

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 February 15, 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; Chris Catren, Police Department; 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 called to order by Mayor Aguilar and subsequently recessed to closed session.

CLOSED SESSION:

The closed session meeting of the City Council meeting was held to discuss the following:

1. Conference with legal counsel: Anticipated Litigation - Government Code §54956.9(b)(2)(B) One Case:
 - a. Facts and circumstances - consideration of claim by Marcus Jennings
2. Conference with legal counsel: Anticipated Litigation - Government Code §54956.9(b)(2)(C) Two Cases:
 - a. Facts and circumstances - threat of litigation by Chadwick Nursery.
 - b. Facts and circumstances - threat of litigation regarding payment for lifetime dental insurance.
3. Conference with labor negotiator - Government Code §54957.6
Agency Negotiator: Deborah Scott-Leistra
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

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

The meeting was reconvened at 6:05 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 was no reportable action taken during the closed session.

PRESENTATIONS:

Redlands Animal Shelter - Volunteers Lynda Ackerman and Cyndy Dunham introduced Kingsford, a one year old male Xoloitzcuintli, who is available for adoption at the Redlands Animal Shelter along with fifty-one other dogs and seventeen cats. Ms. Ackerman informed the Council thirty-one dogs and fifteen cats have been adopted since the last City Council meeting.

Scout Appreciation - Don Buchanan, of the Boy Scouts of America, presented a Certificate of Appreciation to the City of Redlands from the Grayback Council.

Energy Efficiency - Linda Ortiz and Joanna Chang, of Southern California Edison, presented an overview of the Energy Efficient Partnership Program, highlighting the fact the City of Redlands saved 229,000 kilowatt hours of energy by presenting Mayor Aguilar with an incentive check for \$29,400.00

PUBLIC COMMENTS:

Change - Steve Rogers called for a paradigm shift in the way government does business.

Communism v. Capitalism - Having spent time in China recently, Fred Henning observed that the roads there are in better condition than the streets of Redlands.

CONSENT CALENDAR:

Minutes - On motion of Mayor Pro Tem Foster, seconded by Councilmember Bean, the City Council unanimously approved the minutes of the regular meeting of February 1, 2011.

Settlement Agreement - On motion of Mayor Pro Tem Foster, seconded by Councilmember Bean, the City Council unanimously approved the disclosure of details of a settlement agreement between the City of Redlands and Harry D. Schwimmer. Under the terms of the agreement, Mr. Schwimmer will receive

\$46,590.00 for a release of all claims against the City for an incident which occurred on or about December 28, 2010 and which resulted in damage to Mr. Schwimmer's business.

Agreement Amendment - On motion of Mayor Pro Tem Foster, seconded by Councilmember Bean, the City Council unanimously approved the first amendment to the agreement between the City of Redlands and ICF Consulting to extend to June 30, 2011 the period of performance to allow completion of the Hazard Mitigation Plan Update. There is no additional cost to the City associated with this agreement amendment.

Resolution No. 7026 - EECBG - On motion of Mayor Pro Tem Foster, seconded by Councilmember Bean, the City Council unanimously approved Resolution No. 7026 expressing full support for the Energy Efficiency and Conservation Block Grant (EECBG) Program.

Resolution No. 7032 - Bicycle Transportation Grant - On motion of Mayor Pro Tem Foster, seconded by Councilmember Bean, the City Council unanimously approved Resolution No. 7032 authorizing the submission of an application to the Bicycle Transportation Account grant opportunity offered by CalTrans to fund the construction of a segment of the Orange Blossom Trail.

Economic Interest - On motion of Mayor Pro Tem Foster, seconded by Councilmember Harrison, the City Council unanimously agreed to receive and file a disclosure of property interests within the Redlands Redevelopment project area by recently appointed Planning Commissioner Julie Rynerson Rock. She owns property at 610 East Stuart Avenue. As a public comment, Steve Rogers asked if County officials should disclose ownership of property in the Redlands Redevelopment project.

