

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 June 5, 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

N. Enrique Martinez, City Manager; Daniel J. McHugh, City Attorney; Lorrie Poyzer, City Clerk; Michael Reynolds, City Treasurer; Jim Bueermann, Police Chief; Larry E. Burgess, Library Director; Jim Drabinski, Fire Chief; Steven H. Dukett, Interim Redevelopment Agency Director; Tina Kundig, Finance 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.

PRESENTATIONS

Employee Service - Introductions were made by the department heads and Mayor Harrison presented five year service pins to: Joni Mena, Downtown Redlands Business Association - Community Development Department; Jeannette Gutierrez, A. K. Smiley Public Library; Diana Lamb, A. K. Smiley Public Library; Ramon Rodriguez, Solid Waste Division - Municipal Utilities Department; Mark Romero, Solid Waste Division - Municipal Utilities Department; Robert Bird, Water Division - Municipal Utilities Department; Domingo "Lorenzo" Reyes, Water Division - Municipal Utilities Department; David Ridenour, Water Division - Municipal Utilities Department; Richard Vargas, Water Division - Municipal Utilities Department; Crystal Garcia, Police Department; Isaiah Hopkins, Police Department; Ann Jessup, Police Department; Leslie Jolly, Police Department; Phillip Mielke, Police Department; Raquel Perez, Police Department; Frank Rocha, Police Department; Cheryl Williams, RTV3 - Police Department; Benjamin Zimmermann, Police Department; Linda Stowell, Community Services - Police Department; Julian Cardoza, Parks Division - Public Works Department; Michael Kaisinger, Street Division - Public Works Department; and Sharon Bolt, Treasurer's Office. Ten year service pins were presented to: Dempsey Chappel, Fire Department; Monica Williams, A. K. Smiley Public Library; Frank Garcia, Solid Waste Division - Municipal Utilities Department; and Michael Reiss, Police Department. Fifteen year service pins were presented to: Scott MacDonald, Fire Department; Terry Welsh, Fire Department; Brenda Boon, Police Department; and Michael Landavazo, Police Department.

Twenty year service pins were presented to: Leonard Temby, Fire Department; Gilbert Rodriguez, Wastewater Division - Municipal Utilities Department; Allen Wilker, Wastewater Division - Municipal Utilities Department; and Cynthia Sepulveda, Street Division - Public Works Department. A twenty-five year service pin was presented to Mary Petite, Administrative Services Department.

MADD Recognition - Mothers Against Drunk Drivers recognized Police Officer Eddie Herrera for leading the Redlands Police Department in drunk driving arrests. At an event in Sacramento on March 31, 2007, Governor Schwarzenegger presented plaques to California peace officers for their efforts in curtailing drunk drivers. A MADD representative presented the plaque to Officer Herrera at this meeting.

Proclamation - Juneteenth - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously authorized issuance of a proclamation declaring Juneteenth as a day for all citizens of Redlands to advance the ideals of liberty, justice and tolerance for all people that make our community strong and in recognition of the abolishment of slavery in the United States. Mayor Harrison presented the proclamation to Dr. Richard Hanks and members of the Human Relations Commission; the proclamation will be on display in the Lincoln Shrine.

Certificate of Recognition - Mayor Harrison presented a certificate of recognition to Susanne J. Roundy upon being named Woman of the Year by the American Biographical Institute noting that her extraordinary body of work of poetry has enriched the lives of many. The American Biographical Institute also presented her a certificate and medal of recognition.

Orange Sunrise Video - On behalf of the Redlands Conservancy, Sherli Leonard presented a PowerPoint regarding the production of "Orange Sunrise" which will be broadcast on KVCR, channel 24, on June 13, 2007, at 9:00 P.M. A DVD of the production will be available for sale.

CONSENT CALENDAR

Minutes - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the minutes of the regular meeting of May 15, 2007, and the special meeting of May 21, 2007, were approved as submitted.

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

Resolution No. 6611 - Destruction of Public Records - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously adopted Resolution No. 6611, a resolution of the City Council of the City of Redlands approving the destruction of accounts payable check

copies and original back-up documentation excluding computer vendors that were requested to be preserved by the City Attorney.

Resolution No. 6613 - Criminal History Information - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously adopted Resolution No. 6613, a resolution of the City Council of the City of Redlands authorizing staff of the City of Redlands to access state and federal level summary information for prospective employee/volunteers and related purposes.

