

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 6, 2007, at 3:00 P.M.

PRESENT Jon Harrison, Mayor  
Pat Gilbreath, Mayor Pro Tem  
Gilberto Gil, Councilmember  
Mick Gallagher, Councilmember  
Pete Aguilar, Councilmember

ABSENT None

STAFF Sam J. Racadio, Interim City Manager; Daniel J. McHugh, City Attorney; Lorrie Poyzer, City Clerk; Michael Reynolds, City Treasurer; Jim Bueermann, Police Chief; Jim Drabinski, Fire Chief; Steven H. Dukett, Interim Redevelopment Agency Director; Tina Kundig, Finance Director; Tom Steele,, Assistant Finance Director; Tom Fujiwara, Assistant Public Works Director; Gary G. Phelps, Municipal Utilities Director; and Jeffrey L. Shaw, Community Development Director

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

#### DEPARTMENTAL INFORMATION REPORT

A. K. Smiley Public Library - Library Director Burgess reported about the events scheduled for the celebration of the 75th anniversary of the opening of the Lincoln Memorial Shrine.

#### PRESENTATIONS

Proclamation - Human Relations Commission - Councilmember Gilbreath moved to authorize the issuance of a proclamation declaring February 2007 as National African American History Month and honoring Israel Beal. Motion seconded by Councilmember Gallagher and carried unanimously. Amos Isaac, member of the Human Relations Commission, introduced the great grandson and extended family members of Israel Beal who had been freed from slavery by Abraham Lincoln's Emancipation Proclamation and was the first African American in a small group of Lugonia and Redlands pioneers. "Doc" Beal, as he was known in Redlands, had a reputation for industry, integrity and good character. Mayor Harrison read the proclamation in full and presented copies to the Beal family and Dr. Isaac.

Proclamation - National Child Passenger Safety Week - Councilmember Gilbreath moved to authorize a proclamation declaring February 12-16, 2007, as National Child Passenger Safety Week. Motion seconded by Councilmember Gallagher and carried unanimously. Mayor Harrison presented the

proclamation to Melanie Kent, Health Education Assistant with the San Bernardino County Department of Public Health.

Thomas A. Osborne, Planning Commissioner - Mayor Harrison presented a plaque to Thomas A. Osborne in appreciation for his 12 years of dedicated service to the City of Redlands as Planning Commissioner. Community Development Director Shaw also thanked Mr. Osborne for his service. Five former and current Planning Commissioners were in the audience to acknowledge his service. Mr. Osborne said it was a pleasure to have served as he enjoyed it. Having served for 12 years, Mr. Osborne was no longer eligible for re-appointment.

### CONSENT CALENDAR

Minutes - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the minutes of the regular meeting of January 16, 2007, were approved as submitted.

Bills and Salaries - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, payment of salaries and bills was acknowledged.

Lease Purchase - Police Vehicle - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved a lease-purchase agreement with Ford Motor Credit Company for one Ford Crown Victoria sedan for the Police Department and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Planning Commission Actions - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the report of the Planning Commission meeting held on January 23, 2007, was acknowledged as received.

Amendment - Funding Agreement - RAFCO Development - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved the second amendment to the funding agreement with RAFCO Development for preparation of an Environment Impact Report and City administrative costs for Conditional Use Permit No. 836 and Demolition No. 68, and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Amendment - Agreement - ECORP Consulting Inc. - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved the second amendment to the contract with ECORP Consulting, Inc. for preparation of an Environment Impact Report and City administrative costs for Conditional Use Permit No. 836 and Demolition No. 68, and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Extension of Escrow - Chiesman Family Trust - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously acknowledged the extension of escrow with The Chiesman Family Trust for the purchase of property (APN 0175-011-76) which reflects the City Council's terms and conditions determined in a closed session and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Fee Waiver - Redlands Bicycle Classic - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved the request of the Redlands Bicycle Classic to waive all City-related fees, costs and charges associated with the 23rd annual race to be held on March 22-25, 2007.

Appointments - Housing Commission - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously reappointed Daniel F. Kaiser to serve a four-year term on the Housing Commission ending January 18, 2007, as recommended by Mayor Harrison. On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously reappointed Reyes L. Quezada to serve another four-year term on the Housing Commission ending January 18, 2007, as recommended by Mayor Harrison.

