

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 7, 2010 at 3:00 P.M.

PRESENT: Pat Gilbreath, Mayor  
Jerry Bean, Mayor Pro Tem  
Jon Harrison, Councilmember  
Mick Gallagher, Councilmember  
Pete Aguilar, Councilmember

ABSENT: None

STAFF: N. Enrique Martinez, City Manager; Sam Irwin, City Clerk; Carl Baker, Public Information Officer; Jim Bueermann, Police Chief; Jeff Frazier, Fire Chief; David Hexem, Chief Information Officer; Rosemary Hoerning, Municipal Utilities and Engineering Director; Les Jolly, Interim Quality of Life Director; Tina Kundig, Finance Director/City Treasurer; Oscar W. Orci, Community Development Director; Deborah Scott-Leistra, Human Resources Director

The meeting was opened with a moment of silence in memory of US Army Sgt Raymond C. Alcaraz, a Redlands native killed in Afghanistan on August 31, 2010, and an invocation by Mayor Pro Tem Bean followed by the pledge of allegiance to the American flag.

PRESENTATIONS:

Light Rail - Mitch Alderman, Director of Rail and Transit for SanBag presented a review of events leading up to, the current status of, and future plans for the Redlands Passenger Rail Project. Construction on a one-mile extension of Metrolink to a new Rialto and E Streets Transit Center is expected to begin in mid-2011. The planning process described begins construction on the Redlands portion of the project in 2015.

CONSENT CALENDAR:

Minutes - On motion of Mayor Pro Tem Bean, seconded by Councilmember Gallagher, the City Council unanimously approved the minutes of the regular meetings of August 3, 2010 and August 17, 2010 as submitted.

Day for Kids - On motion of Mayor Pro Tem Bean, seconded by Councilmember Gallagher, the City Council unanimously approved a proclamation declaring September 25, 2010 as Boys & Girls Club Day for Kids.

Redlands Symphony Anniversary - On motion of Mayor Pro Tem Bean, seconded by Councilmember Gallagher, the City Council unanimously approved a proclamation recognizing the 60th season of the Redlands Symphony.

Constitution Week - On motion of Mayor Pro Tem Bean, seconded by Councilmember Gallagher, the City Council unanimously approved a proclamation declaring the week of September 17 through 23, 2010 as Constitution Week.

Redlands Historical Glass Museum Anniversary - On motion of Mayor Pro Tem Bean, seconded by Councilmember Gallagher, the City Council unanimously approved a Certificate of Recognition in honor of the 25th anniversary of the Redlands Historical Glass Museum.

Board Appointments - On motion of Mayor Pro Tem Bean, seconded by Councilmember Gallagher, the City Council unanimously approved the reappointment of Nicholas Costa and Ron Klinkebiel to the Airport Advisory Board to serve terms expiring on May 1, 2014.

Agreement Disclosure - On motion of Mayor Pro Tem Bean, seconded by Councilmember Gallagher, the City Council unanimously approved the disclosure of a compromise and release agreement between the City of Redlands and Charles Kraft for settlement of a worker's compensation injury which occurred on or about June 25, 1997 and resulted in a permanent disability claim. Under the terms of the agreement, Mr. Kraft will receive \$180,000, less attorney fees of \$21,600.

Resolution No. 6991 - City Treasurer Authority - On motion of Mayor Pro Tem Bean, seconded by Councilmember Gallagher, the City Council unanimously approved Resolution No. 6991 confirming the authority of the appointed City Treasurer, pursuant to Government Code Section 53607, to invest funds of the City of Redlands. As a public comment, Steve Rogers expressed his support for keeping the City Treasurer's position as an elected office.

Investment Policy - On motion of Mayor Pro Tem Bean, seconded by Councilmember Gallagher, the City Council unanimously approved the Statement of Investment Policy as recommended by the City Treasurer.

Resolution No. 6988 - Business Friendly Practices - On motion of Mayor Pro Tem Bean, seconded by Councilmember Gallagher, the City Council unanimously approved Resolution No. 6988 supporting Southern California Association of Governments efforts to establish business friendly practices. As a public comment, Steve Rogers questioned the business friendliness of a proposed sales tax.

Extension Request - On motion of Mayor Pro Tem Bean, seconded by Councilmember Gallagher, the City Council unanimously agreed an extension of time for Commission Review and Approval No. 843 submitted by Accredited Redlands, LLC does not require further environmental processing in accordance with California Environmental Quality Act guidelines and approved a one year extension.

Support Request - On motion of Mayor Pro Tem Bean, seconded by Councilmember Gallagher, the City Council unanimously approved letters to elected leaders requesting support of the Santa Ana Sucker Task Force and efforts to establish an appropriate habitat designation for the fish.

