

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 5, 2008, 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 N. Enrique Martinez, 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; Tina Kundig, Finance Director; Chris Diggs, Interim Municipal Utilities and Engineering Director; Bob Dalquest, Interim Community Development Director; Kurt Smith, Chief Information Officer; Gary Van Dorst, Interim Quality of Life Director

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

PRESENTATION

Adopt A Pet - Animal Control Officer Bill Miller introduced Sadie, a three-year old retriever mix, who is available for adoption at the Redlands Animal Shelter.

ANNOUNCEMENT/REPORTS

Mayor Pro Tem Gilbreath announced Verizon will be presenting a check for \$45,000.00 to the Redlands Community Hospital Foundation tomorrow afternoon.

CONSENT CALENDAR

Minutes - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the minutes of the regular meeting of January 15, 2008, were approved as submitted.

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

Audit - Michael Harrison, Mayer Hoffman McCann, P.C. reviewed the 2006-2007 City of Redlands' Comprehensive Annual Finance Report, the 2006-2007

Single Audit Report on Federal and Selected State Awards, the Independent Accountant's Report on Agreed-Upon Procedures Applied to Appropriation Limit Worksheets and the Report on Compliance and Other Matters on Internal Control Over Financial Reporting for the year ended June 30, 2007, and responded to Councilmembers' questions. Councilmember Gilbreath moved to accept these audit documents. Motion seconded by Gallagher and carried unanimously.

Resolution No. 6680 - UBS Financial Services Account Signers - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously adopted Resolution No. 6680, a resolution of the City Council of the City of Redlands designating new authorized signers for accounts with UBS Financial Services and authorizing the Mayor to execute substantially similar resolutions for the opening of additional investment accounts with broker/dealers and financial institutions as recommended by the City Manager and Finance Director.

Planning Commission Actions - Due to potential conflicts of interest, Councilmembers Aguilar and Bean retired from the Council Chambers and did not participate in this matter; Public Disclosure of Potential Conflict of Interest forms are on file in the City Clerk's Office. Councilmember Gilbreath moved to acknowledge receipt of the report of the Planning Commission meeting held on January 22, 2008. Motion seconded by Councilmember Gallagher and carried with Councilmembers Aguilar and Bean having abstained.

Ordinance No. 2658 - Calculation of Property Slopes - Ordinance No. 2658, an ordinance of the City of Redlands adding Chapter 16.04 to the Redlands Municipal Code to implement goals and policies of the Redlands General Plan relating to the calculation of property slopes, was unanimously adopted on motion of Councilmember Gilbreath, seconded by Councilmember Gallagher.

Resolution No. 6673 - Regional Transportation Improvement Plan Program - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously adopted Resolution No. 6673, a resolution of the City Council of the City of Redlands certifying that Redlands has the resources to fund the projects submitted for inclusion in the Fiscal Year 2008/2009-2013/2014 Transportation Improvement Program and affirming its commitment to implement all of the projects submitted in the program.

Resolution No. 6676 - ADA Coordinator - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously adopted Resolution No. 6676, a resolution of the City Council of the City of Redlands amending Resolution No. 6248 to assign a new coordinator (Eric Weck) for the Americans with Disability Act for the City of Redlands.

Agreement - Building Alterations - One Stop Permit Center - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously approved an agreement for public improvement project with Hinkley and Associates, Inc. for building alterations to facilitate finalization of the One Stop Permit Center and re-organization requirements, based on a total negotiated contract amount of \$29,897.00 and authorized staff to approve additional costs up to 10 percent over such total amount and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

SBVMWD - Time Extension - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously granted San Bernardino Valley Municipal Water District a one-year time extension to complete off-site improvements for APN 167-101-06 located at Texas Street and San Bernardino Avenue and to allow occupancy of its facility prior to that time.

Agreement - Peak Pond Liner Replacement - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously approved an agreement with Carollo Engineers to furnish design engineering services for the Peak Pond Liner Replacement Project at the Wastewater Treatment Plant in the amount of \$66,784.00 and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

California Department of Water Resources - Time Extension - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously approved a one-year extension of the temporary entry permit with the State of California Department of Water Resources for the purpose of conducting ground and aerial surveys and engineering, biological, and floral and fauna studies on APNs 0168-321-11, 0168-341-02 and 0168-351-05.

