

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 December 18, 2012, at 5:00 P.M.

PRESENT Pete Aguilar, Mayor
Paul Foster, Mayor Pro Tem
Bob Gardner, Councilmember
Pat Gilbreath, Councilmember

ABSENT: Jon Harrison, Councilmember

STAFF Enrique Martinez, City Manager; Dan McHugh, City Attorney; Sam Irwin, City Clerk; Robert Dawes, City Treasurer; 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; 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:

1. Conference with legal counsel: Existing Litigation – Government Code §54956.9(a) Five Cases:
 - a. Mercury Insurance Company v. Red Oak Villas et al, San Bernardino Superior Court Case No. DS112779
 - b. Charles E. Holcombe, Jr. et al v. City of Redlands, San Bernardino Superior Court Case No. 1107627
 - c. Bear Valley Mutual Water Company et al v. Kenneth L. Salazar et al, Central District Court Case No. 8:11-cv-01263 JVS (ANx)
 - d. Workers’ Compensation Proceeding of Pedro Hernandez
 - e. Amelia Hamilton v. City of Redlands et al, San Bernardino Superior Court Case No. CIVDS 1212381
2. Conference with legal counsel: Anticipated Litigation – Government Code §54956.9(b)9(1)(A)
3. Conference with legal counsel: Anticipated Litigation - Government Code §54956.9(c)
 - a. One case: Possible initiation of litigation by the City

The meeting reconvened at 6:03 P.M. with an invocation by Councilmember Gardner 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 and Linda Ackerman introduced Yeshi and Dorje, two eleven week old Lhasa apso mix puppies, who are available for adoption at the Redlands Animal Shelter.

Holiday Program – Children from the Mountain View Ward of the Church of Latter Day Saints provided a program of two Christmas carols to the enjoyment of all those present.

Retirement Proclamation – Mayor Aguilar, assisted by Chief Garcia, presented a proclamation recognizing the retirement, after thirty-two years of service to the City and community of Redlands, of Police Lieutenant Rogelio Garcia.

PUBLIC COMMENT:

Neighborhood Dispute – Jeff Moore and Roger Smart described activities at 533 West Olive Avenue and requested code enforcement assistance in dealing with the property owner.

Water Rates – Arlen Einertson referred to the City of Fontana for lowering water rates due to efficiencies and asked if the residents of Redlands could expect the same.

Social Host Ordinance – Ronald Ynda and Mario Saucedo, of the Common Vision Coalition, inquired as to the status of a previously introduced Social Ordinance.

CONSENT CALENDAR

Minutes - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the minutes of the regular meeting of December 4, 2012, were approved as submitted.

Local Appointments - On motion of Councilmember Gilbreath, seconded by Mayor Pro Tem Foster, the City Council approved a Local Appointments List for 2013 as required by Government Code §54972.

Retirement Proclamation - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council approved a proclamation commending Library Director Larry Burgess for his forty years of service to the City of Redlands and the surrounding community.

Commission Appointments - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council approved the reappointment of Norman Miner and Harvey (Chip) Wimer to the Municipal Utilities/Public Works Commission for four-year terms ending November 16, 2016.

Solar Challenge - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council approved a sponsorship in the amount of \$2,500 and participation in the 2013 Inland Solar Challenge to promote water conservation.

Water Exchange Entitlement - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council approved a water exchange entitlement agreement between the City of Redlands and Marcos Michelotti and Amaranta Scorzelli for five shares of Redlands Heights Water Company stock.

Resolution No. 7237 – Traffic Regulation - On motion of Councilmember Gilbreath, seconded by Councilmember Gardner, the City Council approved Resolution No. 7237, with modification to reflect the requirement of a source of funding prior to installation, to install a school crosswalk with flashing beacons on Fern Avenue at Nanette Street.

Resolution No. 7238 – Traffic Regulation – After discussion as to the purpose and intent of the resolution and public comment from residents in the neighborhood on Fourth Street at the Beaver Medical Center, the City Council agreed to take no action, but referred Resolution No. 7238 back to staff to examine other options to address problems in the area concerned.

Resolution No. 7239 – Traffic Regulation – At the request of staff, this item was pulled from the agenda.

