign finance would be addressed at a January 2013 regular City Council meeting to evaluate the effectiveness of this reform attempt. Councilmember Bean voted No on the item as presented.

NEW BUSINESS:

Service Dog Retirement - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved an agreement between the City of Redlands and Officer Dan Figgins for the retirement, care and feeding of Radar, the City of Redlands narcotic detection dog. The City retires Radar and sells him to his handler for the sum of one dollar.

Safety Hall – Larry Kosmont, of the Kosmont Team, presented a brief history of events to date associated with the project to build a replacement Safety Hall for the City. He provided an update on efforts to evaluate the potential to develop a fire station project alternative; to monetize existing city-owned properties; and to continue with land acquisition efforts. As a public comment, Steve Rogers asked where, in Mr. Kosmont's presentation, is the discussion of prospective locations. He suggested again the use of the Redlands Mall as a government center. The consensus of discussion expressed wisdom in a slow pace to the study to wait for better economic conditions. Guidance was given to have Kosmont and associates continue to work within the scope of their current contract to evaluate ways to structure a ballot question so as to require only a simple majority decision, evaluate the inventory of City properties which might be sold as a revenue source for the project and continue efforts to secure a site. On motion of Councilmember

Bean, seconded by Councilmember Harrison, the City Council unanimously agreed to delay decisions on proceeding with the study, beyond the current contract, until after capital expenditure priority discussions which the Council is scheduled to have in October of this year.

Landfill Operations – On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved an agreement between the City of Redlands and Geo-Logic Associates for general operational support at the California Street Landfill for one year, with two one-year options for the City to extend the agreement on the same terms and conditions.

Bond Refinancing - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved agreements between the City of Redlands and Citi for underwriting services and between the City of Redlands and Best, Best & Krieger LLP, for bond and disclosure counsel services associated with a proposed water and wastewater bond refinancing. As a public comment, Steve Rogers suggested there might be a conflict of interest in the use of Best, Best & Krieger as special counsel.

Mailing Services - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved a professional services agreement between the City of Redlands and Inland Presort and Mailing Services for mailing services.

Downtown Enhancements – Economic Development Manager Mike Lengyel provided a summary of efforts to enhance economic activity in the downtown Redlands area. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously agreed to authorize staff to accept donations for the installation of “welcome” monuments along Pearl Street from Eureka Street to Sixth Street, to prepare design documents and solicit bids for the monument installation project if sufficient funding is received. The Council also authorized staff to accept donations for other downtown improvement and to install the improvements in the downtown area.

CONFIRE Fees - On motion of Councilmember Bean, seconded by Mayor Pro Tem Foster, the City Council unanimously approved payment of the annual CONFIRE fees in the amount of \$552,440.

Resolution No. 7185 – Salaries - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council approved Resolution No. 7185 incorporating all the changes from Salary Resolution Amendments from FY 2011-2012 and reflecting departmental changes made to facilitate service during FY 2012-2013. Councilmember Harrison voted No on the resolution expressing his dissatisfaction with the level of Council participation in the employee compensation and classification decisions reflected in the document.

Consulting Services - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council approved an agreement between the City of Redlands and TKE Engineering, Inc. for consulting services for the Opal Basin preliminary engineering analysis, design of the selected basin alternative and state grant funding assistance. Councilmember Bean voted No on the agreement expressing his dissatisfaction with the level of consideration given to competitive bidding during contractor selection.

Pavement Rehabilitation – Municipal Utilities and Engineering Director Fred Mousavipour presented an analysis of the condition the City of Redlands streets and a proposal to utilize Solid Waste Fund revenues to fund a street rehabilitation program. As a public comment, Arlen Einertson pointed out other vehicle categories which adversely impact the streets and asked why they were not included as a source of revenues to fund the program. On motion of Councilmember Harrison, seconded by Mayor Pro Tem Foster, the City Council unanimously agreed to authorize staff to proceed with the initial steps to implement a comprehensive citywide street rehabilitation program and seek advice from the City’s financial advisor to determine the necessary revenue enhancements to complete said program. Staff was directed to work the program implementation through the Municipal Utilities/Public Works Commission to utilize the expertise and advice of that body.

Annual Purchase Orders - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the Municipal Utilities and Engineering Department’s annual purchase orders in excess of \$50,000 with various vendors.

Sweet Drink Tax – Councilmember Gardner introduced the idea of taxing local businesses which sell sugar-added beverages in an effort to address health issues associated with the consumption of sugar. As a public comment, several members of the business community, as well as representatives from the California Restaurant Association and the California Grocers Association, spoke in opposition to the tax and offered to work with the City staff to find other methods to address this cultural problem. Councilmembers Gardner and Harrison agreed to form an ad hoc committee to work with staff to try to find ways to address this problem and promote a healthier Redlands.

PUBLIC HEARINGS:

Resolution No. 7152 – Fees and Service Charges - Mayor Aguilar opened the public hearing and called upon Finance Director Kundig to provide the background leading to a request for approval of a fee and service charge revenue/cost comparison system; establishment of amounts of fees and charges levied in connection with the City’s provision of regulations, products and services; and the rescinding of Resolutions No. 5914 and 7099. As a public comment, Steve Rogers identified more proposed fees which need further

investigation. At the request of staff and on motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously agreed to continue the public hearing for Resolution No. 7152 to the regular meeting of the City Council scheduled for September 4, 2012.

COUNCILMEMBER ANNOUNCEMENTS AND ACTIVITIES:

Walmart Hearing – Mayor Aguilar highlighted the upcoming special meeting of the City Council scheduled on July 18, at 6:00 P.M. at Citrus Valley High School will be held as a Public Hearing to consider the Walmart Stores, Inc. application for the proposed Redlands Crossing development project.

Budget Pamphlet – Mayor Pro Tem Foster pointed out the utility and information value of the small pamphlet handed out at the State of the Community presentation sponsored by the Chamber of Commerce on July 11, 2012.

Coffee – Coffee with the Council will be held at Greater Good Coffee on Saturday, July 21, 2012.

ADJOURNMENT:

There being no further business to address, this meeting was adjourned at 9:51 P.M. The Council will meet at their next regular meeting on September 4, 2012.