

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 September 17, 2013, at 5:00 P.M.

PRESENT: Pete Aguilar, Mayor  
Paul Foster, Mayor Pro Tem  
Jon Harrison, Councilmember  
Bob Gardner, Councilmember  
Pat Gilbreath, Councilmember

ABSENT: None

STAFF: Enrique Martinez, City Manager; Dan McHugh, City Attorney; Sam Irwin, City Clerk; Robert Dawes, City Treasurer; Carl Baker, Public Information Officer; Jeff Frazier, Fire Chief; Mark Garcia, Police Chief; Danielle Garcia, Interim Chief Information Officer; Fred Mousavipour, Municipal Utilities and Engineering Director; Fred Cardenas, Quality of Life Director; Tina Kundig, Finance Director; Oscar Orci, Development Services Director; Ashley Shear, Interim 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:

1. Conference with legal counsel: Existing litigation – Government Code §54956.9(d)(1) Two Cases
  - a. City of Redlands, et al. v. Ana J. Matosantos, et al., Sacramento Superior Court Case No. 34-2013-80001610.
  - b. Grievance arbitration administrative proceeding of Tracy Harris.

The meeting reconvened at 6:01 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 no reportable action was taken by the City Council during closed session.

PRESENTATIONS:

Redlands Animal Shelter – Animal Control Officer Bill Miller introduced “Diva”, a seven month old female Jack Russell/Chihuahua mix, who is available for adoption, with sixty other dogs and one hundred and twenty-three cats, at the Redlands Animal Shelter. Officer Miller informed the Council that forty-three dogs and thirty-two cats have been adopted since the last City Council meeting.

Healthy Redlands – Mayor Aguilar first thanked Councilmember Gilbreath for her untiring efforts in support of the Healthy Redlands Program. Councilmember Gilbreath then presented certificates of appreciation to those who contributed to the success of the Summer Day Camp held for Redlands children. Those recognized were Chef Lee Burton, Cheryl Evans, Dave Jaffe, Bob Knight, Tami Saghafi, Lisa Salbury, Tony Whiteside, the Boys & Girls Club of Redlands, Children’s Network, Dairy Council of California, First 5 of San Bernardino, Five, Plymouth Village Meals on Wheels, and Sportball

PUBLIC COMMENT:

Water Management – Richard Corneille, of the San Bernardino Water Conservation District, encouraged members of the City Council to attend District meetings to ensure water policy decisions properly reflect the interests of the City of Redlands.

Crosswalk Markings – Andrew Hoder described his experience when dealing with City staff as to a request for consideration to add crosswalk markings at the intersection of Michigan Street and Olive Avenue.

Street Maintenance – Shusie Phillips distributed pictures of the pavement in front of her house at 505 East Sunset Drive North and requested repairs.

CONSENT CALENDAR:

Minutes - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the minutes of the regular meeting of September 3, 2013 were unanimously approved as submitted.

Proclamation - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved a proclamation declaring October 2 through 21, 2013 as *Bi-National Health Weeks*.

Settlement Disclosure - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the release of details of a full and final release of all claims associated with a lawsuit of the City of Redlands and Michael V. Kerns v. Ponce. Under terms of the settlement, Ana Alicia Ponce and Pablo Ponce Martinez will pay \$15,000 to Michael Kerns for the release of claims. The City of Redlands will be credited in the net amount (after payment of fees and costs) of \$13,334, in a workers’ compensation claim filed on behalf of Michael Kerns.

Resolution No. 7325 – Street Tree Palette - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved Resolution No. 7325 establishing the City of Redlands Street Tree Palette of approved species for planting.

Tumbling 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 Jamila Coulson to provide youth tumbling gymnastic classes at the Community Center.

Traffic Enforcement - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the acceptance of an Office of Traffic Safety Selective Traffic Enforcement Program Grant, authorized the Redlands Chief of Police to sign the grant agreement, and approved an additional appropriation of \$71,443, the amount of the grant.

Sobriety Checkpoints - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the acceptance of an Office of Traffic Safety Sobriety Checkpoint Mini-Grant, authorized the Redlands Chief of Police to sign the grant agreement, and approved an additional appropriation of \$57,000, the amount of the grant.

Realignment Impacts - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the acceptance of funds from the Board of State and Community Corrections for the purpose of addressing the crime impacts of realignment and approved an additional appropriation of \$75,920, the amount of the Board funds.

Paramedic Donation - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the acceptance of a donation from the Doris L. Henry 2007 Revocable Trust for the City of Redlands paramedic program and approved an additional appropriation of \$57,806, the amount of the donation.

