

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 February 16, 2010 at 3:06 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; David Hexem, Chief Information Officer; Daniel Hobbs, Redevelopment Agency Director; 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; Gary Van Dorst, Quality of Life 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 - Animal Control Officer Bill Miller and Volunteer Lynda Ackerman introduced Nippy, a 7-month old parson/jack russell mix who is available for adoption at the Redlands Animal Shelter. Ms. Ackerman informed the Council that 30 dogs and 21 cats have been adopted since their previous meeting. Public Information Officer Carl Baker presented a brief video of a donation drive initiated by 7-year old Emma and almost 6-year old Sarah Benz-Blumberg and 6-year old Jackson Champ to raise money and supplies for the Animal Shelter.

CONSENT CALENDAR:

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

Appropriations - On motion of Mayor Pro Tem Bean, seconded by Councilmember Gallagher, the City Council unanimously approved additional appropriations for 2008-2009 year-end encumbrances and carryover balances.

Extension Request – On motion of Mayor Pro Tem Bean, seconded by Councilmember Gallagher, the City Council unanimously agreed to approve a request from Senior Housing Services, LLC for an extension of time for Revision No. 1 to Conditional Use Permit No. 768 to construct a one hundred sixty (160) unit senior apartment complex.

Extension Request – On motion of Mayor Pro Tem Bean, seconded by Councilmember Gallagher, the City Council unanimously agreed to approve a request from Redlands Property Management Trust for an extension of time for Conditional Use Permit No. 836 to construct a forty (40) unit apartment complex.

Resolution No. 6918 – Disposition of Records - On motion of Mayor Pro Tem Bean, seconded by Councilmember Gallagher, the City Council unanimously agreed to approve the disposition, in accordance with Government Code Section 34090 and Resolution No. 6576, of certain records held by the City Attorney's office.

Eagle Scout Achievement - On motion of Mayor Pro Tem Bean, seconded by Councilmember Gallagher, the City Council unanimously agreed to approve Certificates of Achievement to Alexander N. Beechko, Michael A. Dalluge, Nicolas R. Perez, Christopher A. Sidor, and Kyle Smith for attaining the highest rank in scouting of Eagle Scout.

Liaison Appointment - On motion of Mayor Pro Tem Bean, seconded by Councilmember Gallagher, the City Council unanimously agreed to approve the appointment of Councilmember Aguilar as the liaison alternate to the Omnitrans Board and the SanBag Board.

Redlands TV Policy - On motion of Mayor Pro Tem Bean, seconded by Councilmember Gallagher, the City Council unanimously agreed to increase the number of taped replays of City Council and Planning Commission meetings on Redlands' Government Access Cable TV Channel.

Property Sale - On motion of Mayor Pro Tem Bean, seconded by Councilmember Gallagher, the City Council unanimously agreed to approve the sale of City owned property located at the northeast corner of Mountain View Avenue and San Bernardino Avenue to Southern California Edison and authorize the Mayor to execute the purchase and sale agreement.

Advisory Committee Applications - On motion of Mayor Pro Tem Bean, seconded by Councilmember Gallagher, the City Council unanimously agreed to authorize staff to advertise for applications for the 2010 Utility Advisory Committee.

Resolution No. 6923 – Administration of Caltrans Agreements - On motion of Mayor Pro Tem Bean, seconded by Councilmember Gallagher, the City Council unanimously agreed to approve Resolution No. 6923 designating the responsibility for the administration of Caltrans State Program Agreements for state and federally funded capital improvement projects to the Director of Municipal Utilities and Public Works Engineer.

Support for SB 827 - On motion of Mayor Pro Tem Bean, seconded by Councilmember Gallagher, the City Council unanimously agreed to authorize the Mayor to send a letter to the Environmental Protection Agency requesting denial of petitions by environmental organizations to block recently enacted SB 827 (Wright 2009) or AB 1318 (M. Perez) which allows small businesses, essential public services, and exempt facilities to use South Coast Air Quality Management District internal account credits to meet emission requirements.

Citrus Preservation Grant - On motion of Mayor Pro Tem Bean, seconded by Councilmember Gallagher, the City Council unanimously agreed to receive and file a grant agreement between the City and South Coast Air Quality Management District for \$25,000.00 for the Citrus Preservation Project.

COMMUNICATIONS:

Master Trails Plan - On motion of Mayor Pro Tem Bean, seconded by Councilmember Gallagher, the City Council unanimously agreed to authorize the allocation of staff time and resources to meet with the County Parks for the purpose of the development of a master trails plan.

Sustainability Action Plan – Jan Hudson presented a summation of the past year’s efforts of the Climate Action Task Force (CATF). The City Council provided guidance on how to go about reviewing the Draft Redlands Sustainability Action Plan. As a public comment, Bob Roberts remembered an effort at the Jocelyn Center which was a lively discussion, but ended in no real consensus. Former Mayor Bill Cunningham advised the council to present the Plan to the public for reaction as soon as possible and to have the hearing in the evening so more people can attend.

Haiti Relief Efforts – Fire Chief Frazier reported on his experiences as a participant in Haiti earthquake relief operations. He suggested the lessons to be learned from the events in Haiti for Redlands are to promote code enforcement and emergency preparedness, and continue planning, staffing and training for the event of a major earthquake in Southern California.