Resolution No. 7240 – Traffic Regulation - On motion of Councilmember Gilbreath, seconded by Councilmember Gardner, the City Council approved Resolution No. 7240, with modification to reflect the requirement of a source of funding prior to installation, to install a school crosswalk with flashing beacons on Olive Avenue at Michigan Street.

Independent Contractor - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council approved an agreement between the City of Redlands and Lori Digulla to develop and conduct sport instruction

services for the City's Recreation Division. The classes will be held at the Community Center, Brookside Park and Sylvan Park.

Independent Contractor - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council approved an agreement between the City of Redlands and Carmen Lopez for Zumba exercise classes at the Community and Senior Centers.

Resolution No. 7242 – Document Signing Authority - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council approved Resolution No. 7242 authorizing the Mayor and City Council to execute documents associated with a purchase and sale agreement between the City of Redlands and Live Oak Associates, LL, The Ralph and Carolyn Thompson Trust dated June 30, 1982, and Ellsworth E. Wareham Family Revocable 1981 Trust.

Resolution No. 7244 – Urban Security Grant - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council approved Resolution No. 7244 and a Memorandum of Understanding between the City of Redlands and the City of Riverside Office of Emergency Management regarding Urban Area Security Initiative grant funding from Federal Fiscal Year 2010.

Resolution No. 7245 – Bank Accounts Signing Authority - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council approved Resolution No. 7245 authorizing signers on all City of Redlands accounts held with Bank of America and rescinding Resolution No. 6813. The resolution authorizes Robert Dawes, City Treasurer; Tina Kundig, Finance Director; Tom Steele, Assistant Finance Director; and Karin Grance, Revenue Manager.

Resolution No. 7246 – Investment Accounts Signing Authority - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council approved Resolution No. 7246 authorizing signers on all City of Redlands investment accounts and rescinding Resolution No. 6820. The resolution authorizes Robert Dawes, City Treasurer; Tina Kundig, Finance Director; Tom Steele, Assistant Finance Director; and Karin Grance, Revenue Manager. The resolution anticipates the opening of additional investment accounts with broker/dealers and financial institutions as recommended by the City Manager and City Treasurer and authorizes the Mayor to execute substantially similar resolutions for that purpose.

Resolution No. 7247 – Local Agency Investment Fund Authority - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council approved Resolution No. 7247 authorizing investment of City of Redlands monies in the Local Agency Investment Fund and rescinding Resolution No. 6815. The resolution authorizes Robert Dawes, City Treasurer; Tina Kundig, Finance

Director; Tom Steele, Assistant Finance Director; and Karin Grance, Revenue Manager to order the deposit or withdrawal of monies in the Fund.

Student Commissioner Appointments - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council approved the appointment of Jennifer Williams to serve as the student commissioner on the Human Relations Commission, the appointment of Toluwani (Semi) Cole to serve as the student commissioner on the Parks and Recreation Advisory Commission, and the appointment of Diego Quispe to serve as the student commissioner on the Traffic and Parking Commission.

COMMUNICATIONS

Fee Waivers – Mayor Pro Tem Foster introduced this item with a report of his meetings with various non-profit organizations within the City of Redlands. Fourteen representatives from organizations such as the Grayback Council of the Boy Scouts of America, Redlands Theatre Festival, Kiwanis and The Redlands Bicycle Classic all expressed their support for the waiving of fees associated with non-profit organization fund raiser events. Dennis Bell argued that the events are a burden on taxpayers and should be self sufficient. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gilbreath, the City Council approved a policy of continuing to review, consider and grant waivers to non-profit organizations based in the City of Redlands and the cost of such waivers be absorbed in the current budget. Councilmember Gardner voted No on the motion citing other high priority budget items which go unfunded to accommodate these waivers. Staff was directed to rework the waiver application form to provide decision-making information reflecting the benefit and orientation of the event to the Redlands community.

Streetlight Conversion – Ross Wittman, of the Municipal Utilities and Engineering Department presented a summary of the progress on the Light Emitting Diode (LED) Streetlight Conversion Project. The first phase of the project was completed by December 1, 2012. To date, 203 decorative acorn lights, 24 200-watt, 9 150-watt, and 13 SCE-owned cobra head lights have been converted from high pressure sodium lights to the more energy efficient and environmentally friendly LED streetlights.

