

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 January 17, 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, Interim 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 0300-231-24  
Agency negotiators: N. Enrique Martinez, Oscar Orci  
Negotiating party: Curtiss B. Allen  
Under negotiation: Terms and price for City purchase of property.

The meeting reconvened at 6:00 P.M. with an invocation by Mayor Pro Tem Foster followed by the pledge of allegiance to the American flag.

CLOSED SESSION REPORT:

City Attorney McHugh announced no reportable actions were taken during the closed session.

## PRESENTATIONS:

Redlands Animal Shelter – Animal Control Volunteer Cyndy Dunham introduced Krispy, a two year old, male Chihuahua, who is available for adoption at the Redlands Animal Shelter along with thirty-six other dogs and thirty cats. Ms. Dunham informed the Council eighty-six dogs and thirty-five cats have been adopted since the last City Council meeting.

Donation – James Ramos, Chairman of the San Manuel Band of Mission Indians, presented a check for \$32,900 as a donation to the City of Redlands in support of the Redlands Emergency Services Academy. Mayor Aguilar, assisted by Officer Eduardo Herrera, representing the Police Department and Firefighter Eva Toppo, speaking for the Fire Department, presented tokens of appreciation to Mr. Ramos for the very helpful donation.

## PUBLIC COMMENTS:

Political Activism – Several members of the Occupy Redlands movement spoke to describe the activities they have ongoing to address problems they see on the current political scene. Chanel Emershy read from the group’s vision and mission statements. Kent Marten described services and classes being held to educate the public. Carol Bouldin and Raquel Brac requested City Council support for efforts to fight what they called “corporate personhood” and the National Defense Authorization Act.

SBPEA – Michael Moore introduced himself as the representative from the San Bernardino Public Employees Association (SBPEA) and requested a review and reconsideration of the personnel actions taken in the Purchasing Department of the City of Redlands.

Open Government – Steve Rogers requested a meeting with members of the City Council to discuss the City Manager’s employment contract.

## 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 December 20, 2011.

Ordinance No. 2762 – Density Bonus Requirements – On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the adoption of Ordinance No. 2762 amending Chapter 18.228 of the Redlands Municipal Code relating to density bonus requirements. The new ordinance aligns the Code with state requirements.

CRA Extension - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved a one year extension for Commission Review and Approval (CRA) No. 834, Revision 1, an approved medical office development consisting of three buildings totaling 122,604 square feet on an 8.90 acre site located at the southwest corner of Alabama Street and Park Avenue within the EV/IC (commercial Industrial) District of the East Valley Corridor Specific Plan.

Resolution No. 7107 – Traffic Regulation - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved Resolution No. 7107 establishing a 2-hour time limit parking zone along the east and west sides of Cajon Street from Vine Street to Olive Avenue.

Resolution No. 7108 – Traffic Regulation - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved Resolution No. 7108 creating no parking zones on both sides of Palmetto Avenue from Marigold Avenue east to California Street, both sides of Marigold Avenue from San Bernardino Avenue north to Palmetto Avenue, and both sides of California Street from San Bernardino Avenue north approximately 940 feet to the street terminus cul-de-sac.

Resolution No. 7109 – Traffic Regulation - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved Resolution No. 7109 removing a portion of the existing no parking zone on the east side of Brookside Avenue along the frontage of 303 Brookside Avenue.

Resolution No. 7110 – Traffic Regulation - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved Resolution No. 7110 installing “Autos With Trailers, Trucks Prohibited” and “Ahead” signs on Ford Street at Garden Hill Drive and South Avenue and on Garden Street at Garden Hill Drive.

Grant Applications - On motion of Mayor Pro Tem Foster, seconded by Mayor Councilmember Gardner, the City Council unanimously and retroactively approved three grant applications submitted in 4<sup>th</sup> quarter 2011, two to the Transportation Investment Generating Economic Recovery (TIGER) Grant Program, and one to the Transportation, Community and System Preservation (TCSP) Grant Program. These grants are in effort to fund the Redlands, Alabama, Colton Intersection Improvement Project and the Downtown Transit Center.