Planning Commission Actions - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the report of the Planning Commission meeting held on May 22, 2007, was acknowledged as received.

Pre-Annexation Agreement - KB Home - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved Pre-Annexation Agreement No. 07-02 with KB Home Greater Los Angeles, Inc. for outside city utility connections for water and sewer for a residential subdivision of 45 single family lots of 12.68 acres (Tentative Tract No. 17060) located at the northwest corner of Sapphire Street and Nice Avenue.

Agreement - Legal Services - Employment Relations - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved an agreement for special services with Liebert Cassidy Whitmore for professional legal services relating to employment relations matters and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Proclamation - Go Skateboarding Day - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously authorized issuance of a proclamation declaring June 21, 2007, as *Go Skateboarding Day*.

Ordinance No. 2661 - Development Impact Fees - Dora W. Morris, Gary Negin and Sally Beck yielded their speaker time to Bill Cunningham who responded to Community Development Director Shaw's memo of May 15, 2007, discussing issues Mr. Cunningham raised on behalf of The Redlands Association at the May 1, 2007, City Council meeting regarding the multiple family to single family/condominium issue, the northside library, police and fire fee discrepancies, parks, the Donut Hole, and bonds in relation to the proposed development impact fees. Ordinance No. 2661, an ordinance of the City of Redlands amending Chapters 3.32, 3.56 and 3.60 of the Redlands Municipal Code to establish new regulations governing the imposition of park and open space fees, storm drain fees and public facility fees, was unanimously adopted on motion of Councilmember Gilbreath, seconded by Councilmember Gallagher.

Resolution No. 6608 - Inspection Fees - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously adopted Resolution No. 6608, a resolution of the City Council of the City of Redlands approving a schedule of fees for inspection services for required inspections of businesses under the Area-Wide Urban Storm Water Runoff Permit and rescinding Resolution No. 6473.

Agreement - Funds - Engineering Consulting Services - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously authorized an appropriation in the amount of \$210,000.00 and agreement with AEI-CASC Engineering to provide engineering consulting for plan/map review services for the Public Works Department and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Skatepark Location - Public Works Director Mutter reported on May 10, 2007, the Parks Commission recommended approval of a revised location to a portion of Sylvan Park on the north side of Park Avenue between the parking lot and lawn bowling facility, formerly used as the Sylvan Plunge site. This recommendation was supported by the members of SK8P.A.R.K. Mario Saucedo, North Redlands Vision Committee, asked the City Council to consider limiting use of our passive parks for organized sports. He also asked if this recommendation ruled out the location for a new community pool. Public Works Director Mutter noted the Parks Commission expressed concern about locating another swimming pool in that location as it is in a flood zone which is what caused the demise of the Sylvan Plunge. Councilmember Gilbreath moved to approve the recommendation of the Parks Commission to designate a portion of Sylvan Park on the north side of Park Avenue between the parking lot and lawn bowling facility (former Sylvan Plunge site) as the revised location for the proposed skatepark.

Easement - The Pep Boys - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved an agreement with The Pep Boys Manny, Moe & Jack of California regarding the purchase of an easement for Redlands Boulevard right-of-way acquisition for the Redlands Boulevard, Alabama Street and Colton Avenue Improvement Project and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Local Emergency Report - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council 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.

Airport Hanger Lease Agreements - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously granted the

City Manager, or his designee, the authority to execute hanger lease agreements for City-owned hangers at the Redlands Municipal Airport and approved the presented hanger lease as to form with any changes negotiated with the lessees and agreed to by the City Manager and the City Attorney.

Grant Application - Solid Waste Vehicles - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously authorized the submission of a grant application to the "Mobile Source Air Pollution Reduction Review Committee Incentives for the Purchase of Advanced Low Emission Heavy Duty Natural Gas Engines" for the Solid Waste Division.

Equipment Purchase - Wastewater Treatment Facility - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved the purchase from Royal Wholesale Electric of two SCADA PCL control panels and individual electrical components for the wastewater treatment facility's SCADA system.

Wastewater Treatment Facility - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously authorized the purchase from EIMCO Water Technologies for the wastewater treatment plant of a gear drive unit for the west dissolved air flotation thickener (DAFT) unit.