Software Maintenance - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the payment of \$64,236 to Spillman Technologies, Inc. for the annual maintenance invoice for the Police Department Computer Aided Dispatch/Records Management System.

Resolution No. 7324 – Authority Delegation - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved Resolution No. 7324 authorizing the City Manager, or his designee, to approve and execute public improvement agreements.

Bid Rejection - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the rejection of all bids received in response to Project No. 71245, Arroyo Reservoir Recoating and Improvement Project, and directed staff to solicit new bids for the Project.

Fee Waiver - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved a request from the Optimist Club of Redlands to waive all fees associated with the Oktoberfest event to be held on September 21, 2013 at Sylvan Park.

Ordinance No. 2796 – Animal Control – On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the adoption of Ordinance No. 2796 amending Chapter 6.05 of the Redlands Municipal Code relating to potentially dangerous or vicious dogs. Adoption of the ordinance establishes a more efficient and less expensive process for dog owners and the City.

#### COMMUNICATIONS:

Standing Committees – Mayor Aguilar introduced the idea of disestablishing two standing committees to the City Council due to lack of utilization. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously agreed to abolish the Economic Development Committee and the Youth and Family Services Committee.

Museum Maintenance – Mayor Pro Tem Foster introduced a request from the Redlands Historical Museum Association (RHMA) for City assistance with certain costs associated with the establishment of a Historical Museum within the City of Redlands. Representing the RHMA, Nelda Stuck and Steve Stockton endorsed the request and assured the City Council the assistance would be for grounds keeping and utilities only. Initial operating costs and capital improvements will be paid for by the RHMA. On motions of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved payment for costs of landscape maintenance and the provision of utility services for the Redlands Historical Museum Association’s proposed historical museum, based upon the City Council’s finding that the payment of such costs serves a valid public purpose because such payments will facilitate the opening and initial operation of a museum that will provide cultural enrichment to the Redlands community and contribute to the City’s goals of enhancing tourism and economic development for the interim period until the museum is donated to the City, at which time the City will operate the historical museum and fund its costs; and directed staff to identify a source of general funds to be used to reimburse the City’s enterprise funds for the costs of provision of water, sewer and solid waste utilities to the museum for the interim period until it is owned by the City and continuing thereafter.

Healthy Redlands – Councilmember Gilbreath reviewed the success of the summer camp and highlighted upcoming events during Fire Prevention Week and the holiday season. She provided an overview of plans to work with Bike Alliance to develop bicycle use and maintenance workshops for Redlands parents and youth. Plans are also in the works to develop walking programs to better utilize the community trails systems.

Grove Sale Proceeds – As the subcommittee appointed to address this subject, Mayor Pro Tem Foster and Councilmember Harrison provided an overview of the decision-making process which derived their recommended prioritization of public benefit fund expenditures. Prior to discussion of the prioritization plan by the City Council, Mayor Pro Tem Foster introduced a motion to specifically address the restoration of the Barton School House in Heritage Park. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved funding costs associated with the restoration of the Grove School's historic Barton School House with the use of the proceeds from the sale of the Palmetto Groves; previously City Council-approved, but not yet expended park funds; and any future City Council-approved funding sources; that based upon the City Council's finding that such restoration funding serves a valid public purpose because the Barton School House is located on City of Redlands Heritage Park property and is an integral component of the City's design and development of the Park. Heritage Park, including the restored historic school house building, will provide cultural enrichment to the Redlands community and contribute to the City's goals of enhancing tourism and economic development. Further, the Grove School and the City of Redlands have entered into a joint use of facilities agreement which permits the City to make use of the Barton School House for City-sponsored community events. The City's funding of the restoration of the school house will permit the City to achieve the benefits accruing to it and the community under the joint use of facilities agreement sooner than if funding for the restoration project was solicited from other sources. As a public comment, Jacob and Justin Marion and Susan Broderick expressed support for a skate park and asked questions as to the proposed location and funding scheme. Bill Cunningham proposed investing the grove sale proceeds and expending only the return from those investments. On motion of Councilmember Harrison seconded by Mayor Pro Tem Foster, the City Council unanimously approved the following priorities for expenditure of the Public Benefit Resource Funds that resulted from the sale of the Nevada-Palmetto Grove:

**Parks and Recreation:**

1. Prioritize the parks and recreation projects identified by the Council Subcommittee for funding consideration up to \$3,366,795.00 for this funding category. Final project feasibility and funding amounts for individual projects will be developed by City staff and returned to city commissions and City Council for review and approval.

