

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 June 15, 2010 at 3:00 P.M.

PRESENT: Pat Gilbreath, Mayor  
Jerry Bean, Mayor Pro Tem  
Jon Harrison, Councilmember  
Mick Gallagher, Councilmember  
Pete Aguilar, Councilmember

ABSENT: None

STAFF: N. Enrique Martinez, City Manager; Daniel J. McHugh, City Attorney; Sam Irwin, City Clerk; Carl Baker, Public Information Officer; Tom Fitzmaurice, Police Commander; Rosemary Hoerning, Municipal Utilities and Engineering Director; Tina Kundig, Finance Director/City Treasurer; Jeff Frazier, Fire Chief; Oscar W. Orci, Community Development Director; Deborah Scott-Leistra, Human Resources Director; Les Jolly, Interim Quality of Life Director

The meeting was opened with an invocation by Councilmember Gallagher followed by the pledge of allegiance to the American flag.

PRESENTATIONS:

Redlands Animal Shelter - Animal Control Officer Bill Miller and Volunteer Lynda Ackerman introduced Tami, a four-month old Chinese Shar Pei mix, who is available for adoption at the Redlands Animal Shelter. Ms. Ackerman informed the Council there are currently have 52 dogs, 100 cats and 2 rabbits at the shelter. Twenty-four dogs and twenty cats have been adopted since the last City Council meeting.

Civilian Volunteer Patrol – Mayor Gilbreath, Commander Fitzmaurice and Jim Stellar recognized the donations of members of the 365 Club who give one dollar per day in each year to support the City of Redlands Police Department volunteer program. Some contributors have given to this program every year since its inception in 1992.

CONSENT CALENDAR:

Minutes - On motion of Mayor Pro Tem Bean, seconded by Councilmember Gallagher, the City Council unanimously approved the minutes of the special meetings of June 1, 2010 and June 2, 2010 and the regular meeting of June 1, 2010 as submitted.

Resolution No. 6954 – Candidate Statement Regulations - On motion of Mayor Pro Tem Bean, seconded by Councilmember Gallagher, the City Council

unanimously approved Resolution No. 6954 establishing administration procedures for handling Candidates' Statements in a municipal election.

Conflict of Interest Code Review - On motion of Mayor Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously approved directing staff to perform a review of the City of Redlands Conflict of Interest Codes. As a public comment, Steve Rogers called for a conflict of interest review of some individuals not listed in the City of Redlands codes.

DRBA Appointment - On motion of Mayor Gilbreath, seconded by Councilmember Aguilar, the City Council unanimously approved the appointment of Barbara Garcia to the Downtown Redlands Business Association (DRBA) Advisory Board.

Land Appraisal Agreement - On motion of Mayor Pro Tem Bean, seconded by Councilmember Gallagher, the City Council unanimously approved an Appraisal Cost Reimbursement Agreement with the California Department of Water Resources for the purpose of appraising City of Redlands property in connection with the construction of the Yucaipa Connector Pipeline.

SAWPA Agreement Amendment - On motion of Mayor Pro Tem Bean, seconded by Councilmember Gallagher, the City Council unanimously approved Amendment No. 1 to the Santa Ana Watershed Project Authority (SAWPA) Basin Monitoring Task Force Agreement. The amendment provides continued groundwater monitoring and meets reporting requirements at an estimated cost to the City of Redlands of \$25,778.00.

Technical Service Agreement - On motion of Mayor Pro Tem Bean, seconded by Councilmember Gallagher, the City Council unanimously approved a Technical Services Support Agreement between the City of Redlands and Physio-Control, Inc. for FY 2010-2011 to provide all support related to emergency cardiac monitoring devices.

Computer Service Agreement - On motion of Mayor Pro Tem Bean, seconded by Councilmember Gallagher, the City Council unanimously approved the annual service agreement between the City of Redlands and Avaya to provide hardware and software support for two existing telecommunications switches for a period of 24 months.

Identification System Agreement - On motion of Councilmember Gallagher, seconded by Mayor Pro Tem Bean, the City Council unanimously approved an agreement with the County of San Bernardino for participation in the California Identification System. This item was continued from the regular City Council meeting on June 1, 2010, to allow staff to explore the use of American Recovery and Reinvestment Act of 2009 (ARRA) funds to pay for the Identification System.

Gateway Beautification – Phillip Doolittle, Executive Vice President of the University of Redlands, gave a brief presentation outlining the university's Centennial Park plans to beautify the University Street off-ramp. On motion of Mayor Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously approved an addition to the existing State of California Department of Transportation (Caltrans) Freeway Maintenance Agreement. The addition facilitates the University of Redlands acquiring a Caltrans encroachment permit to construct beautification improvements within the I10 right-of-way at the University Street and Citrus Avenue intersection and designates responsibility for maintaining the area to the City of Redlands.