Consultant Agreement Amendment – Mike Pool, of the Municipal Utilities and Engineering Department, presented a proposed design to ease traffic congestion at intersections of Redlands Boulevard and Colton Avenue and Redlands Boulevard and Alabama Street. As a public comment, Steve Rogers expressed

concern that these intersections are not being adequately addressed in the Walmart Draft Environmental Impact Report. Nonie Kleinhaus asked for clarification as to where the funding is coming from for this project. On motion of Mayor Pro Tem Foster, seconded by Councilmember Bean, the City Council unanimously approved a third amendment to the consultant services agreement between the City of Redlands and Parsons Brinckerhoff Quade & Douglas, Inc. for value engineering design services proposed for the Redlands, Alabama and Colton Avenue Improvement Project.

Resolutions No. 7112 & 7113 – WaterSMART Grants - On motion of Councilmember Bean, seconded by Mayor Pro Tem Foster, the City Council unanimously approved Resolutions No. 7112 and 7113 supporting submission of WaterSMART: Water and Energy Efficiency grants for a regional rebate program for water conservation, and construction of a City of Redlands recycled water conveyance improvement project.

Task Force Agreement - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved an agreement between the City of Redlands and the Organized Crime Drug Enforcement Task Force for the use of the State and Local Overtime and Authorized Expense/Strategic Initiative Program.

Resolution No. 7114 – Salary Schedule - On motion of Councilmember Bean, seconded by Councilmember Harrison, the City Council unanimously approved Resolution No. 7114 amending the City of Redlands salary Resolution No. 7061. The amendment changes the structure of current procurement functions and processes and the Police Department camera operations to result in savings to the General Fund. As a public comment, Amanda Frye expressed concern that changes in the Purchasing Department result in hiring management and laying off labor.

#### COMMUNICATIONS:

Ladder Truck Equipment – Chief Frazier introduced Nick Calero from San Bernardino County Supervisor Neil Derry’s office who provided the rationale for the County’s support for the Redlands Fire Department. On motions of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved a contract between the City of Redlands and the County of San Bernardino Third District to accept \$10,000 for the purchase of emergency equipment to be carried on the City’s aerial ladder truck.

Redevelopment Project – Development Services Director Oscar Orci introduced Gus Joslin from the San Bernardino County Housing Authority who presented an update on the progress of the redevelopment of the housing site located at the northeast corner of Lugonia Avenue and Orange Street in the r-1, Single Family

Residential District. The project is on track to begin Phase 1 of a planned residential development containing 228 multiple family and single family dwelling units with landscaped open space areas and a recreation/administration building.

Street Tree Policy Manual – Quality of Life Director Fred Cardenas presented a markup of a City of Redlands Street Tree Policy Manual written by the Street tree Committee. As a public comment, Chris Sedmack, Chairperson of the Street Tree Committee, expressed concern that the markup removed most of the policy statements in the manual and resulted in too much emphasis on street tree maintenance. Linda Richards, also of the Street Tree Committee, volunteered to work with staff to reintroduce policy to the manual. Consensus of the City Council was for staff to work more closely with the Committee to produce the policy manual before presenting the document to the Council for approval.

