

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 July 19, 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; Mark Garcia, Police Chief; David Hexem, Chief Information Officer; Rosemary Hoerning, Municipal Utilities and Engineering Director; Fred Cardenas, Quality of Life Director; Tina Kundig, City Treasurer/Finance Director; Robert Dalquest, Development Services Department; Angela Lopez, Human Resources Department

Mayor Aguilar called the meeting to order and offered those present the opportunity to provide public comment on any item to be discussed in 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 real property negotiator – Government Code §54956.8
Properties: APNs 0169-011-38, -39
Agency negotiators: N. Enrique Martinez, Oscar Orci
Negotiating party: Tom Bell of Tom Bell Chevrolet
Under negotiation: Terms and price for the City purchase of a recordable interest (operating covenant) in real property

2. Conference with real property negotiator – Government Code §54956.8
Property: APN 0300-231-24
Agency negotiators: N. Enrique Martinez, Oscar Orci
Negotiating party: Curtiss B. Allen
Under negotiation: Terms and price for the City purchase of property

3. Conference with real property negotiator – Government Code §54956.8
 Properties: APNs 0292-044-09, -10, -11 and -12
 Agency negotiators: N. Enrique Martinez, Oscar Orci
 Negotiating parties: Tom Howard of Howard Industrial Partners
 Under negotiation: Terms and price for possible purchase of City property

4. Conference with real property negotiator – Government Code §54956.8
 Property: APN 0171-022-13
 Agency negotiators: N. Enrique Martinez, Oscar Orci
 Negotiating party: Property One, LLC
 Under negotiation: Terms and price for purchase of City property

5. Conference with legal counsel: Existing Litigation - Government Code §54956.9(a) - One Case
 a. Charles E. Holcombe, et al v. City of Redlands, San Bernardino Superior Court Case No. CIVDS 1107627

6. Conference with legal counsel: Anticipated Litigation - Government Code §54956.9(c) - One Case
 a. Possible initiation of litigation by the City of Redlands

7. Conference with legal counsel: Anticipated Litigation - Government Code §54956.9(b)(2)(C) - Two Cases
 a. Facts and circumstances - threat of litigation by Redlands Country Club regarding non-potable water rates
 b. Facts and circumstances - threat of litigation regarding payment of lifetime Dental

8. Conference with labor negotiator - Government Code §54957.6
 Agency Negotiators: City Council Subcommittee (Aguilar and Foster)
 Angela Lopez
 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

The meeting reconvened at 6:15 P.M. with an invocation by Councilmember Gardner followed by the pledge of allegiance to the American flag.

CLOSED SESSION REPORT:

City Attorney McHugh announced there were no reportable actions taken during the closed session. Councilmember Harrison recused himself from discussions involving Property One, LLC due to his employment relationship with the owner of Property One.

PRESENTATIONS:

Redlands Animal Shelter - Animal Control volunteers Linda Ackerman and Cyndy Dunham introduced Molly, a 7 year old, female Parson Russell Terrier, who is available for adoption at the Redlands Animal Shelter along with sixty-eight other dogs and seventy-one cats. Ms. Ackerman informed the Council thirty-six dogs and thirty-five cats have been adopted since the last City Council meeting.

PUBLIC COMMENTS:

Santa Fe Depot - Robert Dawes and Sherli Leonard, representing the Redlands Conservancy, presented a series of photographs depicting the condition of the Redlands Santa Fe Railroad Depot and pointing out areas needing repair. They expressed concern that Showprop Redlands, LLC, as owner of the Depot, is not being a good steward in caring for this historical building.

Labor Negotiations - Steve Rogers noted the absence of a contract labor negotiator in recent sessions with city employee bargaining units and said the trend is in the right direction.

BOARDS AND COMMISSIONS REPORTS:

Parks and Recreation Advisory Commission - Don Gifford introduced himself as the first chairman of this newly formed commission. Having been formed from the combining of the Parks Commission and the Recreation Commission, they are just getting started in their efforts to organize and advise. He listed several projects which the commission intends to address including the Barton School House, youth soccer scholarships, naming Oakmont Park and a skateboard park. Mr. Gifford said he looked forward to working with the City Council to find the funding for these and other projects.