Lease Agreements - Farming Operations - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously authorized the Qualify of Life Director to terminate the City's lease agreement with Jae III Lee and Jose Gabino Cordero Meneses and authorized staff to negotiate a new lease agreement with Jose Gabino Cordero Meneses for farming operations at the Water Reclamation Facilities on Nevada Street.

Fee Waiver - Lincoln Pilgrimage - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously approved the request by the Boy Scouts of America to waive fees for the use of the Redlands Bowl, Smiley Park, barricades, park attendant and public safety services for the 69th Annual Lincoln Pilgrimage; further required the refundable

clean-up deposit and required the Mission Gables House janitorial fee of \$225.00.

MOU - Fire Explorer Post No. 261 - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously approved the annual memorandum of understanding to participate in the Exploring Program for the Boy Scouts of America, Grayback District, as part of the Learning for Life's education resource program for the Redlands Fire Department Explorer Post No. 261 and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

MOU - Bioterrorism Storage Trailer - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously approved a memorandum of understanding with the San Bernardino County Office of Emergency Services for the placement and location of a storage trailer containing bioterrorism preparedness and response program equipment and supplies on City property located at 1270 West Park Avenue and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Funds - Homeland Security Grant - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously accepted the FY 2007 Homeland Security Grant Program award in the amount of \$51,705.00 and approved an appropriation for the same to purchase law enforcement surveillance equipment.

Funds - Undercover Vehicle Purchase - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously approved an additional appropriation of \$18,000.00 from the Asset Seizure Fund and authorized the purchase of a undercover vehicle for the narcotics unit in the Police Department.

PLANNING AND COMMUNITY DEVELOPMENT

Project Presentation - Orangetree Lane Associates - A presentation was made by a representative of the applicant for a proposed three-story, 51,432 square foot banking facility (1st Centennial Bank) and approximately 50 square foot drive-through automated teller machines on approximately 3.05 acres of property located on the south side of Orange Tree Lane, north of the Interstate 10 Freeway and west of Nevada Street in the Urban Services Commercial District of Specific Plan No. 25. The application consists of Amendment No. 12 to Specific Plan No. 25, Commission Review and Approval No. 856, Conditional Use Permit No. 927 and Variance No. 752.

COMMUNICATIONS

Meeting Attendance - In accordance with Government Code Sections 53232.2 and 53232.3, Councilmember Bean reported on his attendance at the League of California Cities' Academy for New Councilmembers held on January 16-18, 2008, in Sacramento. Councilmember Gallagher, Interim Municipal Utilities and Engineering Director Diggs, and Police Sergeant Chris Catren reported on their attendance at the National League of Cities' Leading Innovation and Change in Local Government on January 24-26, 2008, in Austin, Texas.

Ad Hoc Committee - City Manager's Employment Contract - Mayor Harrison reported that in accordance with the terms of the City Manager's employment contract, the City is required to conduct an evaluation of the City Manager one month before the anniversary date of the term of the contract. In connection with that evaluation, the City Council should consider the City Manager's compensation. To facilitate discussion regarding that compensation, Mayor Harrison asked the City Council to appoint a two-member ad-hoc committee to act as the City's negotiators with the City Manager. Councilmember Harrison moved to approve the formation of an ad-hoc committee to serve as the City's negotiators for the City Manager's employment contract and to appoint Councilmembers Harrison and Gallagher to serve on this ad-hoc committee. Motion seconded by Councilmember Gilbreath and carried unanimously.

Quarterly Financial Reports - Finance Director Kundig reviewed the City Council's request from the December 18, 2007, meeting to develop within six weeks a proposal for quarterly allocated city financial reports (including balance sheets) with management analyses and forecasts to be implemented for the third quarter of the 2007-08 fiscal year. Staff has reviewed the request and prepared a summary report format for the General Fund similar to the one used in the City's annual budget, including beginning fund balance, revenues by major category, other sources of funds, expenditures by department, other use of funds and an ending fund balance. Comparative data for the current year and prior year has been incorporated into the schedule as requested. The same format could be used for the non-General funds, except that the format would be comprised of beginning fund balance, total fund revenues, total transfers in from other funds (sources), total fund expenditures, total transfer out to other funds (uses) and an ending fund balance. These new reports are not automatically generated by the City's financial system software but instead have been created by staff in an Excel spreadsheet using data from the system. Data entry for all funds will take approximately one day each quarter and will be entered by Finance staff. Analyses and forecasts are expected to take an additional one to two weeks and will require coordination between Finance staff and other City staff. Actual hours required will be dependent on the variances noted on the reports and whether they are significant enough to warrant further review. Currently the Finance Department provides monthly reports on the City's common network (J:drive). These reports include the following for each fund: balance sheet (trial balance) for current year; revenue report with current

