

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 November 20, 2012 at 5:00 P.M.

PRESENT: Pete Aguilar, Mayor  
Paul Foster, Mayor Pro Tem  
Jerry Bean, Councilmember  
Bob Gardner, Councilmember

ABSENT: Jon Harrison, Councilmember

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, 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 labor negotiator - Government Code §54957.6  
Agency Negotiator: Richard Kreisler/Adrianna Guzman  
Employee Organizations: Redlands Association of Management Employees; Redlands Association of Mid-Management Employees; Redlands Civilian Safety Employees Association; General Employees Association of Redlands (SBPEA)
2. Conference with legal counsel: Existing Litigation - Government Code §54956.9(a) - Two Cases
  - a. Chadwick v. City of Redlands et al, San Bernardino Superior Court Case No. CIVDS 1111102
  - b. Redlands Good Neighborhood Coalition et al v. City of Redlands et al, San Bernardino Superior Court Case No. CIVDS 1211890

3. Conference with legal counsel: Anticipated Litigation - Government Code §54956.9(a) - One Case
4. Conference with legal counsel: Anticipated Litigation - Government Code §54956.9(b)(1)(A) - One Case

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

#### CLOSED SESSION REPORT:

City Attorney McHugh announced that no reportable action was taken during the closed session.

#### PRESENTATIONS:

Redlands Animal Shelter – Animal Control volunteers Cyndy Dunham introduced Rod Stewart, a three month old male Chihuahua/Pomeranian mix, who is available for adoption, with 48 other dogs and 93 cats, at the Redlands Animal Shelter. Ms. Dunham informed the Council 55 dogs and 10 cats have been adopted since the last regular City Council meeting.

Essay Winners – Mayor Aguilar, assisted by Terri Wimer, of The 4400 Project, and Chris Johnson, of Redlands Sunrise Rotary Club, presented awards to the winners of the two organizations' joint Annual Constitution Essay Contest: First Place – Daniel McFarland, Second Place – Jonathan Roberts, Third Place – Marissa Montoya, Best Teacher by Scoring – Vanessa Aranda, and Best School by Scoring – Citrus Valley High School.

#### PUBLIC COMMENTS:

Street Repair Timing – Ruth Gray expressed her frustration in having the street in front of her house torn up for the Waterpipe Repair Project during the Thanksgiving Holiday.

Friendly Communities – Steve Rogers read from a proposal for a new program to address quality of life issues within our communities, calling for participation from small businesses and faith-based, non profit and service organizations.

#### CONSENT CALENDAR:

Minutes – On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council approved the minutes of the regular meeting of November 6, 2012.

Proclamation - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council approved a proclamation recognizing the 125<sup>th</sup> Anniversary of the City of Redlands.

Commission Appointments - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council approved the appointment of Luis E. Estrada and Emily Richardson to fill unexpired terms ending respectively on December 20, 2013 and December 20, 2014 and approved the reappointment of Paul Letson to serve an additional four year term ending December 20, 2016 on the Traffic and Parking Commission.

Committee Appointment - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council approved the appointment of Janet Ward to the Street Tree Committee to fill an unexpired term ending February 16, 2015.

Resolution No. 7232 – Investment Authority - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council approved Resolution No. 7332 delegating investment authority to the City Treasurer pursuant to Government Code §53607. The new resolution re-delegates investment authority to the City Treasurer for one year, effective December 4, 2012 through December 3, 2013.

Conservation District Support - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council approved a letter to the Local Agency Formation Commission (LAFCO), for the Mayor's signature, in support of the San Bernardino Valley Water Conservation District and urging LAFCO to reestablish and expand the District's sphere of influence to include the area along the Santa Ana River and the Bunker Hill Basin. As a public comment, Steve Rogers summarized the confusion involved with water issues in the Santa Ana River Basin.

Resolution No. 7236 – Special Election Results - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council approved Resolution No. 7236 declaring the results of a special election for Community Facilities District (CFD) No. 2004-1 Annexation No. 9 and determining that the required two-thirds of the votes cast were in favor of levying the tax and, therefore, the territory will be annexed to the CFD.

Employee Benefits Services - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council approved a three year professional services agreement between the City of Redlands and USI to provide broker services for employee benefits other than those provided by CalPERS.

Employee Dental Services - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council approved a two year renewal for each

of two agreements, one between the City of Redlands and Principal Dental and one between the City of Redlands and California Dental Network, for employee dental insurance coverage from January 1, 2013 to December 31, 2014.

#### PUBLIC HEARING:

Ordinance No. 2787- Solid Waste Rate Adjustment – Mayor Aguilar opened the public hearing and called upon Fred Mousavipour, Municipal Utilities and Engineering Director, to provide a summary of events leading to a request to increase solid waste rates in support of the Pavement Accelerated Repair Implementation Strategy. As public comment, seven residents spoke in opposition to the proposed rate increases and against the concept of repairing streets with Solid Waste Fund monies. The City Clerk informed the Council that 411 written documents purporting to be protests to the rate increases had been received. There are 22,537 parcels served by the solid waste enterprise. Therefore 11,269 protests would be needed to constitute a majority protest. Even if it is assumed that each protest document received is a valid protest from a unique parcel, the protests received do not reach this threshold. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council approved the introduction of Ordinance No. 2787 amending Chapter 3.66 of the Redlands Municipal Code relating to rates and charges for solid waste service, and agreed adoption of the ordinance is exempt from review under the California Environmental Quality Act. Councilmember Bean introduced an amendment to the ordinance which was approved to require tracking and reporting of funds to insure application to street repair efforts.

