

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 21, 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:

Historic Designation – Amanda Frye read a statement citing the City of Redlands’ authority to designate a property as a historic resource without the property owner’s concurrence.

CLOSED SESSION:

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

1. Conference with legal counsel: Anticipated Litigation - Government Code §54956.9(b)(2)(c) - Three Cases
 - a. Facts and circumstances – Consideration of a claim by Mamco, Inc.
 - b. Facts and circumstances – Consideration of a claim by Reuben and Lisa Regaldo
 - c. Facts and circumstances – Threat of litigation by J.A.W. Land and Trading, LLC

2. Conference with real property negotiator – Government Code §54956.8
Property: APNs 0169-151-16, -17, -20, -21, -22, -29, -32 and 0169-271-18, -19, -20, -21, -44, -47, and -52 (Redlands Mall Parking Area)
Agency negotiators: N. Enrique Martinez, Oscar Orci
Negotiating party: Christopher Curry, Howard Hughes Corporation
Under negotiation: Terms of payment and price for possible purchase of City property.

3. Conference with labor negotiator - Government Code §54957.6
Agency Negotiator: Richard Kreisler
Employee Organizations: Redlands Association of Department Directors; Redlands Association of Management Employees; Redlands Association of Mid-Management Employees; General Employees Association of Redlands (SBPEA); Redlands Civilian Safety Employees Association; Redlands Police Officers Association; Redlands Professional Firefighters Association; Redlands Association of Safety Management Employees; and Redlands Association of Fire Management Employees
Unrepresented Employees: City Manager and City Attorney

The meeting reconvened at 6:02 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 one action taken during the closed session. By unanimous vote the City Council denied a claim from Mamco, Inc.

PRESENTATIONS:

Redlands Animal Shelter – Animal Control Volunteers Cyndy Dunham and Juan Nunez introduced Toby, a seven-year old terrier mix, who is available for adoption at the Redlands Animal Shelter. Ms. Dunham informed the Council fifty-four dogs and thirteen cats have been adopted since the last City Council meeting.

PUBLIC COMMENTS:

Senior Citizens – Maritza Ortega spoke on behalf of the senior citizen residents of Redlands. She expressed concern for 9,000 residents of which she said 2,000 were home bound and unable to interact with other people. Ms Ortega described efforts to raise awareness of these citizens and called for volunteers to help.

Corporate Personhood – Several members of the Occupy Redlands movement presented points for discussion and read a proposed City Council resolution calling for a reversal of court decisions which grant Constitutional rights to corporations and characterize the spending of money as a form of speech also protected by the US Constitution.

Historic Designation – Stephen Kemp expressed his support for the historic resource designation of the Crystal Springs area and also cited the City of Redlands' authority to designate a property as a historic resource without the property owner's concurrence.

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 February 7, 2012.

Conflict of Interest Code – On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously agreed to direct staff to review the City of Redlands Conflict of Interest Code and report any findings to the City Council prior to October 1, 2012.

Commissioner Appointment - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the appointment of Jan Hudson to serve as the City of Redlands representative on the County of San Bernardino Interagency Council on Homelessness replacing Councilmember Harrison.

Resolution No. 7129 – Healthy Living - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved Resolution No. 7129 supporting the Healthy Living Cities Campaign and setting forth a commitment to obesity prevention.

CUP Extension - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved a request for a one year extension for Conditional Use Permit (CUP) No. 53 (Revision 3) for a 5,968 square foot classroom expansion for an existing private school (Westside Christian School) located at 1495 West Olive Avenue in the R-S (Suburban Residential) District.

Fee Waiver - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved a request from the Cystic Fibrosis Foundation for waiver of fees associated with the Great Strides Walk which will be held at Sylvan Park on May 15, 2012.

Service 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 Sanborn's West Coast Mechanical, in an amount not to exceed \$50,000, for as-needed heating and air conditioning system repairs.

Grant Support - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved a letter of support for the Inland Empire Resource Conservation District's application to Cal Recycle for a Farm and Ranch Solid Waste Cleanup and Abatement Program grant.

Service 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 Physio-Control, Inc. for technical service support from April 1, 2011 to March 31, 2016. This was a second approval by the City Council to correct the term of the agreement.

Partial Claim Settlement - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously accepted a Partial Release of Claim and approved a Tolling Agreement in the case of a claim against the City from Charles E. Holcombe and others regarding damages to their property sustained during a storm in December 2010.

COMMUNICATIONS:

Encumbrances and Carryovers – On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved additional appropriations totaling \$219,798.89 to the FY2011-2012 Budget for the FY2010-2011 year-end encumbrances and carryovers.

Budget Review – City Treasurer/Finance Director Tina Kundig provided a summary of the FY 2011-2012 Mid-Year Budget Review. Discussion centered on alternative uses for a \$598,000 surplus identified by the review. On motion of Councilmember Harrison, seconded by Mayor Pro Tem Foster, the City Council approved the appropriation of \$200,000 for the purchase of vehicles for the Police Department and \$398,000 for the trimming of “woody” street trees. Councilmember Bean voted No on the motion saying decisions on the use of these funds should be deferred to the FY 2012-2013 budget process.

ACTIONS TAKEN BY THE CITY COUNCIL AS SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF REDLANDS

Resolution No. 7127 - ROPS – On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved Resolution No. 7127 adopting a Recognized Obligation Payment Schedule (ROPS) pursuant to Division 24 of the California Health and Safety Code.