Agreement - Emergency Cardiac Monitoring Devices - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved renewal of the annual technical services support agreement with Medtronic Emergency Response Systems, Inc. for Fiscal Year 2007-08 for all technical service and support related to the Redlands Fire Department's emergency cardiac monitoring devices and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Agreement - Fire Training - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved an agreement for entry upon property for use of property as a training site with VMJ Villa LLC, Gerry Zigrossi Construction to conduct live fire training operations at their property located at 1510 and 1520 Orange Street (APNs 0292-210-21 and 22) and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Funds - JAG Grant Acceptance - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously authorized acceptance of the Byrne Justice Assistance Grant (JAG) program award, authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City and authorized an additional appropriation of \$33,127.00 to fund the grant for the Police Department's Custody Specialist Program.

COMMUNICATIONS

Meeting Attendance - No reports forthcoming.

2007-2008 Budget - City Manager Martinez and Finance Director Kundig presented the proposed 2007-2008 budget as recommended by the Budget Committee which met on May 25, 2007. Oscar Sepp asked the City Council to review of the overtime budgets for the Police and Fire Departments and felt the undercover operations of the Police Department were very important. Steven Frasher encouraged staff to hold public workshops. Eddie Tejada asked that these presentations be scheduled during the evening hours. It was noted that presentations of the budget are scheduled for June 6, 2007, at 12:15 P.M. in the Community Senior Center, June 6, 2007, at 7:00 P.M. in the Community Center, June 8, 2007, at 6:30 P.M. in the City Council Chambers, and June 9, 2007, at 10:00 A.M. in the A. K. Smiley Public Library Assembly Room. Councilmember Gilbreath moved to approve the Fiscal Year 2007-2008 proposed budget as presented. Motion seconded by Councilmember Aguilar and carried unanimously.

Financial Management Plan - City Manager Martinez reported the City Council approved a Financial Management Plan on May 1, 2007, to address the financial challenges facing the City at current fiscal year end and through Fiscal Year 2007-2008. The Financial Management Plan consisted of three phases addressing various strategic tasks towards achieving the ultimate goal of a fiscally healthy City. A progress report outlining staff's progress and achievements was presented. Municipal Utilities Director Phelps reviewed the management team study report on improvement suggestions including cost savings measures, revenue enhancements and efficiency suggestions. Public Works Director Mutter presented a fee waiver policy recommendations report. Councilmembers overall felt donations and services given by many of the organizations offset the fee waivers but were willing to continue to evaluate what the City gets back from these organizations. Public Works Director Mutter then presented an analysis of possible consolidation of certain commissions, boards and committees. Councilmembers were not receptive to this suggestion and asked staff to continue to refine their study. Councilmember Gil suggested formation of a Public Safety or Police Commission.

Service Performance Standards - City Manager Martinez reported the City Council discussed with staff on May 21, 2007, the need to establish standards for levels of service provided to the community in connection with the City's consideration of raising revenue through voter approved business licenses taxes on distribution centers and an increase in the City's transient occupancy tax. Fire Chief Drabinski, Library Director Burgess, Police Chief Bueermann and Public Works Director Mutter presented levels of service provided by their departments. Councilmember Aguilar asked that this information be provided to Councilmembers in writing at the next meeting as the presentations contained

much needed information. Councilmember Harrison moved to continue this discussion. Motion seconded by Councilmember Gallagher and carried unanimously.

Blue Ribbon Committee - Throughout the past, Redlands has greatly benefited from volunteer time given by citizen committees who have provided advice to the City Council on important and complex matters. Staff believes that the City Council would now benefit from hearing the thoughts and recommendations of a "Blue Ribbon Committee" comprised of members of the public chosen by the Mayor on both those levels of service developed by staff and those desired by the community, and on the proposals to raise revenue for such service levels by placing on the November ballot a proposed increase in the transient occupancy tax and the establishment of a business license tax on distribution centers. Mayor Harrison indicated this committee, not subject to the Brown Act, would consist of approximately ten members and moved to continue consideration of the formation of this committee. Motion seconded by Councilmember Gallagher and carried unanimously.

Agreement - Funds - MUD Joint Powers Agreement - Councilmember Gilbreath moved to approve a professional services agreement with Raftelis Financial Consultants for valuation of the City's water and wastewater assets, an agreement for special counsel services with Best Best and Krieger for a joint powers agreement/lease concept for water and wastewater assets, authorized the Mayor to execute, and the City Clerk to attest to, the documents on behalf of the City, and authorized an additional appropriation of \$84,000.00. Motion seconded by Councilmember Gil and carried unanimously.

