

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 September 16, 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; Jim Bueermann, Police Chief; David Hexem, Chief Information Officer; Daniel Hobbs, Redevelopment Agency Director; Rosemary Hoerning, Municipal Utilities and Engineering Director; Tina Kundig, Finance Director/City Treasurer; Greg Hostetler, Fire Battalion 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 Mayor Pro Tem Gilbreath followed by the pledge of allegiance to the American flag.

PRESENTATIONS

Pet Adoptions - Animal Control Officer Bill Miller and Redlands Animal Shelter volunteer Lynda Ackerman introduced King, as 2-3 year old boxer-mix who is available for adoption at the Redlands Animal Shelter.

Proclamation - Hispanic Heritage Month - Councilmember Gilbreath moved to authorize issuance of a proclamation declaring September, 2008, as *Hispanic Heritage Month* and encouraging all residents to support activities and develop an understanding and enjoyment of the Hispanic heritage, culture, art and music. Motion seconded by Councilmember Gallagher and carried unanimously. Mayor Harrison presented the proclamations to Sue Greenfeld and Tony Bocanegra from the Human Relations Commission. The proclamations were then presented to Don McCue for the Smiley Library Heritage Room and Henry Mendoza for the American Legion Post 650.

CONSENT CALENDAR

Minutes - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously approved the minutes

of the regular meeting of September 2, 2008, and the adjourned regular meeting of September 3, 2008, as submitted.

Ordinance No. 2707 - Consolidation of Elections - Ordinance No. 2707, an ordinance of the City of Redlands amending Chapter 2.58 of the Redlands Municipal Code relating to the consolidation of the City's General Municipal Election and moving the date of the City's General Municipal Election to the first Tuesday after the first Monday in November of even-numbered years commencing with the year 2010, was unanimously adopted on motion of Councilmember Gilbreath, seconded by Councilmember Gallagher.

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

Development Agreements - Annual Review - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously accepted the report for the annual review of approved development agreements and directed staff to initiate the following actions: determine that annual reports for Kaiser Foundation Hospitals, Mountainview Power Company LLC, CEMEX, Redlands Community Hospital and Redlands Health Services are complete and directed staff to prepare a Certificate of Compliance that can be recorded by the applicants; and to continue the annual review for Robertson's Ready Mix to the October 7, 2008, City Council meeting. (See New Business for action of the development agreement with ESRI.)

Notice of Environmental Actions - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, a report on notices of pending environmental actions and pending projects received from surrounding jurisdictions was acknowledged as received.

Resolution No. 6758 - Property Tax Revenues - Annexation No. 90 - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously adopted Resolution No. 6758, a resolution of the City Council of the City of Redlands determining the amount of property tax revenues to be exchanged between the County of San Bernardino and the City of Redlands resulting from the jurisdictional change described by LAFCO No. 3105, City of Redlands' Annexation No. 90.

Proclamation - National Day for Kids - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously authorized issuance of a proclamation declaring September 20, 2008, as *National Day for Kids* and encouraging all residents to fully participate in the day's activities at the Boys and Girls Club of Redlands.

MOU - Administrative Law Officer/Hearing Officer Services - A memorandum of understanding with the City of San Bernardino regarding mutual provision of administrative law officer/hearing officer services was withdrawn from the agenda as it was tabled by the San Bernardino City Council at their meeting held on September 15, 2008.

License Agreement - Stuart Avenue Storm Drain Project - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously approved a license agreement with San Bernardino Associated Governments for the Stuart Avenue Storm Drain Project and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Fee Waiver - Stater Bros. Charities - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously approved the request of Stater Bros. Charities to waive all City-related fees, costs and charges association with their first "Walk for the Cure" event to be held on October 12, 2008, in the downtown area beginning at Ed Hales Park and concluding at the Redlands Bowl/Smiley Park.

CDBG Projects Amendment - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously approved cancellation of the Redlands Police Department ADA Project 111-33111-2082 and to reprogram funds to the Quality of Life ADA Curb Cuts/Sidewalk Infill Project 111-32111-2906.

Amendment - Wackenhut Contract - Police Chief Bueermann responded to Councilmember Bean's questions regarding the need for an amendment to the agreement with Wackenhut for the provision of jail services since Safety Hall is now closed. Police Chief Bueermann stated services for the immediate transport of prisoners to the County jail, County hospital or juvenile hall was needed. Councilmember Bean moved to approve the amendment to the agreement with Wackenhut. Motion seconded by Councilmember Gallagher and carried unanimously.