year budget, year-to-date revenue, variance from budget and the percent realized to date; and expenditure report with current year budget, year-to-date expenditures, encumbrances, variance from budget and the percent realized-to-date. The time required to prepare these proposed quarterly reports will be in addition to the monthly financial reports as well as other financial reports required to be provided by the Finance Department throughout the year. Based on the Councilmember Bean's request, staff proposed the following:

1. If the City Council wishes to have quarterly financial reports in addition to the reports already provided by Finance, staff recommended that only the General Fund be prepared in the new format. The current reports provided on the network can provide adequate information for other funds.
2. City staff does not recommend allocation of estimated revenues/expenditures into the General Ledger or into the proposed reports. The cost of staff time to record accruals/reversals, and the potential reporting problems or errors that may occur outweighs the benefits. The City currently records transactions on a cash basis when received or expended throughout the year and makes appropriate accruals at year-end for the audited financial statements of the City.
3. Completed reports would be available no earlier than six weeks after the end of the month given the timeframe for completion of the current monthly reports. Accordingly, the schedule of the reports would be as follows:
First Quarter (July-September)Report in November
Second Quarter (October-December)Report in February
Third Quarter (January-March)Report in May
Fourth Quarter (April-June)Report in August
4. Staff does not recommend implementation of these reporting requirements until the upcoming fiscal year. Currently, the Finance Department is preparing a mid-year budget review and will be continually working on the fiscal year 2008-2009 budget over the remainder of the current fiscal year.

By consensus, staff was advised to move forward with these recommendations.

Resolution No. 6678 - Consent Calendar Guidelines - Finance Director Kundig presented Resolution No. 6678, a resolution of the City Council of the City of Redlands establishing guidelines for placing matters on the Consent Calendar of the City Council's meeting agendas. Councilmember Gilbreath suggested a report at the front of the packet for conflict listings, and moved to adopt Resolution No. 6678. Motion seconded by Councilmember Gallagher and carried unanimously.

City Council Goal Setting Workshop - Mayor Harrison asked the City Council to consider holding a City Council goal setting workshop for Fiscal Year 2008-2009 to be held in March 2008. The goal setting workshop for the 2008-2009 fiscal year should be set up using an open meeting format to encourage strong Council, staff and community participation. Facilitation of the meeting by an objective professional skilled in such activity proved successful last year, and Mayor Harrison recommended using the same format this year. However, he recommended staff seek a local person, possibly a faculty member from the

business department at the University of Redlands, to fill this role. The workshop should include a review and update from staff on our current totals and objectives. Input from the Blue Ribbon Committee, City Manager and City departments, as well as public comment, at the workshop should also be considered as input to the City Council in updating existing goals and establishing new goals. Additionally, community input gathered through an informative and interactive addition to the City website, should be considered, if time permits. Councilmember Harrison moved to direct staff to organize a City Council goal setting workshop for Fiscal Year 2008-2009 to be held in March 2008 utilizing a local facilitator. Motion seconded by Councilmember Gallagher and carried unanimously.

State of the City - Mayor Harrison asked the City Council for concurrence to schedule a State of the City event. At this event, Mayor Harrison intends to address the attendees with a message of our current state of the City to the community and afford an opportunity for a consolidated view of how we have progressed, the ways in which we are engaged with our community partners and the path we are on for the future. He envisions having City department representatives available to showcase City efforts and respond to questions and inquiries from the community. Following discussion, Councilmember Harrison moved to direct staff to organize a State of the City event to be held after completion of the City Council goal setting workshop and authorized payment for the venue. Motion seconded Councilmember Gallagher and carried unanimously.

Healthy Redlands - Mayor Pro Tem Gilbreath sought Councilmembers' support to allow staff to work with her to set up a "Healthy Redlands" program under the auspices of the San Bernardino County Department of Public Health. By consensus, Councilmembers were supportive of this program.

