

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 March 20, 2007, at 3:00 P.M.

PRESENT

Jon Harrison, Mayor
Pat Gilbreath, Mayor Pro Tem
Gilberto Gil, Councilmember
Mick Gallagher, Councilmember
Pete Aguilar, Councilmember

ABSENT

None

STAFF

Sam J. Racadio, Interim City Manager; Daniel J. McHugh, City Attorney; Lorrie Poyzer, City Clerk; Michael Reynolds, City Treasurer; Jim Bueermann, Police Chief; Jim Drabinski, Fire Chief; Steven H. Dukett, Interim Redevelopment Agency Director; Tom Steele, Assistant Finance Director; Ronald C. Mutter, Public Works Director; Gary G. Phelps, Municipal Utilities Director; and Jeffrey L. Shaw, Community Development Director

The meeting was opened with an invocation by Councilmember Gil followed by the pledge of allegiance.

CONSENT CALENDAR

Minutes - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the minutes of the regular meeting of March 6, 2007, the adjourned regular meeting of March 6, 2007, the special meeting of March 7, 2007, and the adjourned regular meeting of March 6, 2007, were approved as submitted.

Bills and Salaries - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, payment of salaries and bills was acknowledged.

Agreement - CFD 2001-1 and CFD 2003-1 - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously approved agreements with David Taussig & Associates for Mello-Roos administration services relating to Community Facilities District No. 2001-1 (Northwest Development Project) and Community Facilities District No. 2003-1 (Redlands Business Center) for fiscal year 2007-08, and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Planning Commission Actions - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the report of the Planning Commission meeting held on March 13, 2007, was acknowledged as received.

Fund Transfer Agreement - Orange Blossom Trail - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously approved a fund transfer agreement with the State of California, Department of Transportation, for the preparation of a conceptual plan for the Orange Blossom Trail and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Agreement - Kiosk Signs - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously approved an agreement with Inland Directional Sign for the design, maintenance and management of real-estate-for-sale "kiosk" signs and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Fee Waiver - Showmobile - American Cancer Society - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously approved the request for a fee waiver of \$1,100.00 in fees for the American Cancer Society for the two-day use of the City's Showmobile providing that certain other requirements noted in the rental contract are met for towing, set-up, deposit, insurance coverage and rental period.

AB 57 - Safe Routes to School - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously authorized the Mayor to sign a letter supporting Assembly Bill 57 which seeks to eliminate the sunset date for the Safe Routes to School program.

Proclamation - National CDBG Week 2007 - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously authorized issuance of a proclamation declaring the week of April 9-15, 2007, as National Community Development Week 2007.

Appointments - Street Tree Committee - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously reappointed Shelli Stockton to another four-year term on the Street Tree Committee ending February 16, 2011, as recommended by Mayor Harrison. On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously reappointed Char Burgess to another four-year term on the Street Tree Committee ending February 16, 2011, as recommended by Mayor Harrison (required a 4/5 vote of the City Council).

Proclamation - Relay for Life Weekend - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously authorized issuance of a proclamation declaring the weekend of March 31-April 1, 2007, as Relay for Life Weekend.

Resolution No. 6589 - Traffic - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously adopted Resolution No. 6589, a resolution of the City Council of the City of Redlands establishing the following traffic regulations in accordance with Title 10 of the Redlands Municipal Code: install a multi-way stop at Brockton Avenue and Judson Street, as recommended by the Traffic and Parking Commission.

Agreement - Mission Gables Bowl House - Janitorial Services - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously approved an agreement with Corporate Building Services to provide for the cleaning of the restrooms at the Mission Gables Bowl House after each event at the Redlands Bowl and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Fee Waiver - National Multiple Sclerosis Society - The request for a waiver of the \$25.00 reservation fee for use of Sylvan Park by the National Multiple Sclerosis Society for their one-day fund raising walk to be held on April 14, 2007, was withdrawn from the agenda as an anonymous donor paid the reservation fee.