#### COMMUNICATIONS:

Sales Tax – On four motions of Councilmember Aguilar, all seconded by Councilmember Harrison, the City Council unanimously approved: (1) authorizing staff to begin drafting a ½ percent city transaction and use tax for the Council's consideration on August 3, 2010 as a proposed ballot measure to be placed on the November 2, 2010 election ballot; (2) authorizing staff to outline potential expenditures and preliminary allocation plans in the areas of street maintenance and repair, police and fire protection, street tree trimming, and park maintenance; (3) tasking the City Attorney to develop options for the Council to consider passing an advisory measure, ordinance, or resolution that would guide and recommend expenditure from the proposed ballot measure; and (4) authorizing staff to proceed with Phase II Public Opinion Outreach Consulting Services and enter into a consultant services contract with Tramatola, LLC, to be approved by the City Council in the amount of \$70,000.00.

#### PUBLIC HEARINGS:

Resolution No. 6956 - Conditional Use Permit No. 53 (Revision No. 3) – Westside Christian School – Mayor Gilbreath opened the public hearing and called for a report from Sergio Madera, from the Community Development Department, for background on an appeal from Westside Christian School to build an addition to an existing building at the corner of Bellevue and Olive Avenues. The applicant expressed gratitude to the Council and staff for the assistance they had received throughout the permit process. At the suggestion of Councilmember Harrison, the applicant submitted a redesigned roof line of the proposed addition to soften the impact of the building on the surrounding properties. On motion of Mayor Pro Tem Bean, seconded by Councilmember Harrison, the City Council approved Resolution No. 6956 approving Conditional Use Permit No. 53. Councilmember Gallagher voted No on the motion.

Resolution No. 6958 - General Plan Amendment No. 2010-1-A and Zone Change No. 438 – Tennessee Street - Mayor Gilbreath opened the public hearing and called for a report from Manuel Baeza, from the Community Development Department for background on a request to change the current land use designation of 2.15 acres on Tennessee Street between Park Avenue and State Street from Light Industrial to Office and to change the current zoning designation from M-2 (General Industrial) to A-P-C (Administrative-Professional-Commercial). On motion of Mayor Pro Tem Bean, seconded by Councilmember Gallagher, the City Council approved Resolution No. 6958 implementing the designation changes and called for the introduction of Ordinance No. 2734. Councilmember Harrison recused himself from discussions and the vote on the motion due to the proximity of the property in question to his place of employment.

Resolution No. 6957 - Sign Conditional Use Permit (CUP) No. 2 (Revision No.1) – Tri-City Center - Mayor Gilbreath opened the public hearing and called for a report from Chris Boatman, from the Community Development Department for background on a request to add three 80 square foot panels to two 688 square foot freeway-oriented signs within the Tri-City Shopping Center on Industrial Park Avenue between Tennessee and Alabama Street. On motion of Councilmember Gallagher, seconded by Councilmember Harrison, the City Council approved Resolution No. 6957 approving the signs. Both Mayor Pro Tem Bean and Councilmember Aguilar recused themselves from the discussion and vote on this issue, however, due to the requirements of Measure U, sign CUPs must be approved by four affirmative votes of the Council. A random means of selection was used to select the number of officials needed in accordance with the regulations of the California Fair Political Practices Commission. Mayor Pro Tem Bean's name was drawn and he participated in the vote to approve Resolution No. 6957.

#### PUBLIC COMMENTS:

Budget Cut Suggestions – Former Mayor Bill Cunningham submitted a letter to the Council outlining suggested candidates for reducing expenditures to be considered in deliberations to alleviate the FY 2010-2011 Budget shortfall. Bridgette Washington, of the SBPEA, requested the exploration of every effort to avoid layoffs and offered the option of soliciting suggestions from the workforce to identify areas to reduce deficits. Steve Rogers expressed his disappointment in the amount of public participation in budget discussions.

#### CLOSED SESSION:

The City Council meeting recessed at 4:20 P.M. to a closed session to discuss the following:

1. Conference with real property negotiator – Government Code §54956.8  
Property: APN 167-101-15

- Agency negotiators: N. Enrique Martinez, Rosemary Hoerning and  
Chris Diggs
- Negotiating party: Doug Headrick, San Bernardino Valley  
Municipal Water District
- Under negotiation: Terms and price of sale or lease of interest in  
City Property
2. Conference with legal counsel: Existing Litigation – Government Code  
§54956.9(a) – One Case
    - a. City of Redlands v. Shell Oil Company, et al., San Bernardino Superior  
Court Case No. SCVSS 12067
  3. Conference with legal counsel: Anticipated Litigation – Government Code  
§54956.9(b)(1)(A) – One Case

The meeting reconvened at 5:28 P.M.

#### CLOSED SESSION REPORT

City Attorney McHugh announced the City Council unanimously approved the filing of an appeal in San Bernardino Superior Court Case No. SCVSS 12067, City of Redlands v. Shell Oil Company, et al. Councilmember Harrison recused himself from discussions on Item No. 1 of the closed session agenda.

#### ADJOURNMENT:

There being no further action required, the City Council meeting adjourned at 5:28 P.M. The City Council will meet at their next regularly scheduled meeting on July 6, 2010.