CONSENT CALENDAR:

Minutes - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the minutes of the special and regular meetings of July 5, 2011.

CUP Extension - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved a one-year extension of time for Conditional Use Permit (CUP) No. 955 to develop a 228-

unit residential development on approximately 19 acres located at the northeast corner of Orange Street and Lugonia Avenue, and Tentative Tract Map No. 18762 to subdivide the same 19 acres into 41 lots having both single family and multiple family dwellings. As a public comment, Steve Rogers expressed skepticism as to whether this project will ever reach fruition.

Wildland Fire Protection - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the annual review and endorsement of an agreement between the City of Redlands and CAL FIRE to provide wildland fire protection on approximately 3,218 acres in the South Redlands/San Timoteo Canyon area.

Surveillance Cameras - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved purchase and installation of video surveillance cameras and related equipment utilizing funding provided by a U.S. Department of Homeland Security Technology Program Grant Award.

Transit Center - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved an amendment to an agreement between the City of Redlands and Watry Design, Inc. to provide additional architectural, engineering and environmental services for the "Transit Center-Park Once" project. The project would provide a structure at Third Street and Stuart Avenue adjacent to the future Redlands Passenger Rail Station.

Resolutions No. 7066 - Special Tax Levy - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved Resolution No. 7066 levying special taxes within the City of Redlands Community Facilities District No. 2004-1 and authorized the City Clerk to file all necessary information with the San Bernardino County Auditor/Controller for FY 2011-2012.

Water Exchange Entitlement - On motion of Councilmember Bean, seconded by Councilmember Harrison, the City Council unanimously approved water exchange entitlement agreements between the City of Redlands and Hinckley and Hinckley LLC, Bruce C. and Deborah Hinckley, Irving Feldkamp, Gwen Hughes and Russell Scheult.

Crossing Guards - On motion of Councilmember Bean, seconded by Mayor Pro Tem Foster, the City Council unanimously approved an agreement between the City of Redlands and All City Management Services, Inc. for the provision of crossing guard services for the school year beginning August 2011.

Resolution No. 7062 - Senior Transportation - At the request of staff, this item was removed from the agenda.

Bid Rejection - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved rejection of all bids received in response to Request for Proposal (RFP) #10-07 for a Full Service Maintenance and Replacement HVAC Agreement. Staff was directed to make adjustments to the RFP and advertise again for new proposals.

NEW BUSINESS:

Delegate Designation - On motion of Councilmember Harrison, seconded by Councilmember Bean, the City Council unanimously approved the designation of Mayor Aguilar as voting delegate for the 2011 League of California Cities Annual Conference. The motion also designated Councilmember Gardner as alternate.

Ordinance No. 2751 - Boards and Commissions Terms - On motion of Mayor Pro Tem Foster, seconded by Councilmember Harrison, the City Council unanimously approved the introduction of Ordinance No. 2751 amending the Redlands Municipal Code to clarify membership and terms for City boards and commissions, designate the Planning Commission as the hearing body for certain mobile home rent control and bonding permit allocation functions and make City Manager decisions on water charges disputes non-appealable.

Environmental Consultant Funding - On motions of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council approved an agreement between the City of Redlands and ShowProp Redlands, LLC providing for consulting services for the preparation of environmental documentation, in accordance with California Environmental Quality Act (CEQA), relating to the development of an approximately 2.3 acre site located at 330 North Third Street. Under the agreement, ShowProp Redlands, LLC will provide all funding for the consulting services contract and City of Redlands staff time to administer the contract and oversee the environmental review process in accordance with CEQA. As a public comment, Steve Rogers observed this agreement involves preparing environmental documentation on a yet to be defined project. Councilmember Bean recused himself from any discussion and voting on the agreement due to his business relationship with Showprop Redlands, LLC.

