

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 December 21, 2010 at 3:13 P.M.

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

ABSENT: None

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

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

PRESENTATIONS:

Redlands Animal Shelter - Volunteer Lynda Ackerman introduced Golinda, a 3 year old female, Chihuahua, who is available for adoption at the Redlands Animal Shelter. Ms. Ackerman informed the Council thirty-two dogs and fourteen cats have been adopted since the last City Council meeting.

Happy Holidays - Kimberly Chorus, led by Gay Richards and accompanied by Terry Proctor, presented a program of two Christmas Carols to put everyone into the holiday spirit. The chorus is made up of second grade through fifth grade students from Kimberly School.

Anniversary Proclamation - Mayor Aguilar presented a proclamation to The Unforgettables Foundation recognizing ten years of service enabling families with limited resources to give their children a dignified burial.

CONSENT CALENDAR:

Minutes - On motion of Mayor Pro Tem Foster, seconded by Councilmember Harrison, the City Council unanimously approved the minutes of the regular meeting of December 7, 2010 as submitted.

Appointments Calendar - On motion of Mayor Pro Tem Foster, seconded by Councilmember Harrison, the City Council unanimously approved the Local Appointments List for 2011 as required by Government Code §54972.

Library Board Appointments - On motion of Mayor Pro Tem Foster, seconded by Councilmember Harrison, the City Council unanimously approved the reappointment of William Hatfield and James Dunn to serve an additional three-year term on the Library Board of Trustees ending January 1, 2014.

Resolution No. 7010 - Farmers' Market Parking - On motion of Mayor Pro Tem Foster, seconded by Councilmember Harrison, the City Council unanimously approved Resolution No. 7010 establishing parking regulations for the Saturday morning Farmers' Market and rescinding Resolution No. 6884.

Development Agreements Review - On motion of Councilmember Harrison, seconded by Mayor Pro Tem Foster, the City Council approved a report for the annual review of approved development agreements and determined that Mountainview Power Company LLC, CEMEX, Robertson's Ready Mix, Redlands Community Hospital, and Redlands Health Services are in compliance with the terms of their respective development agreements. Staff was directed to prepare a Certificate of Compliance for each agreement. Councilmember Bean recused himself from voting due to his business relations with Redlands Community Hospital.

Rental Agreement - On motion of Mayor Pro Tem Foster, seconded by Councilmember Harrison, the City Council unanimously approved a five year Rental Agreement between the City of Redlands and Junior All-American Football for the use of Community Park.

Public Health Emergency Agreement - On motion of Mayor Pro Tem Foster, seconded by Councilmember Harrison, the City Council unanimously approved an agreement between the City of Redlands and the San Bernardino County Department of Public Health to provide staffing and support to the County's Public Health Point of Dispensing site in the event of a public health emergency.

Resolution No. 7013 - Annexation - On motion of Mayor Pro Tem Foster, seconded by Councilmember Harrison, the City Council unanimously approved Resolution No. 7013 commencing annexation proceedings for Keswick Financial Group, Inc., Tentative Tract No. 16806, to Community Facilities District No. 2004-1. The property is located at the southeast corner of Pennsylvania Avenue and Texas Street. A public hearing on this matter is scheduled for February 15, 2010.

NPDES Implementation Agreement - On motion of Mayor Pro Tem Foster, seconded by Councilmember Harrison, the City Council unanimously approved a National Pollutant Discharge Elimination System (NPDES) Stormwater

Permit Implementation Agreement between the City of Redlands and 15 other cities and San Bernardino County to provide an equitable distribution of costs for Permit compliance.

#### COMMUNICATIONS:

Core Values - Councilmember Gardner introduced a latest draft list of core values reflecting staff responses, inputs from the City of Redlands boards and commissions, as well as suggestions from other Councilmembers. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the List of Redlands City Values as presented by Councilmember Gardner.

FY 2010-2011 Budget - Tina Kundig presented an overview of the current projections of the FY 2010-2011 Budget shortfall incorporating suggestions from a December 14, 2010 special meeting of the City Council. Inland Valley Development Agency (IVDA) property tax pass through revenues were used to address the void created by the defeat at the polls of the sales tax measure. The City Manager and staff continue to look at options to address the estimated shortfall. For the January 4, 2011 regular meeting of the City Council, staff was directed to provide background data and information associated with: (1) the use of layoffs to address the budget shortfall, (2) the use of the remaining IVDA revenues, and (3) a review of cuts to services to accomplish the same goal. The budget subcommittee was tasked to work towards a set of parameters to be used in addressing the FY 2011-2012 budget shortfall.

