

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 October 20, 2009, at 3:00 P.M.

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

ABSENT None

STAFF Daniel J. McHugh, City Attorney; Lorrie Poyzer, City Clerk; Carl Baker, Public Information Officer; Jim Bueermann, Police Chief; Phil Mielke, Acting Chief Information Officer; Daniel Hobbs, Redevelopment Agency Director; Rosemary Hoerning, Municipal Utilities and Engineering Director; Tina Kundig, Finance Director/City Treasurer; Jeff L. Frazier, Fire Chief; Oscar W. Orci, Community Development Director; Deborah Scott-Leistra, Human Resources Director; Gary van Dorst, Quality of Life Director

The meeting was opened with an invocation by Councilmember Gallagher followed by the pledge of allegiance to the American flag.

PRESENTATIONS

Redlands Animal Shelter - Animal Control Officer Bill Miller and Redlands Animal Shelter volunteer Lynda Ackerman introduced Leah, a one-year-old wire-haired Jack Russell Terrier, who is available for adoption at the Redlands Animal Shelter. Ms. Ackerman announced the recent Doggie Bail-Out netted over \$9,000.00 for the spay/neuter program at the Redlands Animal Shelter.

CONSENT CALENDAR

Minutes - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously approved the minutes of the regular meeting of October 6, 2009, as submitted.

Annual Development Agreements Review - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously accepted a report for the annual review of the approved development agreement with Redlands Land Holding, LLC and determined the annual report is complete and directed staff to prepare a Certificate of Compliance that can be recorded by the applicant.

Ordinance No. 2720 - Mayor and Mayor Pro Tempore Terms - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City

Council unanimously adopted Ordinance No. 2720, an ordinance of the City of Redlands amending Chapter 2.02 of the Redlands Municipal Code relating to the terms of the Mayor and Mayor Pro Tempore.

Reappointment - Municipal Utilities/Public Works Commission - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously reappointed Stephen Stockton to serve an additional term on the Municipal Utilities/Public Works Commission ending November 16, 2013, as recommended by Mayor Harrison.

Cell Tower Lease - Sunset Reservoir Site - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously approved the transfer of an existing lease of property at the Sunset Reservoir site from Pacific Bell Wireless, the original lease holder, to T-Mobile West Corporation, the successor in interest, and approved T-Mobile West Corporation's request to sublease to Los Angeles SMSA Limited Partner DBA Verizon Wireless at the Sunset Reservoir and authorized the Mayor to execute, and the City Clerk to attest to, the documents on behalf of the City.

Cell Tower Lease - Dearborn Reservoir Site - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously consented to AT&T's request to sublease to Clearwire the wireless services facility located at the City's Dearborn Reservoir site authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Funds - OTS Grant - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously accepted the Office of Traffic Safety (OTS) Click it or Ticket Mini-Grant Program CT 310338 for Local Law Enforcement Agencies and authorized an additional appropriation to the Police Department in the amount of \$25,333.00.

Funds - OTS Grant - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously accepted the Office of Traffic Safety (OTS) Sobriety Checkpoint Mini-Grant, SC #10338, for Local Law Enforcement Agencies and authorized an additional appropriation to the Police Department in the amount of \$110,504.80.

Termination of Agreement - Red Light Enforcement Systems - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously approved termination of an agreement with Redflex Traffic Systems for the Redlands light enforcement systems.

Agreement - Emergency Use of Facilities - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously approved an agreement for emergency use of facilities with Cal

Fire for use of the Redlands Municipal Airport on September 24, 2009, as a helicopter fire-fighting base for the Crafton Fire authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

UNFINISHED BUSINESS

Resolution No. 6900 - City Clerk Compensation - Councilmember Bean reported on the City Council sub-committee meeting he and Councilmember Aguilar held with staff and reviewed their recommendations for a proposed revised salary and benefits package for the next City Clerk. Councilmember Aguilar then noted the City Council needed to decide how to proceed after the applications are received. Bill Cunningham felt the appointment was exceedingly important as the Clerk should be totally independent, and that with the configuration of the City offices the Clerk is the public face for City Hall and should be able to interface with the public. He urged appointment of a full time Clerk with the assumption they would serve the community well and then support in the upcoming election. Councilmember Bean moved to adopt Resolution No. 6900, a resolution of the City Council of the City of Redlands establishing compensation for the elective office of the City Clerk and rescinding Resolution No. 6772 (effective December 18, 2009). Motion seconded by Councilmember Aguilar and carried unanimously. Following discussion, the following schedule was agreed upon: Applications would be due by November 2, 2009; the Human Resources Department will screen the application for the minimum requirement: Redlands' resident and registered voter; the Council sub-committee will work with the Human Relations Department to screen the applicants by November 9, 2009; background checks will be done; and oral interviews by peer City Clerks from surrounding cities and perhaps community leaders will be held the week of November 9. Six to ten applicants will then be interviewed by the full City Council at a date to be determined. Councilmember Bean moved to direct the City Attorney to prepare an ordinance to describe the non-statutory duties for the new City Clerk. Motion seconded by Councilmember Gilbreath and carried unanimously.

