

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 October 18, 2011 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: N. Enrique Martinez, City Manager; Dan McHugh, City Attorney; Sam Irwin, City Clerk; Carl Baker, Public Information Officer; Jeff Frazier, Fire Chief; Shawn Ryan, Police Lieutenant; David Hexem, Chief Information Officer; Fred Mousavipour, Interim Municipal Utilities and Engineering Director; Fred Cardenas, Quality of Life Director; Tina Kundig, Finance Director/City Treasurer; Oscar W. Orci, Development Services Director; 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:

None forthcoming.

CLOSED SESSION:

The meeting recessed at 5:00 P.M. to a closed session to discuss the following:

1. Public Employee Dismissal/Release – Government Code §54957
 - a. Consideration of disability retirement application of a public safety employee
2. Conference with legal counsel: Anticipated Litigation - Government Code §54956.9(c) - One Case
 - a. Possible initiation of litigation by the City

The meeting reconvened at 6:00 P.M. with an invocation by Mayor Pro Tem Foster followed by the pledge of allegiance to the American flag.

CLOSED SESSION REPORT:

City Attorney McHugh announced, by unanimous vote, the City Council approved a disability retirement application of a public safety employee.

PRESENTATIONS:

Redlands Animal Shelter – Animal Control Officer Bill Miller introduced Jolene, a one year old, female Chihuahua, who is available for adoption at the Redlands Animal Shelter along with sixty-one other dogs and seventy-four cats. Officer Miller informed the Council fifty-nine dogs and eleven cats have been adopted since the last City Council meeting.

Civic Center Landscaping – Cecilia Griego, of the Municipal Utilities and Engineering Department, provided an overview of activities associated with the Water Conservation Landscape Project at Civic Center. Mayor Aguilar, assisted by Ms. Griego, presented certificates of appreciation to representatives from Home Depot, Toro Company and Scotts/Miracle-Gro for their contributions to the beautification efforts around the civic center area.

PUBLIC COMMENTS:

Public Trust – Steve Rogers described his experiences as a City of Redlands resident trying to get involved in the issues facing local government today.

Religious Statement – Hayward Jackson quoted from the Bible.

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 October 4, 2011.

Ordinance No. 2731 – Disclosure of Closed Session Decisions - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved adoption of Ordinance No. 2731 adding and amending Chapters 2.17 and 2.60, respectively, of the Redlands Municipal Code relating to unclaimed property regulations and public disclosure of City Council closed session decisions. As a public comment, Steve Rogers used this item to cite a need for more elected official participation in the day to day operation of city government.

Ordinance No. 2757 – Student Membership of Commissions - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved adoption of Ordinance No. 2757 amending Chapters 2.32, 2.48 and 2.66 of the Redlands Municipal Code clarifying student membership for City Commissions.

Resolution No. 7087 – Countywide Vision - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved Resolution No. 7087 adopting the San Bernardino County-wide vision for our future. As a public comment, Steve Rogers questioned the utility and motivation of the vision document.

Delegate Designation - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved Councilmember Gardner to serve as the official voting delegate for the National League of Cities Congress of Cities annual business meeting to be held on November 12, 2011.

Settlement Disclosure - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council agreed to receive and file a settlement and general release agreement between the City of Redlands and Pharaoh's Water & Theme Park, Inc. Shahvand Aryana, and Aryana Management Group as a result of alleged violations of a conditional use permit authorizing the construction and operation of a family themed amusement park at 1101 North California Street. Under the stipulation included as part of the settlement, Pharaoh's Lost Kingdom (the Park) will not be used under conditions constituting a nuisance, including but not limited to holding all-night dance events. Councilmember Bean and City Manager Martinez recused themselves from discussions and voting on the settlement disclosure due to business associations with the parties involved.

Fee Waiver - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved a fee waiver request from the Kiwanis Club for fees associated with the Redlands Christmas Parade to be held on December 3, 2011.

Fee Waiver - On motion of Mayor Pro Tem Foster, seconded by Mayor Aguilar, the City Council approved a fee waiver request from Grass Roots Homeowners of Redlands for fees associated with the Halloween on Cajon Street event to be held on October 31, 2011. Councilmember Harrison, citing problems with crowd control at previous events at this location and the fact that the requesting party is not a charitable nonprofit organization, voted No on the motion along with Councilmember Gardner.

Social Network Marketing - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved an agreement between the City of Redlands and TMD Communications for a Social Network Marketing Director for the Redlands Police Department.

Fire Technical Service Support - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the annual renewal of an agreement between the City of Redlands and Physio-Control, Inc.

for technical service and support related to emergency cardiac monitoring devices.

RUSD Video Surveillance - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved a Memorandum of Understanding between the City of Redlands and the Redlands Unified School District (RUSD) to provide video surveillance system support and maintenance of equipment at Citrus Valley High School.

Master Services Agreement - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved an agreement between the City of Redlands and Sunesys for dark fiber licensing in support of the City of Redlands Video Surveillance Project.

COMMUNICATIONS:

Financial Policy Review – Tina Kundig, Finance Director and City Treasurer, introduced a review and discussion of the City of Redlands Capital Improvement Plan policies. In an effort to bring the City's unmet capital needs to the attention of the City Council and the community, the Departments of Innovation and Technology, Quality of Life and Municipal Utilities and Engineering (Engineering only) were each tasked to provide a list of their respective greatest unmet capital needs for this discussion. While these lists made clear the magnitude of the City's needs, the City Council was in agreement that the exercise was a great first step and very important to the effort of addressing these needs.