Fee Waiver - Ronald McDonald House - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously approved the request by the Loma Linda Ronald McDonald House for use of Sylvan Park for their special fund raising event including placement of booths in the park for various events and activities to include sales in the park and approved the waiver of reservation and use fees in the amount of \$2,570.00 for use of all of Sylvan Park for this event and required the applicant to pay any hard costs associated with the event upon receipt of an invoice from the City of Redlands.

Annexation - CFD 2004-1 - Maggie Lane Development Corporation - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously approved the request of Parviz Parvizyar, the owner of the project identified as Minor Subdivision No. 288 and Commission Review and Approval No. 815 to annex into Community Facilities District No. 2004-1 for the administration, operation and maintenance of the landscaped median islands in Ford Street identified as a part of said project and shown on the CFD Maintenance Area Map on file in the Public Works Department contingent upon the owner paying all city-incurred costs associated with such proceedings.

Local Emergency Report - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously acknowledged receipt of the report from the Municipal Utilities Department regarding the status of the declared local emergency at the Hinckley Water Treatment Plant and North Orange Well Field.

Agreement - Laboratory Fume Hoods - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously approved an agreement with E. J. Skidmore Services for a public improvement project for the installation of two laboratory fume hoods at the City's wastewater treatment facility located at 1950 Nevada Street and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Water Stock Lease - Due to a potential conflict of interest, Councilmember Gilbreath 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 Gil moved to approve shares' lease with Bear Valley Mutual Water Company for 98 shares of Crafton Heights Pipeline Company stock for the 2007-2008 water delivery season and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City. Motion seconded by Councilmember Aguilar and carried by AYE votes of all present with Councilmember Gilbreath having abstained.

Funds - Donation - Tennis Recreation Program - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously accepted, with gratitude, a donation of \$30,000.00 from Dr. Gerry Grollin to provide funding for the proposed enhancements of the tennis court facility at Clement Middle School to promote youth tennis recreation programs and approved an additional appropriation of the same.

Independent Contractor Agreement - Gabriel Jacob - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously approved an independent contractor agreement with Gabriel Jacob to develop and conduct tennis instruction and cardio tennis classes for the City's Recreation Bureau and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Funds - Widows and Orphans Sculpture - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously approved the second installment and payment of \$3,900.00 to Linda Pew for completion of the production of a final clay mold of the Widows and Orphans sculpture to honor families who have lost loved ones in the service of the United States of America to be located in the Jennie Davis Park as recommended by the Cultural Arts Commission.

COMMUNICATIONS

Meeting Attendance - No reports forthcoming.

Resolution No. 6590 - Taxable Pension Obligation Bonds - Assistant Finance Director Steele reported the City Council authorized staff at their workshop held on March 7, 2007, to select a financing team and enter into a contract for bond/disclosure counsel for the purpose of issuing Pension Obligation Bonds that would provide an economic savings to the City. Staff was also authorized to move forward with the financial and legal requirements associated with the issuance of Pension Obligation Bonds that provide an overall economic savings to the City. Following brief discussion, Councilmember Gilbreath moved to adopt Resolution No. 6590, a resolution of the City Council of the City of Redlands providing for the issuance of one or more series of City of Redlands Taxable Pension Obligation Bonds, approving the forms of and authorize the execution and delivery of an indenture relating thereto, authorizing a validation action and authorizing certain other actions in connection therewith. Motion seconded by Councilmember Gil and carried unanimously.

WORKSHOP

Development Impact Fee Program - Public Works Director Mutter reported the Public Works Department has been working with MuniFinancial to develop a comprehensive update to the department's development impact fee program. These fees cover the costs associated with infrastructure and facility impacts caused by new development. The program covers fees in the following areas: general government facilities, library facilities, police facilities, park facilities, fire facilities, storm drain facilities, and transportation facilities. A representative from MuniFinancial presented a discussion of the fee analysis and the methodology for determining the fees for each section. A letter was received from Dora Waters opposing the proposed development impact fee increases. Councilmembers discussed the report at length and on motion of Councilmember Gilbreath, seconded by Gallagher, unanimously continued the study session to the April 3, 2007, meeting.