#### UNFINISHED BUSINESS:

Future Citrus Grove Maintenance – Danielle Garcia, of the Quality of Life Department, provided an overview of discussion at the December 20, 2011 regular meeting of the City Council and at a January 10, 2012 meeting of the Citrus Preservation Commission with respect to a contract for the care, maintenance and harvest of the sixteen City-owned citrus groves. The Citrus Preservation Commission did not support an option of leasing out City-owned grove acreage to a third party, recommended a single contract be awarded for the all the groves and unanimously recommended the contract be awarded to Larry Jacinto Farming. As a public comment, Steve Rogers expressed dissatisfaction with the City of Redlands contracting practices. Pete Marcum, of Redlands Farming, read from a letter challenging dollar amounts used by staff and proposing an alternative contracting arrangement in which his company could participate. Amanda Frye and Bill Cunningham both said they thought the City would be better served with two contractors caring for the groves. On motion of Councilmember Bean, seconded by Councilmember Harrison, the City Council unanimously approved a four-year agreement between the City of Redlands and Larry Jacinto Farming in the amount of \$821,585.12.

#### PUBLIC HEARINGS:

Resolution No. 7099 – Remote Caller Bingo Fee – Mayor Aguilar opened the hearing and called upon Tina Kundig, City Treasurer, to provide a summary of events leading to the need to establish a fee for a permit to operate remote caller bingo gaming. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved Resolution No. 7099 relating to specific fees and charges levied in connection with the City's provision of regulations, products and services and rescinding Resolution No. 7004.

Ordinance No. 2763 – Temporary Sales and Special Events Facilities – Mayor Aguilar opened the hearing and called upon Oscar Orci who introduced Ben Matlock, of the Development Services Department, to provide a summary of events leading to a request to establish regulations for temporary sales and special event facilities. As a public comment, Amber Wallach, of the Olive Street Market, expressed her support for the ordinance because it will allow her company to have functions in support of various causes within the City of Redlands. On motion of Councilmember Bean, seconded by Mayor Pro Tem Foster, the City Council approved a Negative Declaration for, and the introduction of, Ordinance No. 2763, subject to suggested edits, adding Section 18.195 to the Redlands Municipal Code to establish regulations governing temporary sales and special event facilities within developed commercial and industrial zoned properties. Councilmember Beans’ edits are intended to prevent unreasonably burdening Redlands businesses. The new ordinance provides for temporary sales and special events on private property within the City of Redlands.

Land Use – Derek Wray - Applicant - Mayor Aguilar opened the hearing and called upon Development Services Director Orci, to provide a summary of events leading to a request from the applicant for a Notice of Exemption to California Environmental Quality Act guidance, and public hearings for Amendment No. 3 to Specific Plan No. 42, to include theater arts and acrobatic studios as a conditionally permitted use in the Plan’s Office/Industrial District and Conditional Use Permit No. 993 to establish such a studio in a 6,470 square foot tenant space of an existing industrial building located at 1280 Research Drive. At the request of staff, and on a motion of Councilmember Harrison, seconded by Mayor Pro Tem Foster, the City Council unanimously agreed to continue consideration of this item to the February 7, 2012 regular meeting of the City Council.

Land Use – Redlands Holdings, LLC - Applicant - Mayor Aguilar opened the hearing and called upon Manuel Baeza, of the Development Services Department, to provide a summary of events leading to a request from the applicant for a Negative Declaration, and a public hearing for Amendment No. 40 to Specific Plan No. 40, to modify Figure 1-1 relating to Planned Development Envelopes within the East Valley Corridor Specific Plan and delete a development envelope bounded by Pioneer Avenue on the north, San Bernardino Avenue on the south, Texas Street on the east and the 210 Freeway on the west. At the request of staff, and on a motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously agreed to continue consideration of this item to the February 7, 2012 regular meeting of the City Council.

NEW BUSINESS:

Purchase Order Authority - On motion of Councilmember Bean, seconded by Councilmember Harrison, the City Council unanimously approved authorization of designated staff to execute purchase orders to specified vendors in accordance with the City of Redlands purchasing ordinance and policy on annual purchase orders.

Reservoir Improvements Contract - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved a contract award to Paso Robles Tank for the Reservoir Recoating and Improvements Project for the Texas Street Reservoir.