NEW BUSINESS

Salaries and Bills - Due to a potential conflict of interest, Councilmember Bean retired from the Council Chambers and did not participate in this matter; a Public Disclosure of Potential Conflict of Interest form is on file in the City Clerk's Office. Councilmember Gilbreath moved to approve payment of salaries and bills. Motion seconded by Councilmember Gallagher and carried by AYE votes of all present with Councilmember Bean having abstained.

Resolution No. 6898 - Proposition 1A Purchase and Sale Agreement - Finance Director/City Treasurer Kundig presented information regarding Proposition 1A which was passed by California voters in 2004 to ensure local property tax and sales tax revenues remain with local government, thereby safeguarding funding

for public safety, health, libraries, parks, and other local services. Provisions can only be suspended if the Governor declares a fiscal necessity and two-thirds of the Legislature concurs and the emergency suspension of Proposition 1A, which was passed by the Legislature and signed by the Governor as ABX4 14 and ABX4 15 as part of the 2009-2010 budget package on July 28, 2009 and its impact on the City of Redlands. Authorized under ABX4 14 and ABX4 15, the Proposition 1A Securitization Program was instituted by California Communities to enable Local Agencies to sell their respective Proposition 1A Receivables to California Communities. Currently SB 67 is being considered to clarify specific aspects of ABX4 14 and ABX4 15. Under the Securitization Program, California Communities will simultaneously purchase the Proposition 1A Receivables, issue bonds ("Prop 1A Bonds") and provide each local agency with the cash proceeds in two equal installments, on January 15, 2010 and May 3, 2010 (to coincide with the dates that the State will be shifting property tax from local agencies). The purchase price paid to the local agencies will equal 100 percent of the amount of the property tax reduction. All transaction costs of issuance and interest will be paid by the State of California. Participating local agencies will have no obligation on the bonds and no credit exposure to the State. Finance Director/City Treasurer Kundig reported on the benefits to the City of Redlands of this program. Councilmember Gilbreath moved to adopt Resolution No. 6898, a resolution of the City Council of the City of Redlands approving the form and authorizing the execution and delivery of a purchase and sale agreement and related documents with respect to the sale of the seller's Proposition 1A Receivable from the State and directing and authorizing certain other actions in connection therewith. Motion seconded by Councilmember Gallagher and carried unanimously.

Appointment - County Solid Waste Advisory Task Force Delegate - Councilmember Harrison moved to appoint Councilmember Aguilar as delegate and Councilmember Gilbreath as alternate delegate of the San Bernardino County Solid Waste Advisory Task Force. Motion seconded by Councilmember Gallagher and carried unanimously.

Contract Award - Sand Canyon Reservoir Recoating - Water Resources Manager Chris Diggs reported bids were opened and publicly declared on October 1, 2009, by the City Clerk for the Sand Canyon Reservoir Recoating and Improvement Project; a bid opening report is on file in the Office of the City Clerk. Councilmember Gilbreath moved to approve the plans and specifications for the Sand Canyon Reservoir Recoating and Improvement Project; to award a construction contract to Paso Robles Tank, Inc. in an amount of \$522,200.00; to authorize a construction contingency of ten (10) percent; and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City. Motion seconded by Councilmember Gallagher and carried unanimously.

Letter of Interest to SANBAG - Councilmember Gilbreath moved to direct staff to prepare and send a letter to SANBAG expressing the City's interest in participating in the Regional Greenhouse Gas Inventory and Reduction Plan and associated Environmental Impact Report. Motion seconded by Councilmember Gallagher and carried unanimously.

Funds - Policing Services Technology Program Grant - Following a brief presentation by Police Chief Bueermann, Councilmember Gilbreath moved to approve the grant award from the U. S. Department of Justice Community Oriented Policing Services Technology Program Grant (2009CKWX0315) and the supplemental appropriation of funds to the Police Department in the amount of \$425,000.00. Motion seconded by Councilmember Gallagher and carried unanimously.

ANNOUNCEMENTS/REPORTS

Councilmember Gilbreath reported on her attendance at recent SANBAG and SCAG meetings. She reported Healthy Redlands will be holding a flu clinic and the Safe Neighborhood subcommittee will also be meeting. Councilmember Gallagher reported on his attendance at a recent Omnitrans meeting.

PUBLIC COMMENTS

None forthcoming.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 4:18 P.M. The next regular meeting will be held on November 3, 2009.