

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 November 6, 2012 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: Enrique Martinez, City Manager; Dan McHugh, City Attorney; Sam Irwin, City Clerk; Carl Baker, Public Information Officer; Jeff Frazier, Fire Chief; Mark Garcia, Police Chief; David Hexem, Chief Information Officer; Fred Mousavipour, Municipal Utilities and Engineering Director; Fred Cardenas, Quality of Life Director; Tina Kundig, Finance Director/City Treasurer; Oscar Orci, Development Services Director; Debbie Scott-Leistra, Human Resources Director

Mayor Aguilar called the meeting to order and offered those present the opportunity to provide public comment on any item on the agenda for the closed session.

PUBLIC COMMENT:

None forthcoming.

CLOSED SESSION:

The meeting recessed at 5:01 P.M. to a closed session to discuss the following:

1. Conference with real property negotiator – Government Code §54956.8
Property: APNs 0300-241-17, -18, -19 and -20
Agency negotiators: N. Enrique Martinez, Oscar Orci
Negotiating party: Frank Mistretta Jr. representing the Frank J. Mistretta Family Trust and Mistretta Family Properties; and Sherli Leonard of the Redlands Conservancy
Under negotiation: Terms and price for City purchase of property
2. Conference with real property negotiator – Government Code §54956.8
Property: APNs 0300-231-31 and -38, and 0300-241-15
Agency negotiators: N. Enrique Martinez, Oscar Orci
Negotiating party: Dr. Ralph Thompson representing the Ralph & Carolyn Thompson Living Trust, The Ellsworth

Wareham Trust, Live Oak Associates, LLC and the Barbara N. Wareham Trust; and Sherli Leonard of the Redlands Conservancy
Under negotiation: Terms and price for City purchase of property

3. Conference with real property negotiator – Government Code §54956.8

Property: APN 0300-231-24
Agency negotiators: N. Enrique Martinez, Oscar Orci
Negotiating party: Curtiss Allen Sr.
Under negotiation: Terms and price for City purchase of property

4. Conference with real property negotiator – Government Code §54956.8

Property: APNs 0175-231-02 and -03; 0175-241-04 and -05; 0175-232-02; 0175-242-02; 0175-251-05; 0294-091-06, -07, -13, -36, -38, and -41; and 0294-101-22
Agency negotiators: N. Enrique Martinez, Fred Cardenas
Negotiating party: David Wong and Armando Carlos of Universal Bank representing Redlands Orange, Inc.
Under negotiation: Terms and price for City purchase of property

The meeting reconvened at 6:00 P.M. with an invocation by Councilmember Harrison followed by the pledge of allegiance to the American flag.

CLOSED SESSION REPORT:

City Attorney McHugh announced that no reportable action was taken during the closed session.

PRESENTATIONS:

Redlands Animal Shelter – Animal Control volunteers Cyndy Dunham and Juan Nunez introduced Bubby, a seven month old male Chihuahua/Pomeranian mix, who is available for adoption, with 57 other dogs and 89 cats, at the Redlands Animal Shelter. Ms. Dunham informed the Council 44 dogs and 31 cats have been adopted since the last regular City Council meeting.

Grant Awards – Danielle Garcia, of the Quality of Life Department, recognized the efforts of Chris Diggs, Don Young, Mike Pool, Ross Wittman, and Brian Wolfe, from the Municipal Utilities and Engineering Department, in obtaining a \$1 million grant from the California Transportation Commission for modification of the Alabama Street, Colton Avenue, and Redlands Boulevard intersection. Also cited were Chris Boatman, Mike Pool and Goutam Dobey for the award of two grants, one from San Bernardino Associated Governments (SANBAG) for \$755,000 and one from the California Natural Resources Agency for \$900,000, for the Orange Blossom Trail. Ms Garcia also presented a brief overview of the

process used by staff to evaluate prospective grant opportunities for the City of Redlands.

PUBLIC COMMENTS:

Veterans' Appreciation – Joe McGinn, Commander of American Legion Post 106, thanked Mayor Pro Tem Foster for the gift of a Veterans Remembered flag for the Post and expressed appreciation to the entire City Council for their support for veterans' programs.

PARIS – Leonard Goldman questioned the correlation between the use of solid waste vehicles and damage to the streets of Redlands which is the basis for findings of a study done in support of the Pavement Accelerated Repair Implementation Strategy (PARIS) approved by the City Council September 18, 2012.

CONSENT CALENDAR:

Minutes – On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the minutes of the regular meeting of October 16, 2012.

Proclamation - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved a proclamation declaring October 27, 2012, as *Make a Difference Day*.

Settlement Agreement - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the release of details involved in a settlement of a lawsuit which alleged dangerous conditions of City of Redlands property causing Stanton J. Diamond to fall into a storm drain and sustain physical injuries. Under the terms of the agreement, the City pays Stanton and Leslie Diamond, plaintiffs in the lawsuit, \$50,000 to dismiss the civil action taken by them in the San Bernardino County Superior Court.

Resolution No. 7228 – Traffic Regulation - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved Resolution No. 7228 installing pedestrian crosswalk warning signs at Ninth Street and Redlands Boulevard.