UNFINISHED BUSINESS:

Safety Hall – On motion of Mayor Pro Tem Bean, seconded by Councilmember Gallagher, the City Council voted to authorize the City Manager to negotiate

and execute a contract with Kosmont Companies not-to-exceed \$50,000, the initial phase of which should include a space needs analysis and a determination as to whether utilizing the existing Safety Hall building is a reasonable thing to do before seeking community feedback and assessing other sites. The exact work to be done within the scope of the \$50,000 would be up to the staff. Councilmember Harrison voted against the motion stating concerns that the proposal should be looking at more options in parallel rather than a series approach of looking first at the existing Safety Hall and then other options. Councilmember Aguilar voted against the motion stating his support for the staff proposal as presented. As a public comment, Stephen Rogers expressed concerns that the Safety Hall Request for Proposal was too vague to clearly define the facility the City needs.

NEW BUSINESS:

Mid-Year Budget Review – Finance Director/City Treasurer Tina Kundig provided an update of the City of Redlands Deficit Reduction Plan progress. As of December 31, 2009, the General Fund shortfall for the Fiscal Year 2009-2010 is projected at approximately \$2.1 million. The City Manager and staff will continue to explore additional expenditure reductions. The City Council will be kept apprised and will approve program reductions.

Initiative Impact Report - On motion of Mayor Pro Tem Bean, seconded by Councilmember Gallagher, the City Council unanimously agreed to receive and file the Fiscal Impact Analysis for the “Initiative for Responsible Retail in Redlands” Report presented by Tierra West Advisors. As a public comment, Stephen Rogers questioned whether the report was within the scope of the contract between the City of Redlands and Tierra West Advisors.

Resolution No. 6924 Initiative Ordinance – As a public comment, Stephen Rogers called for the immediate adoption of the initiative ordinance. On motion of Councilmember Gallagher, seconded by Mayor Pro Tem Bean, the City Council unanimously agreed to adopt Resolution No. 6924 submitting, without alteration, the initiative ordinance of the people of Redlands adding Chapter 18.275 to the Redlands Municipal Code to prohibit the approval of “Mega-Retail Development” to the voters on June 8, 2010, a special municipal election, and to appropriate \$55,500 in the General Fund to accommodate the costs of accomplishing the special election.

Ballot Arguments - On motion of Mayor Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously agreed to submit a written argument against the proposed ordinance entitled “An Initiative Ordinance of the People of Redlands adding Chapter 18.275 to the Redlands Municipal Code to Prohibit the Approval of ‘Mega-Retail’ Development.” A subcommittee of Mayor Pro Tem Bean and Councilman Aguilar was appointed to draft the written argument.

City Clerk Compensation – After discussion and guidance on ways to make the City Clerk’s compensation options more consistent with staff management level positions, the Council agreed to continue this item to the next regular meeting.

SCAG Delegates - On motion of Mayor Pro Tem Bean, seconded by Councilmember Gallagher, the City Council unanimously agreed to designate Mayor Gilbreath to serve as delegate for the 2010 Southern California Association of Governments (SCAG) General Assembly and Councilmember Harrison to serve as alternate.

PUBLIC HEARING:

Resolution No. 6921 – East Valley Corridor - On motion of Councilmember Aguilar, seconded by Councilmember Gallagher, the City Council unanimously agreed to approve Resolution No. 6921 amending Specific Plan No. 40 to allow, as a permitted land use, beauty salons including ancillary services such as medical massage therapy in the District of the East Valley Corridor Specific Plan.

Ordinance No. 2727 – Sign Code - On motion of Mayor Pro Tem Bean, seconded by Councilmember Gallagher, the City Council unanimously agreed to introduce Ordinance No. 2727 amending Section 15.36.290(D) of the Redlands Municipal Code to permit freestanding identification signs within the front yard setback of a multiple-family project containing fifty (50) or more residential units located within the multiple-family residential zoning districts.

PUBLIC COMMENTS:

None forthcoming.

CLOSED SESSION:

The City Council meeting recessed at 6:28 P.M. to a closed session to discuss the following:

1. Conference with real property negotiator – Government Code §54956.8
Property: APN 0168-121-13; APNs 0618-161-07,-08 and 0168-121-06,-08
Agency negotiators: N. Enrique Martinez, Rosemary Hoerning, Gary Van Dorst
Negotiating party: Bruce Hinckley
Under negotiation: Terms and price for the possible sale or exchange of City-owned property
2. Conference with legal counsel: Existing Litigation - Government Code §54956.9(a) – Three cases
 - a. Workers’ Compensation Administrative Proceedings for Clint Ketcherside, Charles Kraft and Marshall Mead.
3. Conference with legal counsel: Existing Litigation - Government Code §54956.9(a)
 - a. The Redlands Association v. City of Redlands, et al, San Bernardino Superior Court Case No. CIVDS 901208
4. Conference with legal counsel: Anticipated Litigation - Government Code §54956.9(b)
 - a. Facts and circumstances: Threat of litigation by Redlands Country Club regarding non-potable water rates.
5. Public Employee Performance Evaluation – Government Code §54957

CLOSED SESSION REPORT

City Attorney McHugh announced by a unanimous vote the members of the City Council approved the Workers’ Compensation settlement agreement with Marshall Mead.

ADJOURNMENT

There being no further action required, the City Council meeting adjourned at 7:26 P.M. The City Council will meet at their next regularly scheduled meeting on March 2, 2010.