CLOSED SESSION

The City Council meeting recessed at 4:12 P.M. to a closed session to discuss the following:

1. Conference with real property negotiator - Government Code Section 54956.8
 - a. Property: APN 0173-191-16 (1132 West Cypress Avenue)
 - Negotiating parties: Sam J. Racadio, Janice McConnell and Joyce Agnew and Luis Alvarez
 - Under negotiation: Terms and price
2. Government Code Section 54957 - Public Employee Appointment - City Manager position

The meeting reconvened at 7:00 P.M.

PRESENT

Jon Harrison, Mayor
Pat Gilbreath, Mayor Pro Tem
Gilberto Gil, Councilmember
Mick Gallagher, Councilmember
Pete Aguilar, Councilmember

ABSENT

None

STAFF

Sam J. Racadio, Interim City Manager; Daniel J. McHugh, City Attorney; Lorrie Poyzer, City Clerk; Teresa Ballinger, Assistant City Clerk; Michael Reynolds, City Treasurer; Jim Bueermann, Police Chief; Jim Drabinski, Fire Chief; Steven H. Dukett, Interim Redevelopment Agency Director; Tom Steele, Assistant Finance Director; Ronald C. Mutter, Public Works Director; Marjie Pettus, Administrative Services Director; Gary G. Phelps, Municipal Utilities Director; and Jeffrey L. Shaw, Community Development Director

CLOSED SESSION REPORT

City Manager Employment - City Attorney McHugh announced the City Council unanimously offered the Redlands' City Manager position to N. Enrique Martinez.

NEW BUSINESS

City Manager Employment Agreement - Mayor Harrison reviewed the process for the recruitment, interviews by a full City Council and contract negotiations by a sub-committee that took place over the last several months to fill the position of City Manager. Mayor Harrison announced the City Council reached the conclusion that N. Enrique Martinez would be the best match for the current needs of the City based upon his experience with other cities of similar nature and facing similar challenges that we have now relative to finance and would provide a strong balance of leadership while working with the City Council to define our priorities for the coming years. On behalf of the City Council, Mayor Harrison said they were looking forward to working with Mr. Martinez in the coming weeks, months and years. Councilmember Gallagher moved to approve the employment contract with N. Enrique Martinez, City Manager. Motion seconded by Councilmember Gil and carried unanimously.

PUBLIC HEARING

Ordinance No. 2656 - Disability Development Standards - Public hearing was advertised for this time and place to consider Ordinance No. 2656, Ordinance Text Amendment No. 314, amending Title 18 of the Redlands Municipal Code to provide reasonable accommodations in the City's residential development standards for the benefit of persons with disabilities. Mayor Harrison declared the meeting open as a public hearing. Community Development Director Shaw

explained the intent of the proposed ordinance is to provide accommodations to people with disabilities when interpreting the residential development standards of our Code. This addition to the Code will bring the City's development standards in compliance with the Federal Fair Housing Act of 1988 and the California Fair Employment and Housing Act. Mayor Harrison called for public comments. There being no verbal or written comments, the public hearing was declared closed. Councilmember Gilbreath moved to determine that Ordinance Text Amendment No. 314 is exempt from the California Environmental Quality Act pursuant to Section 15061(B)(3) of the California Environmental Quality Act Guidelines. Motion seconded by Councilmember Aguilar and carried unanimously. Ordinance No. 2656, Ordinance Text Amendment No. 314, amending Title 18 of the Redlands Municipal Code to provide reasonable accommodations in the City's residential development standards for the benefit of persons with disabilities, was read by title only by City Clerk Poyzer, and on motion of Councilmember Gilbreath, seconded by Councilmember Aguilar, further reading of the ordinance text was unanimously waived, and Ordinance No. 2656 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for April 3, 2007.

