

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 June 5, 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; Phil Mielke, Innovation and Technology Department; 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 5:00 P.M. to a closed session to discuss the following:

1. Conference with legal counsel: Existing Litigation - Government Code §54956.9(b)(2) - One Case
 - a. Facts and Circumstances: DFEH “Right to Sue” letter forwarded to the City by Counsel for a City Employee

The meeting reconvened at 6:03 P.M. with an invocation by Councilmember Bean followed by the pledge of allegiance to the American flag.

CLOSED SESSION REPORT:

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

PRESENTATIONS:

Redlands Animal Shelter – Animal Control Volunteers Cyndy Dunham and Juan Nunez introduced Ted, a one year old, male, Basenji mix, who is available for adoption, with forty-three other dogs and one hundred and two cats, at the Redlands Animal Shelter. Ms. Dunham informed the Council forty-three dogs and twenty-nine cats have been adopted since the last City Council meeting.

Community Service Day – Assisted by Mayor Aguilar, Tabettha Wittenmyer, presented certificates of appreciation to many of the leading contributors to the very successful community service work day performed on April 28, 2012. Individuals from various service clubs, the Church of Jesus Christ of Latter-day Saints, and the Home Depot Foundation received grateful thanks from the whole community for their efforts.

PUBLIC COMMENTS:

Appreciation – Jo Hale, from Casa de la Vista, expressed her thanks for the job well done to install a new storm drain near her apartment building. She really appreciated the attention her problem received from Rosemary Hoerning, then Municipal Utilities and Engineering Director, and Mike Pool, of the Department.

Service Request – Vera de Boer requested attention to street repair and tree trimming on Lotus Avenue.

Property Owners' Rights – Ken Hunter warned against membership in the International Council for Local Environmental Initiatives and described the United Nations Agenda 21 threat to individual property owner's rights.

Committee Selection – Dennis Bell criticized the procedures used to select members of City Council boards and commissions.

Pedestrian Safety – Luis Camargo described a potentially hazardous incident at the intersection of Orange Street and Lugonia Avenue in which he was hit by a passing vehicle. He called for attention to safety from drivers and pedestrians alike.

Drainage Concerns – Steve Rogers expressed his frustration in trying to discuss engineering concerns with the City staff.

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 May 15, 2012, and the special meetings of May 10 and 24, 2012.

Commission Appointment - On motion of Councilmember Harrison, seconded by Mayor Pro Tem Foster, the City Council unanimously approved the appointment of Gale Howard to a four-year term on the Human Relations Commission ending June 5, 2016. As a public comment, Dennis Bell called for more transparency in the commission appointment process.

Art Fund Expenditure - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the expenditure, from the City's Public Art Fund, of \$300 to pay filing fees to obtain Internal Revenue Service non-profit status for the newly established Redlands Opera Company. As a public comment, Cultural Arts Commissioner David Lawrence listed sixteen music and arts associated organizations working within the City of Redlands and pointed out their concerted efforts to promote the arts in the community.

Art Fund Expenditure - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the expenditure, from the City's Public Art Fund, of \$98.75 for a directional sign for the Redlands Glass Museum.

Resolution No. 7171 – ADA Coordinator – On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved Resolution No. 7171 amending Resolution No. 6248 and assigning Americans with Disability Act (ADA) Coordinator duties to the Municipal Utilities and Engineering Director.

Resolutions No. 7163, 7164, 7167 and 7168 - Street Lighting District No.1 and Landscape Maintenance District No. 1 - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved Resolutions No. 7163 and 7167 respectively giving preliminary approval of the Engineer's Reports for Street Lighting District No. 1 and Landscape Maintenance District No. 1, and Resolutions No. 7164 and 7168 respectively declaring the City Council's intention to levy and collect assessments for FY 2012-2013 in the Street Lighting District No. 1 and the Landscape Maintenance District No. 1, and setting public hearings on the assessments for July 3, 2012.

Ordinance No. 2783 – Police Reserve Compensation – On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the adoption of Ordinance No. 2783 amending Chapter 2.14.020 of the Redlands Municipal Code relating to compensation for police reserve force members. The new ordinance clearly identifies stipend payments to police reserve officers.

Resolution No. 7175 – Grant Application – On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved Resolution No. 7175 authorizing the submission of a grant application

not to exceed \$90,000 to the Clean Transportation Funding – Local Government Match Program offered by the Mobile Source Air Pollution Reduction Review Committee for the purchase of alternative fuel solid waste vehicles.

Dance Classes - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved an Independent Contractor Agreement between the City of Redlands and Lorraine Montemayor for youth dance classes to be presented at the Community Center.

Litigation Disclosure - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved disclosure of a “Complaint for Damages” filed by the City of Redlands in the San Bernardino County Superior Court against Verizon California, Inc., et al for damages related to the City’s streets due to the company’s failure to apply for and obtain encroachment permits for street cuts the company made in the City’s right of way. As a public comment, Steve Rogers suggested litigation is an inappropriate way for a city to address a problem with a franchisee.