Grove Sale Proceeds – Quality of Life Director Fred Cardenas presented an overview of events leading to a staff request for further guidance on the use of funds received from the sale of the Nevada Palmetto Orange Grove. To clarify the City Council's intent to abide by the recommendations of the Public Benefit Resources Task Force Committee, on motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council approved the expenditure of \$2,055,704.22 from Account No. 2643 of the Nevada Palmetto Grove Sale Proceeds, \$343,360.52 from the Measure O Fund, and a remaining balance of approximately \$153,000.00 from the Open Space Fund required for the approved

purchase and sale agreement with Live Oak Associates, Ralph and Carolyn Thompson Trust dated June 30, 1982, and Ellsworth E. Wareham Family Revocable 1981 Trust. Further discussion and action on guidance for the use of Nevada Palmetto Grove Proceeds was continued to allow participation from Councilmember Harrison.

NEW BUSINESS:

Lobbyist Agreement – On motion of Councilmember Gardner, seconded by Councilmember Gilbreath, the City Council approved an agreement between the City of Redlands and Federal Strategies, LLC to provide federal legislative advocate services through June 30, 2013 and directed staff to prepare a Request for Proposal to compete the next year’s contract through the bidding process.

Heritage Park – Fred Cardenas, Quality of Life Director, provided details on a request for additional funding for projects at Heritage Park. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council approved the additional appropriation of \$135,610 in the Park Development Fund for the planning and grading of Heritage Park. As a public comment, Steve Rogers said the Heritage Park improvements should be administered as a Public Works Project.

CDBG Guidance – Janet Miller, of the Development Services Department, summarized the derivation process and significant highlights of guidelines for the Community Development Block Grant (CDBG) funded Microenterprise Assistance Program (MAP) and Economic Development Loan Program (EDLP). On motion of Councilmember Gilbreath, seconded by Councilmember Gardner, the City Council approved the MAP and EDLP Guidelines.

Housing Authority Agreement – Development Services Director Oscar Orci introduced a request from the Housing Authority of the County of San Bernardino to amend an Incentive/Concession Agreement currently in force between the City of Redlands and the Housing Authority for a 228-unit planned residential development on approximately 19 acres located at the northeast corner of Orange Street and Lugonia Avenue. On motion of Councilmember Gilbreath, seconded by Councilmember Gardner, the City Council approved the First Amendment to the agreement to clarify that the development will take place in phases with 85 units included in Phase I and 104 units included in Phase II.

Resolution No. 7241 - AIIP – Mike Pool, of the Municipal Utilities and Engineering Department, presented details of the staff developed Accelerated Infrastructure Improvements Program (AIIP) which provides protocols to accelerate infrastructure improvements such as sidewalks, curbs, gutters, etc. through resident or private entity participation in funding the improvements. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council approved Resolution No. 7241 establishing the AIIP. As a public

comment, Steve Rogers cautioned against allowing private residents to fund their own infrastructure projects.

Storm Drain Maintenance – Chris Diggs, of the Municipal Utilities and Engineering Department, provided an overview of the condition of the City of Redlands storm drain infrastructure and the need for engineering design services for storm drain repairs. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council approved an agreement between the City of Redlands and Carollo Engineers for professional engineering design services for storm drain repairs and authorized the additional appropriation of \$39,109 for the services. As a public comment, Steve Rogers questioned the process used to select the consultant for this contract.

COUNCILMEMBER ANNOUNCEMENTS AND ACTIVITIES:

Christmas Block Party – Mayor Pro Tem Foster complimented the Police Department and staff for the success of the annual Children’s Christmas Block Party held at the Community Center.

Economic Conference – Councilmember Gilbreath attended the Beacon and University of California Riverside Economic Conference and emphasized the importance of positive thinking in these tough economic times. One event she also attended, which helps one to maintain those positive thoughts, was the American Legion Post 106 Oratorical speech contest. The public speaking ability and knowledge of the U.S. Constitution, displayed by the young contestants, bolsters one’s faith in the future.

ADJOURNMENT:

There being no further action required the meeting adjourned at 9:20 P.M. The next regular meeting of the City of Redlands City Council will be adjourned to a special meeting to be held on January 8, 2013.