LAND USE:

Amendment No. 6 to Concept Plan No. 1 and CUP No. 984 - Mayor Aguilar opened the public hearing and called for a report from Sergio Madera, from the Community Development Department for background on a proposal for an amendment to Concept Plan No. 1 to change Section III(B)(2)(d) of the Commercial Industrial District to allow a warehouse building in excess of 150,000 square feet by eliminating a 250 foot restriction from California Street and modifying the minimum parking requirement from one space per one

thousand square feet of gross floor area to one space per two thousand square feet of gross floor, and a public hearing to consider Conditional Use Permit (CUP) No. 984 to develop a 703,360 square foot warehouse distribution center on approximately 33.53 acres located at the southwest corner of San Bernardino and Almond Avenues in Concept Plan No. 1 of the East Valley Corridor Specific Plan. As a public comment, Bill Cunningham asked why have codes if they are to be avoided by a CUP. On motions of Councilmember Bean, seconded by Mayor Pro Tem Foster, the City Council unanimously approved the Mitigated Negative Declaration for Revision No. 6 to Concept Plan No. 1 and CUP No. 984; the Socio-Economic Cost/Benefit Study for CUP No. 840 determining the project will not create "unmitigable" physical blight or overburden public services in the community, and no additional information or evaluation is needed; and Resolutions No. 7067 and 7068 adopting Amendment No. 6 to Concept Plan No. 1 and approving CUP No.984.

PUBLIC HEARINGS:

Resolution No. 7065 - Delinquent Account Report - Mayor Aguilar opened the public hearing and called for a report from Karin Grance, from the City Treasurer's Office, for background on facilitating lien action against properties listed in the Delinquent Municipal Services Account Report. On motion of Mayor Pro Tem Foster, seconded by Councilmember Harrison, the City Council unanimously approved Resolution No. 7065 approving the Report and submission of the Report to the San Bernardino County Auditor/Controller for lien processing.

Resolution No. 7042 - Levy of Assessments - Landscape Maintenance District No. 1 - Mayor Aguilar opened the public hearing and called for a report from Rosemary Hoerning, Municipal Utilities and Engineering Director, for background on the Landscape Maintenance District process. On motion of Councilmember Bean, seconded by Councilmember Harrison, the City Council unanimously approved Resolution No. 7042 approving the Engineer's Report for Landscape Maintenance District No. 1 and confirming the assessments for FY 2011-2012.

Resolution No. 7046 - Levy of Assessments - Street Lighting Maintenance District No. 1 - Mayor Aguilar opened the public hearing and called for a report from Rosemary Hoerning, Municipal Utilities and Engineering Director, for background on the Street Lighting Maintenance District process. On motion of Councilmember Bean, seconded by Councilmember Harrison, the City Council unanimously approved Resolution No. 7046 approving the Engineer's Report for Street Lighting Maintenance District No. 1 and confirming the assessments for FY 2011-2012.

Ordinance No. 2753 - Wireless Moratorium Extension - Mayor Aguilar opened the public hearing and called for a report from Rosemary Hoerning, Municipal

Utilities and Engineering Director, for background on a temporary moratorium on the approval of specified entitlements and permits for the installation, augmentation and relocation of commercial wireless telecommunication facilities within certain specified areas of the City of Redlands. As a public comment, Leonard Goldman suggested the moratorium should include City owned data towers. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the adoption of Ordinance No. 2753 extending the moratorium.

COUNCILMEMBER ACTIVITIES:

Coffee with the Council - Mayor Aguilar mentioned his and Councilmember Bean's very successful meeting with Redlands residents. The next coffee meeting is scheduled at Augie's Coffeeshouse on August 6, 2011.

League of California Cities - Both Mayor Aguilar and Councilmember Bean attended a League of Cities presentation on pensions and reform principles.

State of the City - Mayor Pro Tem Foster reminded everyone about the Redlands Chamber of Commerce luncheon on July 20, 2011 which will include a program on the State of the City of Redlands presented by Mayor Aguilar.

ADJOURNMENT:

There being no further business, this meeting was adjourned at 7:19 P.M. The Council will meet at their next regular meeting on August 2, 2011.