Resolution No. 7027 - Flood Corridor Grant - On motion of Mayor Pro Tem Foster, seconded by Councilmember Bean, the City Council unanimously approved Resolution No. 7027 authorizing the submission of an application to the Department of Water Resources for a Flood Corridor Program 2010-2011 grant for the Opal Storm Water Management Basin and related improvements.

Local Emergency Status - Fire Chief Frazier introduced Danielle Garcia, of the Quality of Life Department, who presented an update on the sources of funding to pay for the Local Emergency Declaration validated by the City Council at a special meeting on December 23, 2010. Federal and State Emergency Management Agency reimbursements are expected to cover 93.25% of the expenses resulting from the Emergency. To date \$143,617.25 has been charged to the storms, \$100,589.90 in salaries and benefits and \$1,493.87 for repair and maintenance supplies. There are encumbrances of \$282,050.00 with Larry Jacinto Construction for repair of damage in various locations; \$7,870.00 with RD Construction for damage on Bond, Fern and Brookside Avenues; \$4,000.00

with CHJ, Inc. for geologic evaluation services; \$10,722.00 with JP Striping for restriping of San Timoteo Road from Alessandro to Fern; \$12,585.00 with Cannon Pacific Services, Inc. for emergency street sweeping of San Timoteo Canyon; and \$6,487.00 with Dave Bang Associates, Inc. for resurfacing of a damaged playground at Jennie Davis Park. On motion of Mayor Pro Tem Foster, seconded by Councilmember Bean, the City Council unanimously agreed to receive and file the report.

COMMUNICATIONS:

Sustainability Plan - Several people spoke in support of the City of Redlands Community Sustainability Plan, encouraging approval of the plan and thanking members of the Climate Action Task Force for the many hours expended to derive the Plan. Skeptics expressed concerns in a lack of adequate attribution and disclosure for the data used in the Plan and worried about the negative impact of sustainability mandates on small business. On motion of Councilmember Harrison, seconded by Mayor Pro Tem Foster, the City Council unanimously agreed to continue consideration of the City of Redlands Community Sustainability Plan to the March 1, 2011 City Council meeting to allow additional time to integrate inputs from various community groups.

FY2009-2010 Financial and Audit Reports - Tina Kundig introduced Mike Harrison, from the accounting firm of Mayer Hoffman McCann P.C., who presented an executive summary of the audit. On motion of Councilmember Bean, seconded by Councilmember Gardner, the City Council unanimously agreed to receive and file the City of Redlands Comprehensive Annual Financial Report, the Single Audit Report on Federal Awards, the Independent Accountant's Report on Agreed-Upon Procedures Applied to Appropriation Limit Worksheets, and the Summary of Audit Results for the fiscal year ended June 30, 2010.

Budget Review - Tina Kundig presented a summary of the Mid-Year Budget Review for FY 2010-2011. Based on the review, the City Manager and Finance Staff did not recommend any action on the part of the City Council to revise revenues expenditure estimates at this time.

Budget and Finance Policies - Councilmember Gardner presented a draft list of budget and finance policies for discussion. To accommodate suggested changes addressing the debt payment relationships between the General Fund and the other enterprise funds and the periodic changing of auditors, Councilmember Gardner will bring the list of policies back to the City Council at the March 1, 2011 meeting.

Forum Website - David Hexem presented a demonstration of a Redlands Forum website which originated from ideas voiced at a Redlands Forum presentation at Esri in November 2010. The goal of the website is to provide residents a

platform to submit ideas for the future of Redlands. Mayor Aguilar and Councilmember Harrison recused themselves from discussion on the website due to their employment relationship with the University of Redlands and Esri respectively.

Smartphone Application - David Hexem introduced Kurt Daradics from Citysourced, who gave a demonstration of a smartphone application to be used to report to the Quality of Life Department basic issues needing attention such as potholes, graffiti, illegal dumping and inappropriate parking

NEW BUSINESS:

Brown Act Compliance - On motion of Councilmember Bean, seconded by Mayor Pro Tem Foster, the City Council unanimously agreed to continue to follow the provisions of the Ralph M. Brown Act regarding open meetings and open government, regardless of state failure to reimburse the City for the costs of implementing the mandated provisions of the Act.