#### OLD BUSINESS:

Anniversary Celebration Planning – Mayor Pro Tem Foster provided an update of planning in progress for the celebration of the 125<sup>th</sup> anniversary of the incorporation of the City of Redlands. His presentation listed many events in various stages of planning. The first of which will be the Kiwanis Christmas Parade scheduled for December 1, 2012 that will be the kickoff of the celebration. The anniversary is shaping up to be a great celebration, involving many organizations and a full calendar of events throughout the coming twelve months. As a conclusion to Mayor Pro Tem Foster's presentation, Mary Penachi, acting on behalf of the physicians and employees of Kaiser Permanente, presented a check in the amount of \$10,000 to the City of Redlands for the celebration.

#### NEW BUSINESS:

Agreement Assignment – Development Services Director Oscar Orci introduced a proposal to assign a purchase and sale agreement to the City of Redlands as part of the "Emerald Necklace" open space plan. As a public comment, Bob Roberts submitted a letter for consideration on this issue which is part of the record. Steve Rogers suggested the acquisition of property for a park needs to go through a

different process. Sherli Leonard, of the Redlands Conservancy, reviewed the history of City of Redlands efforts in planning for open space and thanked all parties involved in the execution of this transaction. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council approved an Assignment Agreement between the City of Redlands and the Redlands Conservancy for assignment of a real property purchase and sale agreement for the purchase of 172 acres of land, on parcel numbers 0300-231-31 & -38 and 0300-241-15, zoned A-1 and accessible from Live Oak Canyon. The Assignment Agreement assigns, transfers, sells and conveys title and interest in the property to the City of Redlands. On motion of Councilmember Bean, seconded by Mayor Pro Tem Foster, proceeds from the Palmetto Grove sale were designated as the source of funds for the purchase.

Resolution No. 7225 – Mills Act – Tabitha Kevari, of the Development Services Department, presented an overview of the plan to implement the Mills Act Historic Property Tax Incentive Program. The Program provides tax incentives to encourage the designation and maintenance of historic properties within the City of Redlands. Ron Running, of the Redlands Historical Society, provided input as to the details of the Mills Act. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council approved Resolution No. 7225 establishing the implementation of the Program for a period of five years.

City Area Detachment – Bob Dalquest provided background on Local Agency Formation Commission (LAFCO) No. 3171, an application by Treh Partners, LLC to detach from the City of Redlands approximately 13.26 acres of property located on the north side of San Bernardino Avenue, adjacent to the west side of the 210 freeway. Several options were presented for action by the Council. As a public comment, Steve Rogers discussed the area around the proposed detachment. Kathleen Rollings McDonald, Executive Officer of LAFCO, clarified the impacts of the presented options. Bill Cunningham highlighted what would be lost with the proposed detachment. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council agreed to continue to the City Council meeting scheduled for December 4, 2012, any decision on the approval of a letter requesting that the LAFCO terminate LAFCO No. 3171.

Temporary Personnel – On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council approved an agreement between the City of Redlands and Labor Ready, in the amount of \$150,000, for temporary personnel services required by the Solid Waste Division. As a public comment, Steve Rogers questioned the process used to select Labor Ready as the vendor.

Automated Refuse Containers – On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council approved a purchase order with Rehrig Pacific Company in the amount of \$150,000 for automated refuse containers.

Agreement Termination - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously authorized the termination of an agreement between the City of Redlands and Automotive Rentals, Inc.

Surplus Vehicle Sales - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council approved an additional appropriation of \$80,013 from the General Fund for the Quality of Life Department from revenues received through the sale of surplus vehicles.

Fire Engine Sales – Fire Chief Frazier introduced a proposal to sell a 1936 Seagrave fire engine and a 1969 Crown Fire Coach fire engine to the Redlands Professional Firefighters Association (RPFA) in the interest of historical preservation. As a public comment, Bill Conway, of the RPFA, expressed support for the proposal. Nelda Stuck, of the Redlands Historical Museum, requested some assurance that the engines will remain in the City of Redlands. On motion of Councilmember Bean, seconded by Mayor Pro Tem Foster, the City Council agreed to continue to the December 4, 2012 City Council meeting, any decision on the approval of the sale to allow time to representatives from the museum and the RPFA to work out an agreement on the future use of the fire engines.

Ordinance No. 2786 – Parking Fines - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council approved Ordinance No. 2786 amending Chapter 10.12 of the Redlands Municipal Code relating to fines for parking violations.

#### COUNCILMEMBER ANNOUNCEMENTS AND ACTIVITIES:

Coffee – Mayor Aguilar thanked everyone who attended the last session.

Veterans' Day – Mayor Pro Tem Foster highlighted the Veterans' Day observance at Jenny Davis Park.

Tree Lighting – Mayor Pro Tem Foster described lots of fun at Ed Hales Park for the annual Christmas tree lighting ceremony.

Thanksgiving – Mayor Pro Tem expressed gratification in attending the Interfaith Council Thanksgiving event at which he said many positive statements were made in support of the community leadership and their efforts to make Redlands a great place to live.

Baptists Anniversary – Mayor Aguilar attended the Baptist Church's celebration of 125 years of worshiping in Redlands.

Mortgage Advice – Mayor Aguilar highlighted an event being held to provide free advice to people with mortgage problems in the depressed housing market economy. The event is sponsored by HOPE NOW, Support & Guidance for Homeowners, and will be held at the Ontario Convention Center from 1:00 P.M. to 8:00 P.M., on Tuesday, December 4, 2012.

Special Meeting – Mayor Aguilar announced a special meeting of the City Council to be held on January 8, 2013, in lieu of the regular meeting scheduled on January 1, 2013.

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 December 4, 2012.