COMMUNICATIONS

Meeting Attendance - In compliance with Government Code Sections 53232.2 and 53232.3, there were no reports forthcoming from Councilmembers.

Townhall Meeting - Councilmember Aguilar announced the next townhall meeting has been scheduled to be held on November 12, 2008, from 7:00 P.M. to 8:30 P.M. at Kimberly Elementary School, 301 West South Avenue, and asked for Councilmembers' support and participation.

Goals and Objectives - Executive Interns Natasha M. Crawford and Ross Wittman presented an updated list of the actionable objectives identified during the 2008-2009 goals and objectives City Council workshop which was held on March 18, 2008. Mayor Harrison asked how staff is keeping a record of the progress on the goals and objectives and suggested supporting documents could be included with the quarterly report or a notation where the information was available. Mayor Harrison also asked what the status was for the performance standards and what were the long-range plans and options for the new police facility.

Curb Appeal - Qualify of Life Director van Dorst presented an update on departmental actions to implement new initiatives and programs to improve the City's curb appeal including but not limited to the use of Code Enforcement, the development of plans for median improvements, working with service organizations and augmentation of Caltrans maintenance.

NEW BUSINESS

Resolution No. 6736 - Non-Motorized Transportation Plan - Project Planner Chris Boatman reviewed the San Bernardino County Non-Motorized Transportation Plan which is a County bicycle plan which is designed to encourage the completion of a comprehensive County-wide bikeway network, to define the way bicycle projects in the County are to be funded, to help cities identify, prioritize and fund portions of the County-wide bicycle network and to implement new programs scheduled to begin over the 5-10 year life of the plan. Councilmember Gilbreath moved to adopt Resolution No. 6736, a resolution of the City Council of the City of Redlands adopting the San Bernardino County Non-Motorized Transportation Plan and an amendment to the East San Bernardino Valley Cities Area Trails Map. Motion seconded by Councilmember Gallagher and carried unanimously.

Development Agreement - Annual Review - Due to a potential conflict of interest, Councilmember Harrison 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 Gallagher moved to accept the report for the annual review of the approved development agreement with ESRI and directed staff to initiate the following action: determine that the annual report for ESRI is complete and directed staff to prepare a Certificate of Compliance that can be recorded by the applicant. Motion seconded by Councilmember Aguilar and carried unanimously with Councilmember Harrison having abstained.

City Treasurer's Office and Finance Department Operations - Finance Director/City Treasurer Kundig presented a funding and staffing proposal for the City Treasurer's Office and Finance Department's operations with the recommendation that a full-time Revenue Manager be hired to perform cash

management and investing duties, as well as to provide the necessary supervision over the day-to-day operations of Treasury Division. Finance Director/City Treasurer Kundig stated that in order for her to fulfill the statutory Treasurer duties the City Council has entrusted her with, as well as those previously transferred to her in the capacity of Finance Director, she believed it was essential to have adequate resources. She requested the City Council authorize the City Manager to implement the recommended organizational structure within the Fiscal Year 2008-2009 Adopted Budget approved for the Treasury Division. Following brief discussion, Councilmember Gilbreath moved to approve the funding and staffing plan for the City Treasurer's Office and Finance Department's operations and directed staff to return to the City Council with any necessary implementation documents for such plan. The motion was seconded by Councilmember Gallagher. Councilmember Bean suggested adding to this motion authorization for a differential payment of five percent (5%) to the Finance Director in the amount of \$6,838.80/yearly and five percent (5%) to the Assistant Finance Director in the amount of \$5,609.40/yearly and that payments for the differentials be accounted for separately as additional payments so that if duties change in the future these differentials be added to or removed, whatever is appropriate at the time and that these payments are for the additional responsibilities the Finance Director and Assistant Finance Director have during this time of having an appointed treasurer. Councilmembers Gilbreath and Gallagher supported this addition to the motion. Mayor Harrison noted a letter was received from Stephen W. Rodgers. The motion carried unanimously.

JOINT MEETING - CITY COUNCIL AND REDEVELOPMENT AGENCY

Conflict of Interest Code Review - City Clerk Poyzer reported Government Code Section 87306.5 requires the review of every public agency's Conflict of Interest Code in each even numbered year and submission to the legislative body of a statement regarding that review. Staff has reviewed the Conflict of Interest Code and finds that amendments are necessary to incorporate current provisions required by Government Code Section 873092 (Political Reform Act of 1974 as amended). Legislation will be presented to the City Council at the first meeting in December incorporating the necessary amendments. Councilmember Gilbreath moved to acknowledge that the City Council of the City of Redlands has reviewed its Conflict of Interest Code and finds that amendments are necessary at this time and directed staff to prepare the necessary legislation. Motion seconded by Councilmember Gallagher and carried unanimously. (Also see Redevelopment Agency minutes for September 16, 2008.)

