

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 April 3, 2012 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: Enrique Martinez, City Manager; Dan McHugh, City Attorney; Sam Irwin, City Clerk; Carl Baker, Public Information Officer; Jeff Frazier, Fire Chief; Mark Garcia, Police Chief; David Hexem, Chief Information Officer; Fred Mousavipour, Municipal Utilities and Engineering Director; Fred Cardenas, Quality of Life Director; Tina Kundig, Finance Director/City Treasurer; Oscar 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 5:01 P.M. to a closed session to discuss the following:

1. Conference with real property negotiator – Government Code §54956.8
Property: APN 0294-121-20 (28922 San Timoteo Cyn Rd)
Agency negotiators: N. Enrique Martinez, Oscar Orci
Negotiating party: Gordon English
Under negotiation: Terms and price for City purchase of property
2. Conference with real property negotiator – Government Code §54956.8
Property: APN 022-111-02
Agency negotiators: N. Enrique Martinez, Fred Mousavipour
Negotiating party: Jill Wicke representing Metropolitan Water District
Under negotiation: Terms and price for City purchase of property
3. Conference with labor negotiator - Government Code §54957.6
Agency Negotiator: Richard Kreisler

Employee Organizations: Redlands Association of Department Directors; Redlands Association of Management Employees; Redlands Association of Mid-Management Employees; General Employees Association of Redlands (SBPEA); Redlands Civilian Safety Employees Association; Redlands Police Officers Association; Redlands Professional Firefighters Association; Redlands Association of Safety Management Employees; and Redlands Association of Fire Management Employees
Unrepresented Employees: City Manager and City Attorney

4. Public Employee Goal Setting 2012-2013 and Performance Evaluation – Government Code §54957
Title: City Manager

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 no reportable actions were taken during the closed session.

PRESENTATIONS:

Redlands Animal Shelter – Animal Control Volunteers Cyndy Dunham and Juan Nunez introduced Rugar, a white, a two year old male German shepherd, who is available for adoption with forty other dogs and seventeen cats, at the Redlands Animal Shelter. Ms. Dunham informed the Council thirty-six dogs and fifteen cats have been adopted since the last City Council meeting.

PUBLIC COMMENTS:

Call for Vigilance - Lane Schneider read a resolution from the San Bernardino County Republican Party voicing opposition to United Nations Agenda 21. The resolution asserts that Agenda 21 is being used to advocate sustainable development in San Bernardino County to the detriment of the business and economic development.

Availability of Water – Al Kelley expressed concern about the future availability of water for the Redlands community.

Corporate Personhood – Several members of the Occupy Redlands movement were joined by members of Citizens Action for Peace to point out their activities and present points for discussion in support of a resolution calling for a reversal of court decisions which grant Constitutional rights to corporations and characterize the spending of money as a form of speech also protected by the US Constitution. The group cited support from the City of Redlands Human

Relations Commission and expressed frustration with their inability to get their resolution on the City Council meeting agenda.

Observations – Dennis Bell expressed skepticism for sustainability priorities within the City of Redlands.

Tree Trimming – Jesse Siglow described his neighborhood's failed efforts to trim the trees in front of their homes and asked for assistance in getting the work done.

Open Government – Stephen Rogers expressed concern as to what is being discussed by the City Council in closed sessions.

Management Critique – Nine individuals spoke consecutively to present a critical analysis of the performance of the City of Redlands government over the past five years and introduced a paper entitled *City Government Sustainability and Ethics* for consideration by the City Council.

CONSENT CALENDAR:

Minutes – On motion of Mayor Pro Tem Foster, seconded by Councilmember Harrison, the City Council unanimously approved the minutes of the special meeting of March 19, 2012 and the regular meeting of March 20, 2012.

Commissioner Appointments - On motions of Mayor Pro Tem Foster, seconded by Councilmember Harrison, the City Council unanimously approved the reappointment of Gary Branstetter and Wayne Mishak, and the appointment of Gary McCormick, to serve four year terms on the Citrus Preservation Commission ending April 16, 2016.

Resolution No. 7147 – Grant Acceptance - On motion of Mayor Pro Tem Foster, seconded by Councilmember Harrison, the City Council unanimously approved Resolution No. 7147, authorizing the acceptance of grant funds from the Transportation Development Act, Article 3, Bicycle Pedestrian Facilities Program.

Fee Waiver - On motion of Mayor Pro Tem Foster, seconded by Councilmember Harrison, the City Council unanimously approved a request from Stater Bros. Charities for a waiver of fees associated with the 5th Annual Believe Walk events which will be held on September 29, October 6 and October 7, 2012.

Resolution No. 7142 – Water Shares Voting Authorization - On motion of Mayor Pro Tem Foster, seconded by Councilmember Harrison, the City Council unanimously approved Resolution No. 7142, authorizing staff to represent and

vote on behalf of the City of Redlands at water company shareholder board meetings.

COPS Grant Modification - On motion of Mayor Pro Tem Foster, seconded by Councilmember Harrison, the City Council unanimously approved modifications to the Community Oriented Policing Services (COPS) Hiring Grant No. 2011UMWX0029. The purpose of the modification is to avoid laying off two Community Policing Officers whose positions were previously funded by the now dissolved Redevelopment Agency.

COPS Software - On motion of Mayor Pro Tem Foster, seconded by Councilmember Harrison, the City Council unanimously approved the sole source purchase of a digital information management system from Linear Systems in the amount of \$53,998.40 to be funded by a US Department of Justice COPS Technology Program grant.