Resolution No. 7015 - Post Employment Health Plan - On motion of Councilmember Harrison, seconded by Mayor Pro Tem Foster, the City Council unanimously to add a late breaking item to the agenda and approved Resolution No. 7015 adopting a post employment Health Plan for Public Employees (PEHP) of the City of Redlands. Also on motion of Councilmember Harrison, seconded by Mayor Pro Tem Foster, the City Council unanimously approved an Employer Participation Agreement for the PEHP, a Loans to Participants Amendment to Plan Document and a Participant Loan Program. PEHP allows eligible employees to place any amount of their health allotment not utilized for medical insurance into an individual qualified Health Retirement Account. The Loan to Participants Amendment to Plan Document and the Participant Loan Program allow all eligible City employees to borrow from contributions made into their Deferred Compensation (457 or 401a) account.

#### NEW BUSINESS:

Lobbyist Agreement - On motion of Mayor Pro Tem Foster, seconded by Councilmember Harrison, the City Council unanimously approved renewal of an agreement between the City of Redlands and Innovative Federal Strategies,

LLC, to provide federal legislative advocate services and authorized an additional appropriation in the amount not to exceed \$52,500 for the services.

Development Agreement Review - On motion of Councilmember Bean, seconded by Councilmember Gardner, the City Council approved a report for the annual review of an approved development agreement between the City of Redlands and Esri and determined that the company is in compliance with the terms of their development agreement. Staff was directed to prepare a Certificate of Compliance. Councilmember Harrison recused himself from voting due to his employment status with Esri.

Development Agreement Review - At the request of Kaiser Foundation Hospitals, a motion was made by Councilmember Gardner, and seconded by Councilmember Harrison, to continue a decision on approval of a report for the annual review of an approved development agreement between the City of Redlands and Kaiser Foundation Hospitals. Mayor Pro Tem Foster and Councilmember Bean recused themselves from voting due to their business and employment relations with Kaiser Foundation Hospitals.

Development Agreement Review - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council approved a report for the annual review of an approved development agreement between the City of Redlands and Redlands Land Holding, LLC, (A.K.A. General Growth Properties, Inc.) and determined that the company is in compliance with the terms of their development agreement. Staff was directed to prepare a Certificate of Compliance. Councilmember Bean recused himself from voting due to his business relations with General Growth Properties, Inc.

Impact Fees Report - On motion of Councilmember Gardner, seconded by Councilmember Harrison, the City Council unanimously agreed to accept the Annual Report of Development Impact Fees for the year ended June 30, 2010.

Terrace Park Improvement - On motion of Councilmember Bean, seconded by Mayor Pro Tem Foster, the City Council unanimously agreed that construction of the Terrace Park Improvement Project is categorically exempt from further environmental review in accordance with the California Environmental Quality Act guidelines, approved the Project plans and specifications, waived a minor bid irregularity, and awarded a contract for the work on the Project to KASA Construction for the total bid amount of \$299,304.50. The contract will landscape approximately half the park, upgrade the existing trail and install ADA compliant ramps and sidewalks along with bench seats, trash receptacles and a drinking fountain.

RCSEA MOU - On motion of Councilmember Harrison, seconded by Mayor Pro Tem Foster, the City Council unanimously approved a Memorandum of Understanding (MOU) between the City of Redlands and the Redlands Civilian

Safety Employees Association (RCSEA). The MOU term is from January 1, 2010 to June 30, 2012 and includes provisions for a freeze in salaries, furloughs of eighty hours per employee for the term, and establishment of a cap on health insurance. New hires will contribute to their retirement, receive neither longevity pay nor floating holidays, and receive a maximum of \$600.00 toward health insurance.