Mill Creek Water Rights - Eric Fraser addressed the City Council regarding the reimbursement to the General Fund in relation to a 1926 bond issue to purchase Mill Creek water rights and expressed the hope that since discussion and possible action was scheduled on this agenda that the City Council would stop the process. Mayor Harrison stated he has come to the conclusion that this is not the right measure at this time and moved to suspend the contracts with Fieldman, Rolapp & Association and Best Best & Krieger, LLP. Councilmember Gilbreath seconded the motion and stated that the action taken on January 15, 2008, was just for a study to find out what we could legally do. Motion carried unanimously.

Exclusive Negotiation Agreement - ProLogis - Interim Redevelopment Agency Director Dukett reviewed a proposed exclusive negotiation agreement with ProLogis with respect to the approximately 36-acre City-owned property located on the north side of Palmetto Avenue between California and Nevada Streets identified as APNs 0292-044-09 through 12. Mario Saucedo, North Redlands Vision Committee, asked to be a part of this process if it goes through.

Councilmember Gilbreath moved to approve an exclusive negotiation agreement with ProLogis. Motion seconded by Councilmember Aguilar and carried unanimously.

Resolution No. 6679 - Nevada Palmetto Groves - Interim Quality of Life Director Van Dorst presented Resolution No. 6679, a resolution of the City Council of the City of Redlands establishing a policy for the expenditure of proceeds from the sale of the Nevada Palmetto Groves (see Pro Logis Exclusive Negotiation Agreement above) and establishment of a policy to divert waste and mitigate impacts to the California Street Landfill from the sale of the property. Bill Cunningham felt these funds should be re-invested in citrus. David Raley urged the City Council to replace all land purchased with Measure O funds with open space land. Councilmember Gilbreath moved to adopt Resolution No. 6679. Motion seconded by Councilmember Aguilar and carried unanimously.

NEW BUSINESS

Ordinance No. 2679 - Property Maintenance - Interim Quality of Life Director Van Dorst reviewed the proposed ordinance that would update the Redlands Municipal Code provisions governing the maintenance of properties within the City and establish uniform minimum property standards for all types of private property within the City to supplement the nuisance abatement provisions of the Code. Councilmember Harrison wanted the ordinance to clarify that natural vegetation would be allowed. Councilmember Aguilar expressed concern that condominiums and townhouses were not covered under this ordinance. City Attorney McHugh thought the CC&Rs would cover them. The amended version of Ordinance No. 2679, an ordinance of the City of Redlands adding Chapter 8.08 to the Redlands Municipal Code relating to property maintenance and deleting Chapters 8.16, 8.28 and 8.32 relating to hospitals, public eating places and slaughtering of animals, respectively, was read by title only by City Clerk Poyzer, and on motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, further reading of the ordinance text was unanimously waived, and Ordinance No. 2679 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for February 19, 2008.

Ordinance No. 2678 - Purchasing Policy - Finance Director Kundig reviewed the proposed ordinance which updates policies for effective procurement by the City and clarifies ambiguous language, updates the dollar limits for public and nonpublic contracts and provides authorization for approval of contracts. Councilmember Bean felt the \$50,000.00 limit for approval and award of contracts or purchases was too high. City Manager Martinez offered to provide quarterly reports to the City Council with bids and contracts approved at staff level. Councilmembers concurred to add this provision to the ordinance. The amended version of Ordinance No. 2678, an ordinance of the City of Redlands amending Chapter 2.16 of the Redlands Municipal Code relating to City purchases and deleting Chapter 3.74 of the Redlands Municipal Code, 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. 2678 was introduced and laid over under the rules with adoption scheduled for February 19, 2008, with Councilmember Bean voting NO.

Ordinance No. 2689 - Uniform Fire Code - Fire Marshal Leonard Temby reviewed the proposed ordinance adopting the most current Uniform Fire Code in print. Ordinance No. 2689, an ordinance of the City of Redlands amending Chapter 15.20 of the Redlands Municipal Code, and adopting, with certain amendments, the 2006 Edition of the International Fire Code, incorporating the 2007 Edition of the California Fire Code, Part 9 of Title 24 of the California Code of Regulations, was read by title only by City Clerk Poyzer, and on motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, further reading of the ordinance text was unanimously waived, and Ordinance No. 2689 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for February 19, 2008.