Appointment - Parks Commission - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously appointed Lauren Mudge to serve as the student commissioner on the Parks Commission as recommended by Mayor Harrison.

Proclamation - Coach Gary Smith - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously authorized issuance of a proclamation honoring University of Redlands' Coach Gary Smith for his dedication to the youth of our community and wishing him well in his retirement as recommended by Councilmember Gallagher.

Resolution No. 6573 - Transportation Improvement Fees - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously adopted Resolution No. 6573, a resolution of the City Council of the City of Redlands amending Resolution No. 6561 relating to Transportation Improvement Fees.

Funds - Donation - Street Tree Master Plan - Councilmember Gilbreath noted that once the Street Tree Master Plan has been prepared, trees will be planted. In retrospect, this was a good move as any trees planted earlier would have been lost in the recent freeze. Councilmember Gilbreath moved to accept the donation of \$6,250.00 from the Street Tree Committee through the Redlands Community Foundation to be used for the preparation of a Street Tree Master

Plan and approved the appropriation of the same to the Parks/Street Tree Division to be used for services from West Coast Arborists for this purpose. Motion seconded by Councilmember Gil and carried unanimously.

Agreement - Acceptance of Filter Cake - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved the agreement to furnish environmental review services with Tom Dodson and Associates for the acceptance of Mountain View Power Plant filter cake and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

License Agreement - Kangaroo Rat Habitat - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved a license agreement with Standard Pacific Corporation for entry upon City property to perform grubbing and clearing work to develop a pilot project for the relocation of the San Bernardino Kangaroo Rat habitat and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Ordinance No. 2654 - Wastewater Rates and Charges - Tom Slemmer, who served on the Utilities Advisory Committee, expressed concerns about the implementation of Proposition 18 regulations regarding the wastewater and water services rates and charges. Ordinance No. 2654, an ordinance of the City of Redlands amending Chapters 3.26 and 13.44 of the Redlands Municipal Code relating to rates and charges for wastewater services, was unanimously adopted on motion of Councilmember Gilbreath, seconded by Councilmember Gallagher.

Ordinance No. 2655 - Water Services Rates and Charges - Tom Slemmer, who served on the Utilities Advisory Committee, expressed concerns about the implementation of Proposition 18 regulations regarding the wastewater and water services rates and charges. Ordinance No. 2655, an ordinance of the City of Redlands amending Chapters 3.52, 3.53, 3.12 and 13.166 of the Redlands Municipal Code relating to rates and charges for water service, was unanimously adopted on motion of Councilmember Gilbreath, seconded by Councilmember Gallagher.

## COMMUNICATIONS

Meeting Attendance - No reports forthcoming.

Support Proposition 1B - Mayor Pro Tem Gilbreath asked the City Council to consider sending letters to members of the California Transportation Commission and California State Legislature requesting support of Proposition 1B - Corridor Mobility Improvement Account for funding transportation projects in San Bernardino County as requested by the San Bernardino

Associated Governments (SANBAG). The purpose of this campaign is to urge support for funding of critical transportation projects in San Bernardino County. Councilmember Gilbreath moved to authorize the Mayor to sign letters to members of the California Transportation Commission and California state Legislature requesting support of Proposition 1B - Corridor Mobility Improvement Account for funding transportation projects in San Bernardino County. Motion seconded by Councilmember Aguilar and carried unanimously.

Appointments - Historic and Scenic Preservation Commission - Mayor Harrison moved to reappoint Rosemary Herenden to serve a four-year term on the Historic and Scenic Preservation Commission ending January 18, 2011. Motion seconded by Councilmember Gilbreath and carried unanimously. Mayor Harrison moved to appoint Matt Millett to serve a four-year term on the Historic and Scenic Preservation Commission ending January 18, 2011. Motion seconded by Councilmember Gilbreath and carried unanimously.

Green Building Presentation - Mayor Harrison announced a presentation on Green Building principles and the Leadership in Energy and Environmental Design (LEED) Rating System by Mary Tucker, Environmental Program Manager with the City of San Jose will be held on March 8, 2007. Members of the City Council, City staff and Planning Commissioners are encouraged to attend this information meeting. Further details of this meeting will be forthcoming.