COMMUNICATIONS:

Certified Local Government – Mayor Pro Tem Foster summarized the events leading to a request for the City of Redlands to be established as a Certified Local Government and listed several advantages to the certification. The request is endorsed by the Historic and Scenic Preservation Commission and the Redlands Historical Society. On motion of Mayor Pro Tem Foster, seconded by Councilmember Harrison, the City Council unanimously agreed to direct staff to initiate the process to become a Certified Local Government.

Resource Allocation – Councilmember Harrison opened discussion by suggesting the need for a Council-appointed community task force to recommend priorities for the allocation of existing and future public benefit funds. On motion of Mayor Pro Tem Foster, seconded by Councilmember Bean, the City Council unanimously approved the formation of the task force and the establishment of its membership by June 28, 2012.

Resolution No. 7176 - City Treasurer Compensation - On motion of Councilmember Bean, seconded by Councilmember Gardner, the City Council unanimously approved Resolution No. 7176 fixing the City Treasurer’s compensation at \$500 monthly, for a limited, part-time position. The Treasurer will not be eligible for employee benefits other than normal mandated payroll benefits. As a public comment, Steve Rogers called for the reinstatement of all duties and full time status for the Treasurer position.

Commercial Recycling – Danielle Garcia, of the Quality of Life Department, presented the implications of AB 341, Mandatory Commercial Recycling, and some of the law’s anticipated impacts. One thousand customers in the City of

Redlands will be affected. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously agreed to receive and file the report.

Downtown Events – Heather Smith, of the Development Services Department, provided a summary and update of planned events intended to attract residents to the downtown area. June 8, 2012 will host a *Surfin State Street BBQ* with classic cars, The Tornadoes surf band, State Street Winery and Hangar 24. June 23, 2012 will host a *Wine and Music* event with Paxton Cellars, State Street Winery, The Dreggs, Hangar 24, and more at Ed Hales Park. June 30, 2012 will host the *Redlands Food Truck Festival* with 15 to 20 food trucks serving in the north parking lot of the Redlands Mall.

NEW BUSINESS:

Resolution No. 7172 – Social Media Policy – On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved Resolution No. 7172 establishing the City of Redlands Social Media Policy. The new policy encourages the use of social media to further the goals of the City, engage the community in government and improve transparency in all facets of municipal government. As a public comment, Steve Rogers observed that Facebook will provide an avenue for employees to waste time.

Ordinance No. 2777 – Competitive Bidding - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council approved the introduction of Ordinance No. 2777 amending Chapter 2.16 of the Redlands Municipal Code relating to competitive bidding for public projects. The new ordinance raises the dollar threshold requirement for informal bidding from \$30,000 to \$45,000 to be consistent with state law.

Resolution No. 7174 – Measure I Capital Improvements – Ross Whitman, of the Municipal Utilities and Engineering Department, summarized the proposed changes to the Five Year Measure I Capital Improvement Program. The changes were generated by engineering analysis of the Program utilizing the City's Pavement Management computer program and by information received concerning a major reservoir project which will impact the life expectancy estimate given to Lugonia Avenue. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved Resolution No. 7174 amending the Capital Improvement Program.

Land Conveyance – Development Services Director Orci provided an overview of the need to execute certain documents to proceed with the sale of City-owned property located north of Palmetto Avenue, west of Nevada Street and east of California Street. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved execution of a Grant Deed, Memorandum of Conditional Property Disposition Agreement

and Memorandum of Option to Repurchase to evidence the conveyance of APNs 0292044-09, 10, -11, and -12 to Howard Industrial Partners LLC pursuant to the Conditional Property Disposition Agreement.

Interment Request - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously agreed to consider action on a late breaking item which involved a request for delay of interment fees for the burial of Kevin Polidore at Hillside Memorial Cemetery. Also on motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved allowing the interment with a fee deferment upon receipt from the Polidore Estate attorney, an agreement to pay the postponed interment fees from insurance settlement funds forthcoming to the estate.

PUBLIC HEARINGS:

Resolution No. 7152 – Fees and Service Charges - Mayor Aguilar opened the public hearing and called upon Finance Director Kundig to provide the background leading to a request for approval of a fee and service charge revenue/cost comparison system; establishment of amounts of fees and charges levied in connection with the City's provision of regulations, products and services; and the rescinding of Resolutions No. 5914 and 7099. As a public comment, Arlen Einertson suggested looking at less expensive ways to accomplish services and items which are unenforceable to lower, rather than raise, fees. Steve Rogers provided a list of fees which should be considered for removal from the list altogether. At the request of staff and on motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously agreed to continue the public hearing for Resolution No. 7152 to the regular meeting of the City Council scheduled for June 19, 2012.

ADJOURNMENT:

There being no further business to address, this meeting was adjourned at 8:07 P.M. The Council will meet at their next regular meeting on June 19, 2012.