Resolution No. 7229 – Traffic Regulation - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved Resolution No. 7229 extending a no parking zone on the north side of Cypress Avenue, at Cope Middle School, to the east of an existing school crosswalk and creating a no parking zone on the east side of a faculty parking lot driveway.

Resolution No. 7230 – Fair Housing Requests - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved Resolution No. 7230 establishing guidelines for the consideration of Fair Housing Reasonable Accommodation requests.

Covenant Agreement Amendment - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council approved an amendment to a Development Incentive and Operating Covenant Agreement between the City of Redlands and Tom Bell Chevrolet. The amendment changes language in the agreement dealing with reporting changes in ownership of Tom Bell Chevrolet. Councilmember Bean recused himself from discussion and voting on this item due to his newspapers' source of income relationship with the auto sales industry.

Police Dispatch Software – On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the annual maintenance payment to Spillman Technologies, Inc. for the Police Department Computer Aided Dispatch/Records Management System.

NEW BUSINESS:

Business Promotion – Janet Miller, of the Development Services Department, presented an overview of Small Business Saturday, a promotion effort scheduled for November 24, 2012. A new page on the City's website will list all participating businesses, including any specials or deals a business may be offering. American Express will also provide free in-store signage and other social media marketing materials, including an interactive map to help shoppers find local participating businesses.

Fire Management Contract – Mayor Aguilar introduced this item citing the similarity of a Memorandum of Understanding (MOU) between the City of Redlands and the Redlands Association of Fire Management Employees and the MOU between the City of Redlands and the Redlands Professional Firefighters Association approved on October 16, 2012. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the MOU between the City of Redlands and the Redlands Association of Fire Management Employees.

Solid Waste Vehicle- On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously authorized the purchase of an LNG front-end loader truck from Amrep, Inc. for the amount of \$250,840.30, moneys allocated from the Solid Waste Operating Fund.

Pavement Repair – Municipal Utilities and Engineering Director Mousavipour introduced this item as a supplement to staff efforts to make pavement repairs subsequent to water system leak maintenance. As a public comment, Steve Rogers suggested this work should be part of the pavement management plan. On

motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved an agreement between the City of Redlands and KAD Paving Company, in the amount of \$629,000 for utility paving patch repairs, and a change order to the agreement, in the amount of \$121,000 to allow for additional paving repairs. The agreement is in support of the 2013 Citywide Pavement Repair for Water Projects.

Intersection Modification – Mike Pool, of the Municipal Utilities and Engineering Department, provided an overview of plans to modify the design of the Redlands Boulevard, Alabama Street and Colton Avenue Intersection Improvement Project. As a public comment, Steve Rogers reviewed the history of the project and stated his objection to the proposed modifications. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously authorized staff to modify the design of the Redlands Boulevard, Alabama Street and Colton Avenue Intersection Improvement Project to two phases, complete the requirements to receive State Local Partnership Program grant funding to construct the Redlands Boulevard/Alabama Street phase of the project and approved an amendment to an existing Parsons Brinkerhoff Quade & Douglas, Inc. contract to provide additional design services necessary to complete construction documents at a cost not to exceed \$75,000.

PUBLIC HEARINGS:

Resolution No. 7231 – Water Management Plan - Mayor Aguilar opened the public hearing and called upon Cecilia Griego, of the Municipal Utilities and Engineering Department, to provide an overview of the 2012 San Bernardino Valley Regional Urban Water Management Plan. As a public comment, Steve Rogers expressed concerns about the impact on the Plan of the bankruptcy of the City of San Bernardino. On a motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved Resolution No. 7231 adopting the draft amended final version of the Plan.

Resolution No. 7152 – Fees and Services Charges - Mayor Aguilar opened the public hearing and called upon City Treasurer/Finance Director Tina Kundig to review the events leading to the proposed Resolution No. 7152 establishing the amounts of fees and charges levied in connection with the City of Redlands' provision of regulations, products and services. Referencing guidance received at the October 16, 2012 City Council meeting, Ms. Kundig summarized the most recent changes made to the resolution. Additional changes to the document involve an increase in spay/neuter fees, from \$22 to \$28 for cats and from \$35 to \$50 for dogs, to cover increased costs for that service and the addition of \$1 per business license, in accordance with state law, to pay for Americans with Disabilities Act compliance. The implementation schedule for the resolution was adjusted to accommodate the possibility of limited access to the permit process during the holiday season in December. As a public comment, John Heimann, of the Building Industry Association of Southern California, thanked the staff and

City Council for their consideration of Association concerns during deliberations on the fee schedule and reiterated a request for a delay on implementation until the economy improves. Steve Rogers suggested the fee increases are not business friendly. Bill Cunningham cited the City of Redlands General Plan in saying all costs associated with development should be born by the developer. He also asserted that the spaying and neutering of dogs and cats is beneficial to the entire community and, therefore, those costs should be subsidized. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council approved Resolution No. 7152 approving a fee and service charge revenue/cost comparison system; establishing the amounts of fees and charges levied in connection with the City's provision of regulations, products and services; and rescinding Resolutions No. 5914 and 7099. Councilmember Bean voted No on resolution expressing skepticism with respect to the methodology used to derive the fee schedule.

ADJOURNMENT:

There being no further business to address, this meeting was adjourned at 7:09 P.M. The Council will meet at their next regular meeting on November 20, 2012.