Redlands Pioneer Business Center - Mayor Harrison urged the City Council to authorize transmittal of a letter to the County of San Bernardino opposing the proposed Prologis Project (Redlands Pioneer Business Center) at Pioneer Avenue and the I-30 Freeway. A draft letter was presented to the City Council outlining concerns about the emerging land use pattern of warehouses larger than 200,000 square feet at the gateway to Redlands and the health risks associated with fine particulate resulting from the burning of diesel fuel. Councilmember Harrison moved to authorize the Mayor to send a letter to Ms. Julie Rynerson, Director of Land Use Services Department, County of San Bernardino opposing this project in its currently proposed configuration. Motion seconded by Councilmember Gallagher and carried unanimously. Councilmember Gilbreath suggested also incorporating discussions with the property owner.

Financial Reports - Interim City Manager Racadio introduced Mike Harrison, Certified Public Accountant for Mayer Hoffman McCann P.C. who reviewed the scope of the audit and details of the audit of the City, Redevelopment Agency, grant monies and appropriations limit. His firm has rendered an unqualified opinion and noticed no weaknesses in procedure and no compliance exceptions in the single audit reports for the City and the Redevelopment Agency. Mr. Harrison noted the Finance Department has received the

"Certificate of Achievement for Excellence in Financial Reporting" award from the Government Finance Officers Association of the United States and Canada for its Comprehensive Annual Financial Report for years ending June 30, 2003, 2004, and 2005. Following discussion, Councilmember Gilbreath moved to accept the City of Redlands Comprehensive Annual Financial Report, the Single Audit Report on Federal and Selected State Awards, and the Independent Auditor's Report on agreement upon procedures applied to the Appropriation Limit Worksheets for the year ended June 30, 2006. Motion seconded by Councilmember Aguilar and carried unanimously.

Fiscal Trend Analysis - Interim City Manager Racadio presented the review prepared by the Finance Department of the current budget based on financial assumptions at mid-year. (The Fiscal Trend Analysis is available for viewing at [www.ci.redlands.ca.us](http://www.ci.redlands.ca.us)). It is apparent the City of Redlands, for the past four years, has been spending more than it has been receiving in revenue in the General Fund. This fiscal challenge is coming to the point where strategic planning is critical and action will need to be taken. It is important that such actions not be reactionary but be comprehensive, well thought out and strategic in order to ensure that the outcome is in fact what the City Council and the community desires. Interim City Manager Racadio presented a detailed analysis of the fiscal situation with projections. Strategic operations options suggested were: hiring freeze, functional analysis for organizational efficiencies (management audit), determination of critical services with the potential to reduce/combine services as needed, attempt to reopen labor contracts for cost savings, defer non-essential and non-urgent projects, consider bonding for long-term expenses (existing bonds, unfunded liabilities, etc.) and devise a work program. Revenue enhancement options might include street light assessment/park maintenance district, investigate charging for and, in some cases, reducing the subsidy for services, increase the paramedic tax, lease utility assets, a utility user tax, sales tax increase and transient occupancy tax. Councilmembers discussed this matter at length.

Hiring Freeze - Councilmember Gilbreath moved to approve an immediate hiring freeze for all new vacant positions in all departments within the City, with only rare exceptions granted by the City Manager for a position that may impact overall operations of the City with certain exceptions for those revenue generating positions. Motion seconded by Councilmember Aguilar and carried unanimously with Councilmember Gil stating he did not want to consider layoffs.

Management Audit - Councilmember Gilbreath moved to authorize the City Manager to seek proposals from independent management audit firms to perform a comprehensive functional analysis for organization efficiencies. Motion seconded by Councilmember Aguilar and carried unanimously with the caveat from Councilmember Gil that the contract not be approved without input from the new City Manager.

Expenditure Reduction - Councilmember Gilbreath moved to direct staff to begin the process of expenditure reduction for the current budget year. Motion seconded by Councilmember Aguilar and carried unanimously.

Study Session - Councilmember Gilbreath moved to set a future study session to start discussing strategic options for operational efficiencies and revenue enhancements prior to receiving the management audit. Motion seconded by Councilmember Aguilar and carried unanimously.

Major Capital Projects - In light of the financial situation presented earlier, Mayor Harrison suggested folding the discussion of evaluating and prioritizing the major capital projects which have been presented to the City Council in workshops: construction of a police and/or fire station; city-wide street, curb, sidewalk and street tree improvements; construction of a downtown parking structure; preservation, maintenance and acquisition of open space and parks; and funding strategies and impacts for completing critical projects. On behalf of the Infrastructure Committee, David Garcia urged the City Council to act on their recommendation to hold an election on a five percent Utility Users Tax to fund street, curb and sidewalk improvements. Agreeing with Mr. Garcia were Don Eickman and Tom Slamal.