Unwanted Mail Reduction – Danielle Garcia, of the Quality of Life Department, presented an overview of Catalog Choice, a certified nonprofit program that enables people to reduce unwanted mail delivered to their home and workplace. On motion of Councilmember Bean, seconded by Mayor Pro Tem Foster, the City Council unanimously approved the City of Redlands' participation in the Catalog Choice program and authorized an appropriation of \$3,000 for fees associated with that participation.

NPDES – In response to a City Council request, Fred Mousavipour, Interim Director of Municipal Utilities and Engineering, presented a briefing on the National Pollutant Discharge Elimination System (NPDES) and Terry Fritz, NPDES Coordinator/Inspector, provided details associated with a fee reduction request from Bruce Gray, owner of the EconoWash Laundromat. After public comment from several speakers and questions from councilmembers, it became apparent the methodology used by the City of Redlands to recoup expenses associated with inspection and compliance requirements of the NPDES needs further examination. At the request of Councilmember Harrison, it was agreed that, within thirty days, staff would provide the City Council with a plan to address the confusion and inconsistencies associated with funding the NPDES.

DRBA Update – Oscar Orci, of the Development Services Department, introduced Al Hernandez, Chairman of the DRBA Merchant Board, who provided an overview of the purposes of the Downtown Redlands Business Association (DRBA), its activities, and some information on budget items. Mr. Hernandez then introduced Barbara Garcia, Chairperson of the DRBA, who further articulated the DRBA deficit budget situation and requested City Council guidance on ways of addressing the apparent exhaustion of reserve funds within the next two years. On motion of Councilmember Harrison, seconded by Mayor Pro Tem Foster, the City Council unanimously approved directing staff to look at disestablishing the DRBA, while keeping Thursday Market Night and the Saturday morning Farmers' Market activities as a self sustaining, stand alone enterprise, and to consider alternatives for economic development for a larger downtown area. As a public comment, Bill Cunningham provided a short history of Market Night and expressed his support for continuing both market activities.

PUBLIC HEARING:

Resolution No. 7078 – PBIA B – Discussion and voting on Resolution No. 7078, which orders the continued operation of Parking and Business Improvement Area (PBIA) B and confirms the Annual Report and assessment for FY 2011-2012, was tabled pending the disestablishment of the Downtown Redlands Business Area.

NEW BUSINESS:

Ordinance No. 2758 – Directional Signs - On motion of Councilmember Harrison, seconded by Mayor Pro Tem Foster, the City Council unanimously approved the introduction of Ordinance No. 2758 amending Chapter 12.55 of the Redlands Municipal Code relating to directional signs. The new ordinance would broaden the types of uses which could apply for directional signs to include certain nonprofit organizations which are defined as those in good standing under the law, and which have established education or cultural facilities that enhance tourism in the City of Redlands.

Landfill Design Services - On motion of Councilmember Harrison, seconded by Councilmember Bean, the City Council unanimously approved an agreement between the City of Redlands and Geo-Logic Engineering Services for the design of Phase III of the California Street Landfill. As a public comment, Steve Rogers voiced his concern about the process used to select the consultant.

Landfill Engineering Support - On motion of Councilmember Harrison, seconded by Councilmember Bean, the City Council unanimously approved an agreement between the City of Redlands and Stantec Consulting for services for

landfill gas and condensate engineering support and reporting for the California Street Landfill.

Property Disposition – Oscar Orci, Development Services Director, summarized the details of a proposal to purchase city owned property located north of Palmetto Avenue between Nevada Street and California Street, immediately adjacent to the California Street Landfill. As a public comment, several residents spoke in support of and opposition to the proposal. Those in support of the proposal highlighted potential uses for the \$12,345,911 in revenues from the sale of the property. Those opposed expressed a desire to delay the sale for a better opportunity or to not sell the property at all. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved a Conditional Property Disposition Agreement between the City of Redlands and Howard Industrial Partners, LLC to establish a framework for the submittal and processing of a development project on the 37.3 acres.

COUNCILMEMBER ACTIVITIES:

Santa Ana Sucker – Mayor Aguilar recently testified before a congressional subcommittee convened to discuss the issues associated with the habitat of the Santa Ana Sucker in our local river wash area.

Coffee with the Council – Mayor Aguilar and Councilmember Gardner were the most recent team of Councilmembers to participate in discussions with residents over coffee at the Redlands Family Restaurant.

Recognition Event – Mayor Pro Tem Foster attended the Northside Impact Committee annual awards and scholarships presentation and observed many of the City Fire and Police staff and volunteers were singled out for their contributions to the community.

Volunteer Cleanup Day – Mayor Pro Tem Foster reminded everyone that Saturday, October 22, 2011 would be a volunteer service day at the Redlands Boulevard median between Fern Avenue and Ford Street and encouraged citywide participation.

SCAG Issues – Councilmember Harrison discussed Southern California Associated Governments (SCAG) efforts to develop a Regional Transportation Plan and Sustainable Community Strategy. The Redlands Light Rail system proposal is being viewed as an effort to aide sustainability. He highlighted three issues being addressed in the process: a proposal for a separate route for trucks parallel to the Highway 60 Freeway, support for a high speed rail route utilizing existing infrastructure as opposed to a ground up approach along a different route, and looking at different ways to generate revenues to fund maintaining infrastructure.

Air Show – Councilmember Bean met with the Air Show committee after their cancellation of this year's event. He and Mayor Pro Tem Foster will function as liaison with the committee as they go through their decision making process as to whether or not they will have an air show next year.

ADJOURNMENT:

There being no further business to address, this meeting was adjourned at 8:48 P.M. The Council will meet at their next regular meeting on November 1, 2011.