Bid Rejection – On motion of Councilmember Harrison, seconded by Mayor Pro Tem Foster, the City Council unanimously agreed to reject all bids received for the Optimization of the Horace P. Hinckley Surface Water Treatment Plant, Project No. 71204 and authorized staff to solicit new bids.

Mobile Identification Devices - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council voted to approve a contract and confidential disclosure agreement between the City of Redlands and Fulcrum Biometrics for the City's participation in a pilot project for testing mobile identification devices. Councilmember Bean voted No on the contract saying the language contained therein does not adequately protect the City of Redlands from litigation.

#### JOINT MEETING OF THE REDEVELOPMENT AGENCY AND CITY COUNCIL

The meeting was called to order at 8:55 P.M.

Dissolution of RDA – Mike Lengyel, of the Development Services Department, provided a summary of the issues yet to be resolved and potential impacts of an anticipated dissolution of the Redlands Redevelopment Agency (RDA). As a public comment, Steve Rogers highlighted the interrelations between several projects in various stages of development around the City of Redlands area and suggested negative impacts from the RDA dissolution. The following actions were taken by the Board and the City Council:

RDA Resolution No. 449 – Conveyance of Property - On motion of Mr. Foster, seconded by Mr. Harrison, the Board of Directors unanimously approved Resolution No. 449 authorizing the Chairman of the Board of Directors of the RDA to execute quitclaim deeds for the conveyance of all Agency owned property to the City of Redlands, as a successor agency to the RDA, on or before February 1, 2012, or at such later date pursuant to any court action or legislation that extends the deadline for implementation of AB1X 26.

Joint Resolution 450/7115 – Amended EOPS - On motion of Mr. Foster, seconded by Mr. Harrison, the Board of Directors unanimously approved a Joint Resolution, RDA Resolution No. 450 and City Council

Resolution No. 7115, approving and adopting an amended Enforceable Obligation Payment Schedule (EOPS) pursuant to AB1X 26.

Redevelopment Obligation Retirement Fund - On motion of Mayor Pro Tem Foster, seconded by Councilmember Harrison, the City Council unanimously approved the establishment of a Redevelopment Obligation Retirement Fund within the Finance Department to administer payments by the City of Redlands, as Successor Agency, related to financial obligations of the RDA.

Resolution No. 7111 – Declination as Housing Agency - On motion of Mayor Pro Tem Foster, seconded by Councilmember Harrison, the City Council unanimously approved Resolution No. 7111 declining to be the Successor Housing Agency to the RDA.

Acceptance of Property - On motion of Mayor Pro Tem Foster, seconded by Councilmember Harrison, the City Council unanimously agreed, as Successor Agency to the RDA, to accept quitclaim deeds to evidence the conveyance of all RDA owned property to the City of Redlands.

Notice of Default - Mike Lengyel provided a history of events leading to a staff recommendation to issue a letter of default pursuant to a Conditional Property Disposition Agreement between the Redevelopment Agency, the City of Redlands and Showprop Redlands LLC relating to property at 330 North Third Street. As a public comment, Robert Dawes, of the Redlands Conservancy, said the default letter has their full support if the result will allow other parties the opportunity to purchase the property. Judith Hunt, of the Historic and Scenic Preservation Commission, questioned the City waiting 30 more days to dissolve the Agreement. On motion of Mr. Foster, seconded by Mr. Harrison, the Board of Directors voted to declare a default of Showprop Redlands LLC's obligations under Section 305 of the Agreement and directed staff to prepare a letter notifying Showprop Redlands LLC of its default. Mr. Bean recused himself from discussion and voting on this item due to his source of income relationship with Showprop Redlands LLC.

#### COUNCILMEMBER ACTIVITIES:

Mayor Aguilar announced that, in February, the City Council will readdress the schedules for Boards and Commissions meetings and "Coffee with the Council" will resume.

#### ADJOURNMENT:

There being no further business to address, this meeting was adjourned at 9:30 P.M. The Council will meet at their next regular meeting on February 7, 2012.