Ordinance No. 2746 - Council Administration - On motion of Mayor Aguilar, seconded by Mayor Pro Tem Foster, the City Council unanimously approved the introduction of Ordinance No. 2746 changing the time for regular meetings of the City Council to the first and third Tuesday of each month at five o'clock in the evening (5:00 P.M.). The Council expressed consensus for an idea of using the "Mayor's Office" space as a "Council Conference Room" and alleviating the need for individual office space for each Councilmember. Mayor Aguilar also presented two proposals for consideration and discussion. A proposal to reorganize the City of Redlands' Boards and Commissions will be addressed at the January 4, 2011 meeting. As a public comment, Joe Gonzalez requested consideration for combining the Parks Commission and the Recreation Commission and also appealed to every Councilmember to try to attend as many commission meetings as their schedule permits. A set of procedures for conducting City Council meetings was referred to the legal staff to be brought back as a draft for consideration at a City Council meeting in February.

Liaison Appointments - On motion of Councilmember Harrison, seconded by Councilmember Bean, the City Council unanimously approved the appointment of Mayor Pro Tem Foster as the City of Redlands representative to Omnitrans and Councilmember Harrison was appointed as the City of Redlands representative to San Bernardino Associated Governments (SANBAG). On motion of Councilmember Harrison, seconded by Councilmember Bean, Mayor Aguilar was appointed as alternate representative to both agencies. Mayor Aguilar recused himself from voting on the alternate representative positions.

Committee Appointments - On motion of Mayor Aguilar, seconded by Councilmember Harrison, the City Council unanimously approved the formation of an ad-hoc Economic Development Committee of the City Council comprised of Mayor Aguilar and Mayor Pro Tem Foster. The committee will report back to Council in February with suggested policies and principles that guide how economic development is addressed.

Committee Appointments - On motion of Mayor Aguilar, seconded by Councilmember Harrison, the City Council unanimously approved the formation of a subcommittee of the City Council to make recommendations for filling three vacancies which will exist on Planning Commission on January 7, 2011 and approved the appointment of Mayor Pro Tem Foster and Councilmember Harrison to serve on the subcommittee. The subcommittee will submit their recommendations at the January 18, 2011 City Council meeting.

Dog Park - Rosemary Hoerning presented an overview of events leading to the decision to proceed with a Dog Park to be located at the northerly end of Ford Park. Numerous public comments were submitted in support of the park as well as expressions of gratitude for literally years of effort to achieve fruition of the concept. On motion of Mayor Pro Tem Foster, seconded by Councilmember Harrison, the City Council unanimously agreed that construction of the park is categorically exempt from environmental review in accordance with California Environmental Quality Act guidelines, authorized staff to coordinate and complete final design plans with Redlands Unleashed Fidos & Friends (RUFF) and issue permits to begin construction of the Park, authorized the City Manager to execute a maintenance agreement between the City of Redlands and RUFF pursuant to the Adopt-a-Park Program for long term maintenance of the Dog Park, and authorized City forces to construct a rural style road and parking area adjacent to the Dog Park using recycled asphalt grinding materials from the Church Street/Center Street/Alessandro Road Resurfacing Project.

Booster Pump Replacement - On motion of Councilmember Harrison, seconded by Mayor Pro Tem Foster, the City Council unanimously approved the purchase of four booster pump assemblies for the Texas Street booster facility from Layne Christenson Company in the amount of \$71,188.99

#### PUBLIC COMMENT

Senior Citizen Committee - Joe Gonzalez invited the City Councilmembers to attend meetings to hear the concerns of our senior citizens.

Bueermann Retirement - Bill Cunningham expressed regret at Police Chief Bueerman's announced retirement and asked that every effort be made to select his replacement from within the Redlands Police Department. He also voiced his support for the proposed changes to City Council meeting time and agenda changes.

#### CLOSED SESSION:

The City Council meeting recessed at 5:39 P.M. to a closed session to discuss the following:

1. Conference with real property negotiator – Government Code §54956.8  
Property: APNs 292-041-08 and 292-041-44  
Agency negotiators: N. Enrique Martinez, Les Jolly and William Schoen  
Negotiating party: Graeme Bethell, Gussing Renewable Energy America  
Under negotiation: Terms and price for lease of City Property
2. Conference with legal counsel: Anticipated Litigation - Government Code §54956.9(b)(2)(B) – One case

- a. Facts and circumstances: Threat of litigation by Redlands Country Club regarding non-potable water rates

The meeting reconvened at 6:47 P.M.

CLOSED SESSION REPORT:

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

ADJOURNMENT:

There being no further business, the City of Redlands City Council meeting adjourned at 6:48 P.M. The Council will meet next at their regularly scheduled meeting on January 4, 2011.