

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 19, 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; Phil Mielke, Innovation and Technology Department; 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:

Contract Award – Steve Himle summarized events involving the award, release, and second award of a public works contract to the same individual as the owner of two different companies.

Transparency – Steve Rogers expressed frustration in trying to get information from staff. Specifically, he wanted to know what property was to be discussed in closed session with relation to the Environmental Protection Agency (EPA).

CLOSED SESSION:

The meeting recessed at 5:00 P.M. to a closed session to discuss the following:

1. Conference with legal counsel: Anticipated Litigation - Government Code §54956.9(b)(2) One Case:
 - a. Facts and circumstances – Consideration of a letter from EPA threatening City liability for property environmental remediation costs
2. Conference with real property negotiators - Government Code §54956.8

Property: APNS 0175-231-02, 0175-231-03, 0175-241-04,
0175-241-05, 0175-232-02, 0175-242-02,
0175-251-05, 0294-091-06, 0294-091-07,
0294-091-41, 0294-091-13, 0294-091-38,
0294-091-36 and 0294-101-22

Agency negotiators: N. Enrique Martinez, Fred Cardenas
Negotiating party: Visman Chow of Universal Bank representing
Redlands Orange Inc.
Under negotiation: Terms of payment 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 action was taken by the City Council during closed session.

PRESENTATIONS:

Redlands Animal Shelter – Animal Control Volunteer Cyndy Dunham introduced Maxie, a four year old, female, Chihuahua mix, who is available for adoption, with forty-three other dogs and one hundred and eight cats, at the Redlands Animal Shelter. Ms. Dunham informed the Council twenty-nine dogs and twenty-one cats have been adopted since the last City Council meeting.

Water Conservation – Cecilia Griego, City of Redlands' Water Conservation Coordinator, assisted by Mayor Aguilar, presented certificates of recognition to Maggie Adrian and Valeria Fonseca as winners of the 2012 Water Conservation Poster Contest.

Competition Winners – Members of the Trojan Hamsters team were introduced as the Global Champions of the Destination Imagination creative thinking, problem-solving competition. Mayor Aguilar presented a certificate of recognition to the team.

CVP 365 Club - Assisted by Mayor Aguilar and Chief Garcia, Civilian Volunteer Patrolman Jim Stellar presented recognition certificates to over 45 organizations and individuals in appreciation for their continued support for the Redlands Police Volunteer Program, some for as long as twenty years.

PUBLIC COMMENTS:

125th Anniversary Gift – Donna Ferracone, President of the Noon Kiwanis Club, presented a check to the City of Redlands for \$10,000.00 to be used in the celebration of the 125th Anniversary of the incorporation of the City of Redlands.

Property Owners' Rights – Several members of the Coalition for Property Rights spoke in opposition to the United Nations Agenda 21 and the City of Redlands Sustainability Action Plan.

Community Center – Luis Camargo described his activities as a volunteer and participant at the City of Redlands Community Center. He appealed to others to help to maintain the Center and keep it safe.

Small Business – Steve Rogers spoke of a lack of government support for small business.

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 June 5, 2012.

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

Resolution No. 7170 – Conflict of Interest Code - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved Resolution No. 7170 amending the City's Conflict of Interest Code.

Proclamation - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved a proclamation commending Karl (Kasey) and Julia Hawes as 2012 Grayback District Citizens of Distinction.

Ordinance No. 2777 – Competitive Bidding - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the adoption of Ordinance No. 2777 amending Chapter 2.16 of the Redlands Municipal Code relating to competitive bidding for public projects. The new ordinance raises the dollar threshold requirement for informal bidding from \$30,000 to \$45,000 to be consistent with state law.

Jail Services - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council approved an independent contractor agreement between the City of Redlands and G4S Secure Solutions for jail services.

Agreement Termination - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the termination of an agreement between the City of Redlands and TMD Communications for the provision of a Social Network Marketing Director.

Storm Drain Easement - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved acceptance of a storm drain easement on property located on the north side of Citrus Avenue between University Street and Central Avenue (APNs 0170-241-33, -35, and -37)

Access Agreement - On motion of Mayor Aguilar, seconded by Mayor Pro Tem Foster, the City Council unanimously agreed to consider action on a late breaking item which involved a request to authorize staff to negotiate an access agreement between the City of Redlands and the Environmental Protection Agency (EPA) to allow EPA access to city-owned property located on the north side of Redlands Boulevard, west of Texas Street. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the negotiation and delegated signature authority for the agreement to the City Manager.

COMMUNICATIONS:

FY 2012-2013 Budget – City Manager Martinez introduced the Budget and thanked staff for their efforts to provide a balanced document. Finance Director Kundig provided an overview of the revenue projections used for Budget planning. Budget Committee Councilmembers Bean and Gardner provided their perspectives on the document as presented. As a public comment, Arlen Einertson asked for a delay in approving the Budget to give the public more time to review the document and make comment. Further discussion identified items to be included in the budget. On motion of Councilmember Bean, seconded by Councilmember Gardner, the City Council unanimously approved the Budget with the following additions: \$95,000 for review of the Housing Element of the General Plan, \$26,000 for membership in the state and national League of Cities, an additional \$25,000 (\$100,000 total) for tree trimming, and \$80,000 to accommodate some fee waivers. Staff was tasked to identify offsets within the budget to maintain a balanced document. It was agreed to include opportunity for public comments on the Budget in the July 3, 2012 regular City Council meeting agenda.