Resolutions No. 7130 and 7131 – Continuation of Debt - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved Resolution No. 7130 determining that the City of Redlands has not forgiven any debt of the former Redevelopment Agency of the City of Redlands, or of any other public entity, pursuant to AB 936, and Resolution No. 7131 determining that the former Redevelopment Agency of the City of Redlands has not forgiven any debt of the City of Redlands, or of any other public entity, pursuant to AB 936.

COMMUNICATIONS (Cont'd):

Downtown Goals and Initiatives – Economic Development Manager Michael Lengyel presented a proposed budget and recommendations for stimulating economic development opportunities in the extended downtown area. As a public comment, Bill Cunningham complimented staff for this effort, suggested other sources of revenue to be considered and made an appeal to protect downtown parking. On motion of Mayor Pro Tem Foster, seconded by Councilmember Harrison, the City Council unanimously approved an FY 2012-2013 budget for an enhanced level of services for the implementation and continuation of downtown goals and initiatives.

Fee Study – Finance Director/City Treasurer Tina Kundig introduced Mike Adams, of MGT of America, Inc., who presented an executive summary of a detailed cost of services study performed to accurately report the true cost of providing various fee-related services and provide a standard for establishing the City of Redlands Fee Schedule. Staff was tasked to provide copies of the study to the City Council and to come back with straw man cost recovery targets for Fee Schedule discussions at a future City Council meeting.

PRA Fee Refund – On motion of Councilmember Bean, seconded by Mayor Pro Tem Foster, the City Council unanimously approved authorization for staff to refund copy fees charged for Public Records Act (PRA) requests submitted after July 1, 2011, upon written request by the payer of the fee and presentation of a copy of a City of Redlands receipt, or the payer's cancelled check, showing payment of the fee.

PUBLIC HEARINGS:

Revision No. 3 to CUP No. 383 – YMCA of the East Valley - Applicant – Mayor Aguilar opened the hearing and called upon Sergio Madera, of the Development Services Department, to provide a summary of events leading to a request to amend Municipal Utilities and Engineering Department Conditions of Approval 16(a) and 16(b) that require the widening of Clark Street and the preservation of cut stone curbing in conjunction with the approval to expand the Redlands Family YMCA located at 500 East Citrus Avenue in the A-P (Administrative and Professional Office) District and R-2 (Multiple Family Residential) District. Representing the applicant, Char Burgess requested an exception to the use of cut stone curbs due the associated high cost burden the requirement places on this nonprofit organization. Representing the Redlands Conservancy, Robert Dawes recommended against the exception stating it would open the door to more similar requests and threaten the entire cut stone curbing preservation program. On motions of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved Conditional Use Permit (CUP) No. 383 (Revision No, 3) to allow the YMCA to use conventional curbing when widening Clark Street.

Ordinance No. 2774 – Water and Sewer Development Impact Fees – Mayor Aguilar opened the hearing and called upon Chris Diggs to provide a summary of events leading to a request to revise water and sewer development impact fees. Mr. Diggs introduced Sudhir Pardiwala, from Raftelis Financial Consultants, Inc., who explained the methodology used to derive the proposed fee changes. As a public comment, Bill Cunningham observed that historically the City of Redlands has not charged enough for water and sewer development impact fees. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council approved the introduction of Ordinance No. 2774 amending Chapters 3.44, 3.48 and 13.40 of the Redlands Municipal Code to establish revised amounts for water and wastewater development impact fees. The ordinance reduces fees.

NEW BUSINESS:

Resolution No. 7125 – Rebate Program - On motion of Mayor Pro Tem Foster, seconded by Councilmember Harrison, the City Council unanimously approved Resolution No. 7125 to establish a City of Redlands Water Efficiency Rebate Program.

Well Rehabilitation - On motion of Councilmember Harrison, seconded by Mayor Pro Tem Foster, the City Council unanimously agreed that rehabilitation of the New York Street well is categorically exempt from further review in accordance with California Environmental Quality Act guidelines and approved a service agreement between the City of Redlands and Best Drilling and Pump, Inc., in the amount of \$122,270, to perform the work.

Water Treatment Plant Optimization - On motion of Mayor Pro Tem Foster, seconded by Councilmember Bean, the City Council unanimously approved the plans and specifications for the Horace P. Hinckley Surface Water Treatment Plant Optimization Project and a contract between the City of Redlands and Doty Brother Equipment Company, in the amount of \$8,469,000, for the construction of the Project.

Resolution No. 7126 – Federal Funding Candidates - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved Resolution No. 7126 establishing a priority list of City projects for purposes of Federal Funding.

COUNCILMEMBER ANNOUNCEMENTS AND ACTIVITIES:

Introduction – Finance Director Tina Kundig introduced Dana Abramovitz, the new City of Redlands Purchasing Manager, who addressed the Council expressing exuberance for her new position.

SCAG – Councilmember Harrison relayed the schedule for approval by the Southern California Associated Governments (SCAG) of the Regional Transportation Plan and Sustainable Communities Strategy. The Plan supports light rail for the Redlands community.

Coffee with the Council – Councilmember Gardner described the most recent session as “lively” but with a relaxed and informal atmosphere and commended the Mayor for starting and maintaining the program. The next event is scheduled on March 17, 201 at Innabi Mediterranean Grill & New York Deli.

ADJOURNMENT:

There being no further business to address, this meeting was adjourned at 8:58 P.M. The Council will meet at their next regular meeting on March 6, 2012.