Ordinance No. 2690 - California Building Code - Interim Community Development Director Dalquest reviewed the proposed ordinances to update our Building Code, Plumbing Code, Electrical Code and Mechanical Code. Richard Pepper, Chief Building Official, answered questions. Ordinance No. 2690, an ordinance of the City of Redlands amending Chapter 15.04 of the Redlands Municipal Code relating to the adoption of the 2007 California Building Code (California Code of Regulations, Title 24, Part 2) by reference and making amendments thereto, was read by title only by City Clerk Poyzer, and on motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, further reading of the ordinance text was unanimously waived, and Ordinance No. 2690 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for February 19, 2008.

Ordinance No. 2691 - California Plumbing Code - Ordinance No. 2691, an ordinance of the City of Redlands amending Chapter 15.08 of the Redlands Municipal Code relating to the adoption of the 2007 California Plumbing Code (California Code of Regulations, Title 24, Part 5) by reference and making amendments thereto, was read by title only by City Clerk Poyzer, and on motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, further reading of the ordinance text was unanimously waived, and Ordinance No. 2691 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for February 19, 2008.

Ordinance No. 2692 - Electrical Code - Ordinance No. 2692, an ordinance of the City of Redlands amending Chapter 15.12 of the Redlands Municipal Code relating to the adoption of the 2007 California Electrical Code (California Code of Regulations, Title 24, Part 3) by reference and making amendments thereto, was read by title only by City Clerk Poyzer, and on motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, further reading of the

ordinance text was unanimously waived, and Ordinance No. 2692 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for February 19, 2008.

Ordinance No. 2693 - Mechanical Code - Ordinance No. 2693, an ordinance of the City of Redlands amending Chapter 15.16 of the Redlands Municipal Code relating to the adoption of the 2007 California Mechanical Code (California Code of Regulations, Title 24, Part 4) by reference and making amendments thereto, was read by title only by City Clerk Poyzer, and on motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, further reading of the ordinance text was unanimously waived, and Ordinance No. 2693 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for February 19, 2008.

Ordinance No. 2694 - Election Date - In an effort to reduce the cost of the City's General Municipal Election and increase voter turnout, it has been suggested the City Council consider changing the election from November of the odd-numbered years to November of the even-numbered years. City Clerk Poyzer estimated that changing our election date would represent an approximately 60 percent savings in election costs. Bill Cunningham expressed concern that local issues would be buried on a large ballot. Ordinance No. 2694, an ordinance of the City of Redlands moving the date of the City's General Municipal Election from the first Tuesday after the first Monday in November of odd-numbered years to the first Tuesday after the first Monday in November of even-number years commencing with the year 2010, was read by title only by City Clerk Poyzer, and on motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, further reading of the ordinance text was unanimously waived, and Ordinance No. 2694 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for February 19, 2008.

Ordinance No. 2695 - Dogs - Police Chief Bueermann explained that the current ordinance relating to vicious and dangerous dogs was deficient in that it restricted the City's ability to take action in the first incident where a dog has killed another domestic animal. The proposed ordinance will allow Animal Control Officers to take action whenever a dog has killed another domestic animal. Ordinance No. 2695, an ordinance of the City of Redlands amending Chapter 6.05 of the Redlands Municipal Code relating to vicious and potentially dangerous dogs, was read by title only by City Clerk Poyzer, and on motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, further reading of the ordinance text was unanimously waived, and Ordinance No. 2695 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for February 19, 2008.

PUBLIC COMMENTS

Southern California Gas Company - Amber Starbuck, the new Public Affairs Manager for the Southern California Gas Company, introduced herself and offered her assistance to the City.

Agenda - Councilmember Bean complained about the agenda for this meeting as he felt it was too heavy and asked staff to consider spreading out important issues. David Raley agreed with Councilmember Bean noting the public was not allowed very much time to study the issues.

CLOSED SESSION

The City Council meeting recessed at 5:55 P.M. to a closed session to discuss the following:

1. Conference with legal counsel: Anticipated litigation - Government Code §54956.9(a) - City Attorney McHugh
 - a. Michael Wynne v. City of Redlands
2. Conference with legal counsel: Anticipated litigation - Government Code §54956.9(b) - City Attorney McHugh
 - a. Facts and Circumstances - Consideration of claim of Mr. Snodgrass
3. Public employee performance evaluation - Government Code §54957
 - a. City Manager
4. Conference with labor negotiators - Government Code §54957.6
 - a. Unrepresented employee - City Manager

ADJOURNMENT

Following the closed session, the City Council meeting adjourned. The next regular meeting will be held on February 19, 2008.