NEW BUSINESS

Ordinance No. 2666 - Redevelopment Eminent Domain Program - City Clerk Poyzer reported a letter was received from Marion Conley asking the City Council to delay acting on this proposal until the lengthy process of eminent domain could take place as her tenants need the alley behind the building at 509/511 North Eureka Street for access. Ordinance No. 2666, an ordinance of the City of Redlands, California, amending the Redevelopment Plan for the Redlands Redevelopment Project Area to adopt an eminent domain program, 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. 2666 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for June 19, 2007.

Revised Statement of Proceedings - Councilmember Gilbreath moved to authorize and direct staff to record a Revised Statement of Proceedings as soon as feasible, but not later than December 31, 2007. Motion seconded by Councilmember Gallagher and carried unanimously.

Resolution No. 6612 - Redevelopment Survey Area - Due to a potential conflict of interest, Councilmember Gil 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 adopt Resolution No. 6612, a resolution of the City Council of the City of Redlands designating a redevelopment survey area, directing the Redlands Planning Commission to select project area boundaries and to formulate a preliminary plan in connection with the preparation of the proposed North Redlands Revitalization Project, and to rescind Resolution No. 6300. Motion seconded by Councilmember Gallagher and carried by AYE votes of all present with Councilmember Gil having abstained.

Sports Park - Public Works Director Mutter introduced Bill Hemsley, the project manager for the Redlands Sports Park. Mr. Hemsley reported that AYSO has requested the City to consider installing sod on the fields rather than stolons in order that the fields be ready for the fall season. Financial information was presented and discussed. On behalf of AYSO, Kyle Larick addressed the City Council at length and indicated a willingness to work out a compromise. Councilmember Gil moved to approve installing sod on the lower nine acres and to seed the remaining top area and requested an agreement letter from AYSO promising that AYSO will pay any amount over \$547,000.00 for the restroom/concessions/storage building due and payable by AYSO prior to the construction contract being brought to the City Council for approval and, with the understanding, that AYSO will provide temporary restroom and storage facilities until completion of the permanent facility. Motion seconded by Councilmember Gallagher and carried unanimously.

Mayor Harrison left the City Council Chambers at 6:55 P.M.

Tax Ballot Measures - Councilmember Gil moved to continue the discussion relating to business license rates for warehouses and distribution centers and the increase of the transient occupancy tax to the meeting of June 19, 2007. Motion seconded by Councilmember Gallagher. Hotelier Pete Patel addressed the City Council indicating he would be a proponent of the recommended increase to the transient occupancy tax. The motion for continuance then carried by AYE votes of all present.

PUBLIC COMMENTS

None forthcoming.

CLOSED SESSION

The City Council meeting recessed at 6:59 P.M. to a closed session to discuss the following:

1. Conference with legal counsel: Existing Litigation - Government Code §54956.9(a)
 - a. Howard S. Butcher v. City of Redlands, et al - San Bernardino Superior Court Case No. SCVSS 144840
2. Conference with legal counsel: Anticipated Litigation - Government Code §54956.9(b) - One case - Facts and circumstances: Claim of Jamie Gutierrez
3. Conference with legal counsel: Anticipated Litigation - Government Code §54956.9(c) - One case - Possible initiation of litigation
4. Conference with labor negotiator - Government Code §54957.6
Agency Negotiator: N. Enrique Martinez
Employee Organizations: Redlands Association of Management Employees, Redlands Association of Mid-Management Employees, General Employees Association of Redlands, Redlands Association of Safety Management Employees, Redlands Police Officers Association, Civilian Safety Employees Association, Redlands Association of Fire Management, and Redlands Professional Fire Fighters Association

Late Breaking Item - Noting the need to take action was immediate, Councilmember Gil moved to add the following item to the agenda under "Closed Session" which arose subsequent to the agenda being posted:

1. Conference with real property negotiator - Government Code §54956.8
Property: APN 168-121-13
Negotiating party: City Manager Martinez
Under negotiation: Terms and price

Motion seconded by Councilmember Gallagher and carried by AYE votes of all present.

ADJOURNMENT

No report was expected following the closed session; therefore, the City Council meeting adjourned at 7:00 P.M. The next regular meeting will be held on June 19, 2007.