Appraisal Cost Agreement - On motion of Mayor Pro Tem Bean, seconded by Councilmember Gallagher, the City Council unanimously approved an appraisal cost reimbursement agreement between the City of Redlands and the California Department of Water Resources to cover costs associated with appraising City land in connection with construction of the East Branch Extension Phase II Project.

Water Quality Study Agreement - On motion of Mayor Pro Tem Bean, seconded by Councilmember Gallagher, the City Council unanimously approved a joint agreement with approximately sixteen agencies and funding in the amount of \$2,500 to participate in a study to investigate emerging constituents (ECs) in an effort to assure water quality protection in the Santa Ana River Watershed.

Landfill Support Agreement - On motion of Mayor Pro Tem Bean, seconded by Councilmember Gallagher, the City Council unanimously approved an agreement between the City of Redlands and Geo-Logic Associates, Inc. to provide consulting services for hydrogeologic support, technical analysis, and reporting requirements for the California Street Landfill.

Resolution No. 6990 - Grant Agreement Amendment - On motion of Mayor Pro Tem Bean, seconded by Councilmember Gallagher, the City Council unanimously approved Resolution No. 6990 authorizing the execution of an

amended Multi-Family Recycling Program Grant agreement between the City of Redlands and the California Department of Resources Recycling and Recovery. The grant provides funding to purchase automated recycling containers and smaller, half-sized recycling cans to increase recycling of waste in multi-family residential developments. The amendment to the agreement extends the period of performance for the grant from November 2010 to November 2011.

Adult Softball Agreement - On motion of Councilmember Aguilar, seconded by Mayor Pro Tem Bean, the City Council unanimously approved an independent contractor agreement between the City of Redlands and Major League Softball, Inc. to conduct the adult softball league for the City's recreation department.

Facility Use Agreement - On motion of Mayor Pro Tem Bean, seconded by Councilmember Gallagher, the City Council unanimously approved a facility use agreement between the City of Redlands and the University of Redlands for the use of university facilities during the Bulldog Triathlon fundraiser to be held on October 17, 2010.

Neighborhood Initiative Funds - On motion of Mayor Pro Tem Bean, seconded by Councilmember Gallagher, the City Council unanimously agreed to receive and file a report of funds received from the San Bernardino County Department of Community Development & Housing. Funds in the amount of \$150,000 will be used to provide the following improvements to the City of Redlands Community Center: a disabled access ramp to the tennis courts, kitchen improvements, replacement of the flooring in the multi-purpose room, and interior remodeling to provide storage and an additional classroom.

Reinsurance Agreement - On motion of Councilmember Gallagher, seconded by Mayor Pro Tem Bean, the City Council unanimously approved an application to the U.S. Department of Health and Human Services and an agreement between the City of Redlands and Health Net of California, Inc. for participation in the Early Retiree Reinsurance Program.

#### COMMUNICATIONS:

Oracle Expedition - Fred Mousavipour, Municipal Utilities and Engineering Department Assistant Engineering Director, presented a reorganization plan to change the department's currently individual approach to capital improvement projects to a team approach to aid in the implementation of the use of Oracle Expedition project management and record tracking system software. He described the many advantages to using Oracle Expedition and highlighted successful efforts to reduce the cost of acquiring the software.

Americans with Disabilities Act (ADA) Update - Ross Whitman, Municipal Utilities & Engineering Department Project Specialist, highlighted ongoing efforts to define and prioritize ADA requirements throughout the City of Redlands. He described the logic and methodology used to address needs, first as a function of highest probability of use areas, then as a phased approach to accomplish renovation of all barriers to accessibility throughout the city.

Volunteerism - Tabetha Johnson, City of Redlands Volunteer Coordinator, reviewed the history of volunteerism in Redlands, highlighted recent successes utilizing volunteers to accomplish tasks the current budget could not otherwise support, and presented future plans for utilizing volunteers.

#### NEW BUSINESS:

Ballot Measure Oversight - On motion of Councilmember Aguilar, seconded by Mayor Pro Tem Bean, the City Council unanimously approved the appointments of Robert Dawes, Jerry Fairchild, Joe Gonzales, Ken Jeske, James MacDonald, Michael O'Neill, and Chris Wilson to the Citizens' Oversight Committee

associated with the November 2, 2010 General Municipal Election Ballot Measure "A".

Resolution No. 6989 - Street Improvement - On motion of Councilmember Aguilar, seconded by Councilmember Harrison, the City Council approved Resolution No. 6989 adopting the Five-Year Measure "I" Local Street Improvement Plan. Mayor Pro Tem Bean and Councilmember Gallagher recused themselves from voting on the resolution due to the location of their respective residences.

Airport Apron Contract - On motion of Mayor Pro Tem Bean, seconded by Councilmember Gallagher, the City Council unanimously determined that approval of the agreement and construction of the Redlands Municipal Airport Apron Rehabilitation Project is categorically exempt from further environmental review in accordance with the California Environmental Quality Act and approved the award of a contract for the work to WEKA, Inc.