CLOSED SESSION

The City Council meeting recessed at 4:07 P.M. to a closed session to discuss the following:

1. Public Employee Dismissal: Government Code §54957
(Human Resources Director Scott-Leistra)
 - a. Review of disability retirement application
2. Public Employee Performance Evaluation - Government Code §54957
(Mayor Harrison)
 - a. Title - City Manager
3. Conference with Legal Counsel - Existing Litigation - Government Code §54956.9(a)
(City Attorney McHugh)
 - a. Nancy Ochs v. City of Redlands, et al – San Bernardino County Superior Court Case No. SCVSS 146251

The meeting reconvened at 7:00 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; Jim Bueermann, Police Chief; David Hexem, Chief Information Officer; Daniel Hobbs, Redevelopment Agency Director; Rosemary Hoerning, Municipal Utilities and Engineering Director; Tina Kundig, Finance Director/City Treasurer; Mitch McKee, Interim Fire Chief; Oscar W. Orci, Community Development Director; Deborah Scott-Leistra, Human Resources Director; Gary van Dorst, Quality of Life Director

CLOSED SESSION REPORT

There was no reportable action taken during the closed session.

ANNOUNCEMENTS/REPORTS

Mayor Pro Tem Gilbreath announced the Healthy Redlands Committee will meet on September 17, 2008; that the Redlands Community Foundation received a donation from Kaiser; that the Redlands Bulldog Triathlon will be held on October 19, 2008, that Target has donated exercise equipment to the City and that the Annual Transportation Summit will be held on October 20, 2008, in Los Angeles.

LAND USE

Mentone Faith Chapel, Applicant - Public notice was advertised for this time and place to consider approval of a draft mitigated negative declaration for Pre-Annexation Agreement No. 08-01 for the provision of water and sewer service for the construction of a church on 1.66-acres located on the west side of Agate Avenue between Mentone Boulevard and Nice Avenue in the Mentone area. Community Development Director Orci reviewed the application which seeks to connect to City water and sewer services on the subject property in order to facilitate the development of a new church facility.

Negative Declaration - Councilmember Gilbreath moved to approve the Negative Declaration for Pre-Annexation Agreement No. 08-01 and directed staff to file and post a Notice of Determination in accordance with the City's guidelines. Motion seconded by Councilmember Gallagher and carried unanimously.

Pre-Annexation Agreement No. 08-01 - Councilmember Gilbreath moved to approve Pre-Annexation Agreement No. 08-01 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.

PRESENTATION

Redlands Economic Development Strategy Report - Due to a potential conflict of interest, Councilmember Harrison retired from the Council Chambers during the beginning of the presentation as it related to ESRI, his employer; a Public Disclosure of Potential Conflict of Interest form is on file in the City Clerk's Office. Dr. John E. Husing, Economic & Politics, Inc., presented the Redlands Economic Development Strategy. Dr. Husing reported that the overwhelming consensus among the over 60 community leaders across a wide spectrum of interests interviewed for this project felt that the Redlands, as long-time residents have known it, is slipping away. Fortunately, the same people expressing angst about the community's future indicated a strong willingness to help change its direction. That will require the City's leaders to face a harsh reality: Redlands has the ambitions of an historically wealthy community without the current income to achieve them. Its economic development strategy thus has four essential goals: raise the income and prosperity of the City's families; raise the City's property values; increase the City government's revenue; and increase the efficiency of the City's decision making processes. Following the hour presentation and a brief question and answer session, Councilmembers agreed to hold a workshop in the near future to address this report in more depth.

PUBLIC COMMENTS

San Timoteo Canyon - Mayor Emeritus Bill Cunningham suggested the City Council negotiate with the County of San Bernardino Solid Waste Division an inflation factor for the one dollar tipping fee. He also urged negotiating with Flood Control for mitigation for road maintenance on San Timoteo Canyon Road.

Public Safety Overtime - Debra Nester urged the City Council not to implement the cuts proposed to the Police and Fire Department's overtime budget as proposed by the City Manager in a newspaper article in the Redlands Daily Facts on September 2, 2008.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 8:41 P.M. The next regular meeting will be held on October 7, 2008.