NEW BUSINESS:

Urgency Ordinance No. 2784 – Demolition and Building Moratorium – Councilmember Bean recused himself from discussion and voting on this item due to the proximity of his residence to the neighborhood concerned. Mayor Pro Tem Foster introduced this item with a summary of a dispute involving a

proposal for demolition of an existing house and subsequent building of a new house on property at 1222 Monte Vista Drive. To allow adequate time to address the concerns of all parties and perhaps to develop a City of Redlands policy on development in historic areas, a demolition and building moratorium was proposed through the use of an urgency ordinance. Parties and attorneys expressed support for, and arguments against, both sides of the dispute at the Monte Vista Drive property. A motion of Mayor Pro Tem Foster, for the adoption of Urgency Ordinance No. 2784 was not voted on due to lack of a second. Interested parties were encouraged to pursue other avenues in hopes of reaching an amiable settlement to their dispute.

Resolution No. 7173 – Measure U Interpretation – Manuel Baez, of the Development Services Department, summarized the need to clarify ambiguities in Measure U, adopted by voter initiative in November 1997. On motion of Councilmember Harrison, seconded by Councilmember Gardner, the City Council unanimously approved Resolution No. 7173 exempting Metrolink station development from the density standards set forth in Paragraph 4.40, Residential land use Classification, of Section 4.0 Land Use Element, of the Redlands General Plan and from the restriction against adding new residential land use classifications without a vote of the people. The resolution allows the new designation of Transit Village Overlay to implement transit-oriented development planning for a half-mile radius surrounding each proposed Metrolink station. As a public comment, Bill Cunningham called for vigilance in planning these areas, saying he is not opposed to Metrolink, but he is opposed to high density housing.

Contract Award – On motion of Councilmember Harrison, seconded by Councilmember Gardner, the City Council unanimously approved the plans and specifications for the Safe Routes to Schools, Cycle 6 Project and awarded a contract, in the amount of \$296,699, between the City of Redlands and PTM General Engineering Services, Inc., for the work.

Wildland Fire Suppression - On motion of Councilmember Gardner, seconded by Councilmember Bean, the City Council unanimously approved the annual amendments to an agreement between the City of Redlands and Cal-Fire for the use of Cal-Fire resources to provide wildland fire suppression. Councilmember Harrison recused himself from discussion and voting on this item due to the proximity of his residence to the geographic area serviced by this agreement.

Resolution No. 7177 - Call and Notice of Election - On motion of Councilmember Gardner, seconded by Mayor Pro Tem Foster, the City Council unanimously approved Resolution No. 7177 calling and giving notice of the holding of a General Municipal Election and requesting the Board of Supervisors of the County of San Bernardino to consolidate said election with the election to be held on Tuesday, November 6, 2012.

Resolution No. 7178 - Candidate Statement Regulations - On motion of Councilmember Gardner, seconded by Mayor Pro Tem Foster, the City Council unanimously approved Resolution No. 7178 adopting regulations pertaining to a candidate statement prepared by any candidate for a municipal election, including the cost thereof and defining responsibilities for the administration of candidate statements.

PUBLIC HEARINGS:

Resolution No. 7152 – Fees and Service Charges - Mayor Aguilar opened the public hearing and called upon Finance Director Kundig to provide the background leading to a request for approval of a fee and service charge revenue/cost comparison system; establishment of amounts of fees and charges levied in connection with the City's provision of regulations, products and services; and the rescinding of Resolutions No. 5914 and 7099. At the request of staff and on motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously agreed to continue the public hearing for Resolution No. 7152 to the regular meeting of the City Council scheduled for July 17, 2012.

COUNCILMEMBER ANNOUNCEMENTS AND ACTIVITIES:

Coffee with the Council – Mayor Pro Tem Foster observed his and Councilmember Gardner's participation in the most recent session at Innabi. He said the effort continues to be informative and worthwhile.

Downtown Enhancement Events – Mayor Aguilar highlighted upcoming events intended to attract business to the downtown area. June 23, 2012 will host a *Wine and Music* event with Paxton Cellars, State Street Winery, The Dreggs, Hangar 24, and more at Ed Hales Park. June 30, 2012 will host the *Redlands Food Truck Festival* with 15 to 20 food trucks serving in the north parking lot of the Redlands Mall.

Environmental Quality Committee – Councilmember Harrison attended a California League of Cities Environmental Quality Committee meeting. Discussion centered on recycling goals and distribution of revenues from Cap & Trade.

ADJOURNMENT:

There being no further business to address, this meeting was adjourned at 8:42 P.M. The Council will meet at their next regular meeting on July 3, 2012.