## PUBLIC COMMENTS

North Redlands Vision Committee - Mario Saucedo asked the City Council for direction or commitments on the report submitted last July by the North Redlands Vision Committee regarding participation in the review of the General Plan, revitalization of The Terrace, Preserve America grant, and a library on the north side.

OmniTrans Public Hearing - Mayor Pro Tem Gilbreath announced OmniTrans will hold a public hearing on Wednesday, February 7, 2007, at the A. K. Smiley Public Library to evaluate routes. Councilmember Gil thought it was critical to get riders out to this meeting.

Streets - Russell Richardson complained about the painting of the lines on our street as they are in bad shape.

## JOINT MEETING - CITY COUNCIL AND REDEVELOPMENT AGENCY

Agreement - TKE Engineering, Inc. - Councilmember Gilbreath moved to approve a professional services agreement with TEC Engineering, Inc. for professional civil engineering services and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City. Motion seconded by Councilmember Gil and carried unanimously. (Also see Redevelopment Agency minutes dated February 6, 2007.)

Agreement - Urban Futures, Inc. - Councilmember Gilbreath moved to approve a professional services agreement with Urban Futures, Inc. for financial advisory and related professional services to assist in the evaluation of a variety of public financing vehicles in relation to both the City's general fund workout approach and the Redevelopment Agency's low- to moderate-income fund and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City. Motion seconded by Councilmember Gil and carried unanimously. (Also see Redevelopment Agency minutes dated February 6, 2007.)

### CLOSED SESSION

The City Council meeting recessed at 5:04 P.M. to continue the Redevelopment Agency meeting and reconvened at 5:06 P.M. to a closed session to discuss the following:

1. Conference with legal counsel - Anticipated litigation - Government Code Section 54956.9(c) - Possible initiation of litigation - One case
2. Conference with legal counsel - Government Code Section 54957  
Public employee Dismissal/Release - Consideration of disability retirement applications of Alfred Stevens, Carlos Pimentel and David Kessler
3. Conference with labor negotiator - Government Code Section 54957.6  
Agency negotiator: Sam J. Racadio, Interim City Manager  
Employee organization: Redlands Association of Safety Management Employees
4. Conference with legal counsel - Anticipated litigation - Government Code Section 54956.9(b)  
Two cases: Facts and circumstances - Consider tort claims of Mac Investment and of David and Jeannie Gauthier

The meeting reconvened at 5:59 P.M.

### PRESENT

Jon Harrison, Mayor  
Pat Gilbreath, Mayor Pro Tem  
Gilberto Gil, Councilmember  
Mick Gallagher, Councilmember  
Pete Aguilar, Councilmember

### ABSENT

None

### STAFF

Sam J. Racadio, Interim City Manager; Daniel J. McHugh, City Attorney; and  
Lorrie Poyzer, City Clerk

### CLOSED SESSION REPORT



City Attorney McHugh reported the following actions were taken during the closed session:

Resolution No. 6568 - Disability Retirement - Stevens - By unanimous vote, the City Council approved Resolution No. 6568, a resolution of the City Council of the City of Redlands authorizing an industrial disability retirement for Alfred Stevens, Fire Battalion Chief.

Resolution No. 6570 - Disability Retirement - Pimentel - By unanimous vote, the City Council approved Resolution No. 6570, a resolution of the City Council of the City of Redlands authorizing an industrial disability retirement for Carlos Pimentel, Police Sergeant, and rescinding Resolution No. 6507.

Resolution No. 6574 - Disability Retirement - Kessler - By unanimous vote, the City Council approved Resolution No. 6574, a resolution of the City Council of the City of Redlands authorizing an industrial disability retirement for David Kessler, Firefighter/Paramedic.

RASME Memorandum of Understanding - On a three-two vote, with Councilmembers Gilbreath and Gallagher voting NO, the City Council approved Amendment No. 4 to the Memorandum of Understanding between the City of Redlands and the Redlands Association of Safety Management Employees.

## ADJOURNMENT

There being no further business, the City Council meeting adjourned at 6:00 P.M. in memory of Jane Corwin, Former Woman of the Year, and Doug Pew, former Planning Commissioner. The next regular meeting will be held on February 20, 2007.