Downtown Parking Structure - On motion of Mayor Pro Tem Bean, seconded by Mayor Gilbreath, the City Council unanimously agreed to direct staff to develop plans, specifications, environmental documents, and potential funding sources for the implementation of a parking structure to support the City of Redlands Downtown Business District and the future Light Rail Downtown Station.

Floodwater and Eco-Restoration Management - On motion of Councilmember Aguilar, seconded by Councilmember Harrison, the City Council voted to direct staff to pursue the use of U.S. Army Corps of Engineering, Santa Ana River Lake and Streams Improvement Project, returning to the Council for approval before entering into a co-sponsor agreement to fund the Mission Creek Zanja Floodwater and Eco-Restoration Management Program. Mayor Gilbreath voted No on the motion citing the funding requirements to proceed to the next level of effort involved in the Program. As a public comment, Bill Cunningham provided advice on how to proceed in dealing with the Corps of Engineering.

Ordinance No. 2738 - Wireless Facilities Moratorium - On motion of Mayor Pro Tem Bean, seconded by Councilmember Gallagher, the City Council unanimously approved the introduction of Ordinance No. 2738, an interim urgency ordinance of the City of Redlands establishing a temporary moratorium on the approval of specified permits for the installation of commercial wireless telecommunications facilities.

Resolution No. 6987 - Tree Palette - On motion of Mayor Pro Tem Bean, seconded by Councilmember Gallagher, the City Council unanimously approved Resolution No. 6987 adopting an advisory parking lot tree palette for non-residential development for the City of Redlands.

#### PUBLIC COMMENTS:

Planning Process - Steve Rogers expressed criticism of the way the City of Redlands does strategic planning, citing stalled programs and the lack of transit oriented development plans.

Bond Refinancing - Bill Cunningham suggested the use of competition to arrive at the best rate for refinancing city bonds.

#### CLOSED SESSION:

The City Council meeting recessed at 5:28 P.M. to a closed session to discuss the following:

1. Conference with labor negotiator - Government Code §54957.6  
Agency Negotiator: City Council Sub-Committee

Unrepresented Employees: City Manager, City Attorney, Chief Information Officer, Development Services Director, Finance Director, Fire Chief, Human Resources Director, Municipal Utilities and Engineering Director, Police Chief, and Quality of Life Director

2. Conference with labor negotiator - Government Code §54957.6  
Agency Negotiator: City Council Sub-Committee  
Employee Organizations: Redlands Association of Management Employees; Redlands Association of Mid-Management Employees; General Employees Association of Redlands (SBPEA); Redlands Civilian Safety Employees Association (SBPEA); Redlands Police Officers Association; Redlands Professional Firefighters Association; Redlands Association of Safety Management Employees; and Redlands Association of Fire Management Employees
3. Conference with real property negotiator – Government Code §54956.8  
Properties: APN 0167-101-15 and Bear Valley Mutual Water Company shares  
Agency negotiators: Mayor Gilbreath, Mayor Pro Tem Bean and Eric Garner  
Negotiating party: Doug Headrick, San Bernardino Valley Municipal Water District  
Under negotiation: Terms and price for sale or lease of interest in City of Redlands property, and possible acquisition of water company shares
4. Conference with real property negotiator – Government Code §54956.8  
Properties: APNs 0171-053-01 thru -06, 0171-251-06 thru -10 (Redlands Mall)  
Agency negotiators: N. Enrique Martinez, Oscar Orci  
Negotiating party: General Growth Partners  
Under negotiation: Terms and price
5. Conference with real property negotiator – Government Code §54956.8  
Properties: APNs 0294-141-01 thru -04, 0294-151-02 thru -04  
Agency negotiators: N. Enrique Martinez, Oscar Orci  
Negotiating party: Stephen Selinger  
Under negotiation: Terms and price
6. Conference with legal counsel – Existing litigation Government Code §54956.9
  - a. Two Cases - Worker's Compensation Administrative Proceedings of David Kessler and Deborah Myers
7. Conference with legal counsel: Government Code §54957
  - a. One Case - Public Employee Dismissal/Release - Consideration of disability retirement application of public safety employee

The meeting reconvened at 8:00 P.M.

#### CLOSED SESSION REPORT:

Mayor Gilbreath announced one reportable closed session action. By unanimous vote of the City Council, the Council took action to deny a request for a disability retirement by one of the City's safety employees. Councilmember Harrison recused himself from negotiations with Doug Headrick and the San Bernardino Valley Municipal Water District.

#### ADJOURNMENT:

There being no further business, the City of Redlands City Council meeting adjourned at 8:05 P.M. The Council will meet next at their regularly scheduled meeting on September 21, 2010.