Vehicle Purchase - On motion of Councilmember Bean, seconded by Councilmember Gardner, the City Council unanimously approved the purchase of an Automated Sideloader Truck and a Front-End Loader Truck for the solid waste collection. These trucks use Liquefied Natural Gas and are required to meet emissions standards set forth by the California Air Resources Board.

Street Resurfacing - On motion of Mayor Pro Tem Foster, seconded by Councilmember Harrison, the City Council unanimously agreed that an agreement and construction of the 2010 Resurfacing Program is categorically exempt from further environmental review in accordance with the California Environmental Quality Act, approved the Program plans and specifications, waived a minor bid irregularity, and authorized the Mayor to execute a contract between the City of Redlands and All American Asphalt, Inc. to do the work.

Pavement Repair - On motion of Councilmember Gardner, seconded by Mayor Pro Tem Foster, the City Council unanimously agreed that an agreement and construction of the 2011 City Wide Pavement Repair for Water Projects is categorically exempt from further environmental review in accordance with the California Environmental Quality Act, approved the Projects plans and specifications, waived a minor bid irregularity, and awarded a contract to Elite Companies, Inc. to do the work.

Perchlorate Abatement - On motion of Councilmember Harrison, seconded by Councilmember Gardner, the City Council unanimously approved a consultant service agreement between the City of Redlands and URS Corporation for design engineering services for a mixing system to abate a potential perchlorate problem at the Agate Reservoir and a reimbursement agreement between the

City and Lockheed Martin Corporation to provide funding for the URS Corporation service.

Coffee with the Council - Mayor Aguilar introduced and summarized a program of a series of coffee meetings open to the public attended by two Council Members to be held on the third Saturday of each month (excluding August) from 8:00 to 10:00 A.M. in an attempt to maintain and support increased communication between the City Council and residents of Redlands. A schedule of the meetings' locations and participants will be maintained in the City Manager's office.

PUBLIC HEARING:

Resolutions No. 7024 and 7025 - Community Facilities District 2004-1 Annexation No. 8 - Mayor Aguilar opened the public hearing and called for a report from Manuel Baeza, from the Community Development Department for background on a request for annexation proceedings for Keswick Financial Group, Inc. involving 1.68 acres located at the southeast corner of Pennsylvania Avenue and Texas Street. On motion of Mayor Pro Tem Foster, seconded by Councilmember Harrison, the City Council unanimously approved Resolution No. 7024 calling a special election on the question of levying special taxes within the territory proposed to be annexed to Community Facilities District (CFD) No. 2004-1. City Clerk Irwin conducted the election and canvassed the voted ballot, reporting a resultant vote in favor of levying taxes on property within the territory proposed to be annexed to pay the costs of maintaining parks, parkways and open space, including, but not limited to, the maintenance of street trees and landscape. On motion of Mayor Pro Tem Foster, seconded by Councilmember Harrison, the City Council unanimously approved Resolution No. 7025 declaring the results of the election and completing the annexation of the property to the CFD.

COUNCILMEMBER ACTIVITIES:

Raid on RDA Funds - Mayor Aguilar attended a California League of Cities Board of Directors meeting on the concerns and proposed strategies for addressing the Governor's proposal to do away with Redevelopment Agencies. The League's position is that Proposition 22 protects redevelopment agencies and a constitutional amendment would be required to disband them.

Lincoln Dinner - Mayor Pro Tem Foster highlighted the event attended by City Council members.

JOINT MEETING WITH REDEVELOPMENT AGENCY:

SERAF Payment - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the payment

and source of funding for the required shift of property tax revenues into the San Bernardino County Supplemental Education and Revenue Augmentation Fund (SERAF) and to report the source of funding to the County Auditor.

ADJOURNMENT:

There being no further business, the City of Redlands City Council meeting adjourned at 9:27 P.M. The Council will meet next at their regularly scheduled meeting on March 1, 2011.