UNFINISHED BUSINESS

Funds - Air Support Unit - Redlands Police Department - Police Chief Bueermann reported on September 9, 2006, the City Council authorized the Police Department to develop an *Air Support Unit* proposal to leverage the department's current crime fighting resources. The department's work is complete and the questions relative to the operations and cost have been answered. The department is now seeking City Council approval to implement the program on an 18-month trial basis. Police Chief Bueermann presented a lengthy PowerPoint extolling the advantages of an air unit. This proposal does not provide additional costs of the City's General Fund and contains the stipulation that only the City Council can authorize additional General Fund expenditures for this project. It also requires the establishment of a set of performance measures to determine if the program has achieved its stated goals at the conclusion of the evaluation period. If the program does not prove effective, the Chief of Police will report this to the City Council and request permission to terminate the program and sell the plane. Councilmembers asked several questions following the presentation. Speaking in support of the proposal were: Corey Hunt, Redlands Police Officers Association, Eric Fraser, Cynthia Gourlay, Carl Robinson, Vonn Layel, Shawn Ryan, Leslie Martinez, George Salilig, Rod Peister, Terry Harbison, John Quigley, Bill Angliss, Tom Fitzmaurice, Joe Gonzales, Eddie Tejada, Derik Ohlson, and Debra Nester. Councilmember Gallagher expressed concerns about where the monies could be going and wanted to re-visit the matter after we solve the City's financial crisis. Willing to give the Police Chief the benefit of doubt, Councilmember Aguilar expressed concerns about the comp time and backfill of sworn police officers

and wanted to see performance indicators. Councilmember Gilbreath supported the concept but had some reservations and wanted to see the performance indicators and liability issues addressed but would be willing to support it for 18 months. Councilmember Harrison expressed his support but wanted to see good performance standards with a monthly progress report. Councilmember Gil continued to support the proposal.

Air Support Unit Trial Program - Councilmember Gilbreath moved to authorize the Police Department to implement an 18-month fixed-wing *Air Support Unit* trial program with the understanding that: (a) the program shall be funded through asset seizure and traffic impound funds, grants or donations and that no additional General Fund money can be expended on the program without the approval of the City Council; (b) the Police Department will report back to the City Council after the program has been operation for 18 months and a determination will be made as to whether the program has met its performance indicators; and (c) if a determination is made that the program does not meet appropriate indicators of success, it shall be terminated unless otherwise extended by the City Council. Motion seconded by Councilmember Aguilar and carried with Councilmember Gallagher voting NO.

Funds - Councilmember Gilbreath moved to approve the additional appropriation of \$185,000.00 from narcotics asset seizure and traffic impound accounts to implement the Police Department's *Air Support Unit*. Motion seconded by Councilmember Aguilar and carried with Councilmember Gallagher voting NO.

Purchase of Airplane - Councilmember Gilbreath moved to approve and authorize the purchase of a Cessna 172 airplane with the price not to exceed \$80,000.00. Motion seconded by Councilmember Aguilar and carried with Councilmember Gallagher voting NO.

Hanger Fee Waiver - Councilmember Gilbreath moved to authorize the Police Department to utilize a City-owned hanger at the Redlands Municipal Airport to support the program and waive any inter-fund transfer related to the storage of the plane in the hangar. Motion seconded by Councilmember Aguilar and carried with Councilmember Gallagher voting NO.

PUBLIC COMMENTS

Group Homes - Mayor Pro Tem Gilbreath announced Senator Bob Dutton will host a hearing in the Redlands City Council Chambers on March 31, 2007, from 8:00 A.M. to 10:00 A.M. for solicitation and support for his bill regarding group homes. Mayor Pro Tem Gilbreath will be present to open the City Council Chambers.

City Manager - Mayor Harrison welcomed N. Enrique Martinez, the newly appointed City Manager, who was present. Mr. Martinez introduced his wife and said he was looking forward to working with staff and Councilmembers.

Traffic Concerns - Wesley Hollaway had submitted a speaker form to address public safety on Nordina Street but was no longer present.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 9:24 P.M. The next regular meeting will be held on April 3, 2007.

City Clerk