Grant Application - On motion of Mayor Pro Tem Foster, seconded by Councilmember Harrison, the City Council unanimously approved authorization to apply to the US Department of Homeland Security, Federal Emergency Management Agency for a 2012 Fire Prevention and Safety grant.

ACTIONS TAKEN BY THE CITY COUNCIL AS SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF REDLANDS

Ad Hoc Committee Appointment - On motion of Mayor Pro Tem Foster, seconded by Councilmember Harrison, the City Council unanimously approved the appointment of Mayor Pro Tem Foster and Councilmember Harrison to an ad hoc committee of the Successor Agency to the Redlands Redevelopment Agency.

PUBLIC HEARINGS:

Land Use – BNY, Inc. Applicant – Mayor Aguilar opened the public hearing and called upon Chris Boatmen, from the Development Services Department, to provide the background leading to an application for the development of a multifamily dwelling condominium project on approximately 3.14 acres located on the east side of Occidental Drive, approximately 657 feet north of Brockton Avenue. Prior to any testimony, Councilmember Bean took issue with the proposed Conditional Use Permit (CUP) No. 986 which contained a requirement for the installation of a Redlands Police Department video surveillance camera in the common area of the development. A motion of Councilmember Bean, seconded by Councilmember Harrison, citing invasion of privacy as reason to remove the surveillance system requirement, was defeated by a vote of three to two. Mayor Aguilar, Mayor Pro Tem Foster and Councilmember Gardner voted No on the motion. On a motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council voted to

change the video surveillance system requirement to move the camera location from the common area to the roof of a building adjacent to the entrance to the development. Councilmembers Bean and Harrison voted No on the second motion. Representing the applicant, Bud Thatcher summarized the design changes made to the development since the item was addressed by the City Council on December 20, 2011. As a public comment, residents from the neighborhood adjacent to the proposed development expressed both support and opposition to the project. Opposition centered on the proposed zone change from single family residences to multi-family dwellings. Lane Schneider read from the 4th Amendment of the Bill of Rights of the US Constitution and said the proposed video surveillance system on private property would be a violation of citizens' right to privacy. Another motion from Councilmember Bean, to remove a condition for approval requiring electric charging stations in every garage of the development, was not considered due to lack of a second. On a motion of Mayor Aguilar, seconded by Mayor Pro Tem Foster, the City Council unanimously voted to continue to the regular City Council Meeting on April 17, 2012, the public hearings for consideration of a Mitigated Negative Declaration, Socio-Economic Cost/Benefit Study, General Plan Amendment No. 2012-1-A, Zone Change No. 439, Street Vacation No. 154, CUP No. 986 and Tentative Tract No. 18795.

NEW BUSINESS:

Ordinance No. 2773 – Rental Permits – Finance Director Kundig provided an overview of a proposed ordinance to enhance administration of rental units within the City of Redlands. As a public comment, Bill Cunningham took issue with the fee structure associated with the ordinance. Steve Rogers indicated the current program for managing rental properties is sufficient and the proposed ordinance is not necessary. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the introduction of Ordinance No. 2773 amending Chapters 5.04 and 5.98 of the Redlands Municipal Code relating to permit requirements for rental dwelling units. The amendment to Chapter 5.04 will provide that any person renting a dwelling unit subject to Chapter 5.98 shall not be issued a business license unless that person has a valid dwelling unit rental permit. The amendments to Chapter 5.98 will make changes to the City's process for the issuance of rental dwelling unit permits to reassign some duties and responsibilities from the Quality of Life Department to the Finance Department. Discussion highlighted the fact that fees associated with the ordinance will be addressed by resolution as a separate agenda item at a later meeting of the City Council.

Tree Trimming – Quality of Life Director Cardenas summarized changes to the current contract for tree trimming within the City of Redlands. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved an agreement between the City of Redlands and West Coast Arborists, Inc. for tree trimming in the amount of \$398,468. The

agreement requires approximately 10, 486 trees to be trimmed by June 30, 2012, at a lower cost per tree than the City's previous contract with West Coast.

Citywide Pavement Repair – Municipal Utilities and Engineering Director Mousavipour summarized the citywide paving accomplishments of the City of Redlands over the past four years. On motion of Councilmember Bean, seconded by Mayor Pro Tem Foster, the City Council unanimously approved a contract between the City of Redlands and KAD Paving Company in the amount of \$193,850 for the 2012 Citywide Pavement Repair for Water Projects.

Litigation Expense - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved an additional appropriation of \$75,000 for payment of the anticipated costs associated with the City Council's direction to initiate litigation. As a public comment, Steve Rogers observed the staff report for this item is insufficient in detail.

Health Insurance Contract - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved a contract renewal for medical insurance coverage with HealthNet for employees and their dependents in the Redlands Police Officers Association and the Redlands Association of Safety Management Employees. As a public comment, Steve Rogers observed the date of this approval is subsequent to the commencement of the term of the coverage.

Computer Systems Upgrade – Chief Information Officer Hexem summarized proposed upgrades in systems in the Finance, Human Resources and Innovation Technology Departments. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the sole source procurement of necessary computer hardware and a professional services agreement between the City of Redlands and SunGard for the upgrades.

COUNCILMEMBER ANNOUNCEMENTS AND ACTIVITIES:

SCAG Conference – Councilmember Harrison announced he will be attending the Southern California Association of Governments (SCAG) Regional Council where actions will lead to the adoption of the Regional Transportation Plan and Programmatic Environmental Impact Report which is the plan for federal and local funding for the improvement of various modes of transportation throughout the six Southern California counties.

ADJOURNMENT:

There being no further business to address, this meeting was adjourned at 9:16 P.M. The Council will meet at their next regular meeting on April 17, 2012.