2. Reserve \$500,000 of total funds available for the parks and recreation category for use as matching funds for development of new parks or facilities
  - a. Match funds can be up to 50% of project cost
  - b. Match can be in the form if city funding commitment included in a competitive grant application; or,
  - c. Match can be in the form of city funding commitment to a joint project between a local non-profit and the city. The non-city match can be in the form of in-kind services and or private/non-profit funds. City staff will develop criteria for evaluating funding requests and making recommendations to the city council.
3. WITHIN the Reserved funds, for a period of 36 months (September 18, 2013 to September 17, 2016) set aside \$200,000 as matching funds for design and construction of a skate park. These funds will be released to the overall matching funds pool in the event that the skate park is not shovel ready and approved at the end of the 36 months.

Trails:

1. Prioritize the trail projects identified by the Council Subcommittee for funding consideration.
2. Use all funds in this category, including any accrued interest, as matching funds for competitive grant applications by the city and/or city funding commitment to a joint project between the city and a local non-profit organization.
  - a. Match can be up to 50% of project cost
  - b. Match can be provided as city match to a competitive grant
  - c. Match can be provided towards a local effort in which in-kind and or funding are provided by the local entity

Other Public Benefit:

1. Prioritize the other public benefit funding, including any accrued interest, for design and construction of the downtown entry way improvements, as described. Seek contributions of in-kind services or non-city funds to supplement the available city funding.

PUBLIC HEARING:

Resolution No. 7323 – CAPER – Mayor Aguilar opened the public hearing and called upon Janet Miller, from the Development Services Department, to provide a summary of the 2012-2013 Consolidated Annual Performance and Evaluation Report (CAPER). The City of Redlands has met or exceeded all goals for the Community Development Block Grant Program. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved Resolution No. 7323 approving the CAPER and directed staff to submit

Resolution No. 7323 and the CAPER to the U.S. Department of Housing and Urban Development in accordance with federal regulations prior to September 30, 2013.

NEW BUSINESS:

Employee Assistance Program – Interim Human Resources Director Ashley Shear introduced a request to change providers for the City of Redlands Employee Assistance Program (EAP) for Safety Employees. Robert Bruner, representing Community Action EAP, the current provider, said he had no problem with excluding Safety Employees from his contract, but he took issue with changing the term of his contract as stipulated in the amendment he was asked to sign. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved an agreement between the City of Redlands and The Counseling Team International for services associated with the City’s Safety Employees’ EAP for the period from September 17, 2013 to June 30, 2014. On motion of Councilmember Gilbreath, seconded by Councilmember Harrison, the City Council unanimously approved a first amendment to an agreement between the City of Redlands and Community Action EAP to eliminate the provision of the EAP for Safety Employees.

Water Main Replacement – Greg Brooks, of the Municipal Utilities and Engineering Department, provided an overview of the Highline Water Main Replacement Project, Phase 1, Project No. 71325. On motions of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously agreed the project is categorically exempt from further environment review in accordance with California Environmental Quality Act guidelines; approved the Project plans and specifications; and awarded a contract between the City of Redlands and MCC Equipment Rentals, Inc., in the amount of \$2,206,321.20, for the work.

Reservoir Rehabilitation – At the request of staff, this item was removed from the agenda for consideration at a later date.

Solid Waste Truck Replacements – Quality of Life Director Fred Cardenas presented details on a request for the purchase of three replacement solid waste trucks. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the purchase three Liquid Natural Gas heavy duty solid waste trucks from Rush Truck Centers of California for \$905,280.

Resolution No.7326 – Loan Adjustment - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved Resolution No. 7326 approving a corrected promissory note which adjusts downward the principal amount of a loan, owed to the City of Redlands by the

Successor Agency to the Redevelopment Agency of Redlands, from \$65,607.37 to \$28,922.75.

COUNCILMEMBER ANNOUNCEMENTS AND ACTIVITIES:

Groundbreaking – Mayor Pro Tem Foster attended the groundbreaking for an addition to the Assistance League thrift shop.

SCAG – Councilmember Harrison attended talks on the Regional Transportation Plan and Sustainable Community Strategy held by the Southern California Associated Governments (SCAG). He emphasized the importance of completing the City of Redlands Housing Element of the General Plan to provide input to the SCAG planning efforts.

Footlighters – Councilmember Gardner attended the dedication of the Footlighters Heritage Patio and enjoyed the theatrical production which was presented after the dedication.

ADJOURNMENT:

There being no further action required, Mayor Aguilar adjourned the meeting at 7:55 P.M. in memory of David Harry, husband to Shirley Harry and long time friend to the City of Redlands. The next regular meeting of the City of Redlands City Council will be held on October 1, 2013.