

MINUTES of a special meeting of the City Council of the City of Redlands held in the Council Chambers, Civic Center, 35 Cajon Street, on February 20, 2013, at 5:00 P.M.

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

ABSENT: None

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; Danielle Garcia, Interim 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: Anticipated Litigation - Government Code §54956.9(b)(2)(B) – One Case
  - a. Facts and Circumstances – Consideration of a claim by David Stone
2. Conference with legal counsel: Anticipated Litigation - Government Code §54956.9(c)
  - a. Two Cases: Possible initiation of litigation by the City of Redlands
3. Conference with legal counsel: Anticipated Litigation - Government Code §54956.9(b)(1)(A)
4. Conference with legal counsel: Existing Litigation - Government Code §54956.9(a) - One Case

- a. Amelia Hamilton v. City of Redlands et al, San Bernardino Superior Court Case No. CIVDS 1212381
  
- 5. Conference with real property negotiator – Government Code §54956.8
  - Property: APNs 017-110-01, -02, -03, -04, and -05; 017-121-115, -117, and -125 (212 Brookside Ave)
  - Agency negotiators: N. Enrique Martinez, Oscar Orci
  - Negotiating party: Nelda Stuck, representing the Redlands Historical Society
  - Under negotiation: Terms and price for City purchase of property
  
- 6. Conference with labor negotiator - Government Code §54957.6
  - Agency Negotiator: Richard Kreisler/Adrianna Guzman
  - 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 Association of Safety Management Employees

The meeting reconvened at 6:12 P.M. with an invocation by Councilmember Gilbreath followed by the pledge of allegiance to the American flag. Mayor Aguilar was absent for the first portion of the open session due to a previous engagement.

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 “Razzle”, an eight-month old male terrier mix, who is available for adoption, with forty-two other dogs and thirty-nine cats, at the Redlands Animal Shelter. Ms. Dunham informed the Council forty-eight dogs and nine cats have been adopted since the last City Council meeting.

ANNUAL COMMISSION REPORT:

Cultural Arts Commission – Frank Herendeen, Chairman of the Cultural Arts Commission, reviewed the activities of the Commission during 2012 and highlighted upcoming events and concepts designed to increase the art awareness of the Redlands community. The Commission sponsored its own event in the Redlands Artistic Youth Show (RAYS), subsidized the formation of the Redlands

Opera Group and supported the Redlands Shakespeare Festival. Upcoming is the Redlands Art Festival, sponsored by former Councilmember Jerry Bean, on Memorial Day weekend. Mr. Herendeen concluded with a proposal for a Redlands Performing and Visual Arts Center.

#### PUBLIC COMMENT:

Sugar Tax – Adrian Asencio expressed his opposition to taxes on items with high sugar content. He said it would involve too much regulation.

Community Center Utilization – Several people spoke in support of expanding the hours of operation and programs at the Community Center.

#### CONSENT CALENDAR

Minutes - On motion of Councilmember Gilbreath, seconded by Councilmember Gardner, the minutes of the regular meeting of February 5, 2013 were approved as submitted.

Commission Appointment - On motion of Councilmember Gilbreath, seconded by Councilmember Gardner, the City Council approved the appointment of Janet Korfmacher to serve a four-year term on the Cultural Arts Commission ending January 6, 2017.

DUI Enforcement - On motion of Councilmember Gilbreath, seconded by Councilmember Gardner, the City Council approved an amendment to an agreement between the City of Redlands and the City of Ontario to participate in the Avoid the 25 Driving Under the Influence (DUI) Enforcement Program.

Homeland Security Grant - On motion of Councilmember Gilbreath, seconded by Councilmember Gardner, the City Council approved a grant award from the FY2010 California Homeland Security Grant Program and a supplemental appropriation of funds to the Police Department in the amount of \$14,998.

Resolution No. 7238 – Traffic Regulation – On motion of Councilmember Gilbreath, seconded by Councilmember Gardner, the City Council approved Resolution No. 7238 establishing a 2-hour time limit parking zone on 4<sup>th</sup> Street at the Beaver Medical Center.

Development Agreements Review- On motion of Councilmember Gilbreath, seconded by Councilmember Gardner, the City Council agreed to accept a report for the annual review of development agreements with Mountainview Power Company LLC, CEMEX, Robertson's Ready Mix. Redlands Community Hospital and Cal-Red Facility LLC, determined the agreements are in compliance with their respective terms and directed staff to prepare a Certificate of Compliance to be recorded by the applicants.

Right-of-Way Services - On motion of Councilmember Gilbreath, seconded by Councilmember Gardner, the City Council approved an agreement between the City of Redlands and Paragon Partners LTD, in the amount of \$49,965, to perform right-of way appraisal and acquisition services along Redlands Boulevard and Alabama Street.

Bid Rejection - On motion of Councilmember Gilbreath, seconded by Councilmember Gardner, the City Council agreed to reject all bids received for the HVAC upgrades to the A. K. Smiley Public Library. The bids received were determined to be non-responsive.

## COMMUNICATIONS

Healthy Redlands – Councilmember Gilbreath introduced a rejuvenation effort to provide impetus to the Healthy Redlands Program. Support for the effort was unanimous among those Councilmembers present. Mayor Pro Tem Foster cited several examples of cities in the Inland Empire with successful programs from which to draw assistance. Councilmember Harrison suggested pursuing grant opportunities to fund efforts in support of the program. Councilmember Gardner asked for the development of measurable goals with which to track the City of Redlands performance in addressing obesity problems.

Audit Reports – Finance Director Tina Kundig introduced Kim Manning, of LSL Certified Public Accountants, who provided an executive summary of the findings of the City of Redlands Comprehensive Annual Financial Report and the Independent Accountant's Report on Agreed-Upon Procedures Applied to Appropriation Limit Worksheets for the year ended June 30, 2012. No exceptions were noted as a result of the auditor's procedures. On motion of Councilmember Gilbreath, seconded by Councilmember Gardner, the City Council agreed to receive and file the reports.

Tolling Agreement - On motion of Councilmember Gilbreath, seconded by Councilmember Gardner, the City Council agreed to authorize staff to negotiate an agreement between the City of Redlands and the County of San Bernardino for settlement of Property Tax Administrative Fees incorrectly charged to the City by the County from FY2006-2007 through FY2011-2012.

Budget Review – Finance Director Tina Kundig provided an executive summary of a mid-year review the Adopted Budget for FY2012-2013. After all revenue and expenditure accruals and adjustments were made for the fiscal year ending June 30, 2012, the beginning fund balance exceeded original estimates by approximately \$955,755. While the staff recommendation at this juncture is to make no revisions to revenue or budget estimates, the City Manager identified five candidate expenditures for the excess unreserved fund balance achieved at June 30, 2012. At the City Manager's recommendation, and on motion of

Councilmember Harrison, seconded by Councilmember Gardner, the City Council approved two of expenditure candidates totaling up to \$470,000 for police IT infrastructure/security gates and the purchase of four police vehicles.

Work/Plan Priorities – Mayor Aguilar rejoined the meeting with this item presentation already in progress. Public Information Officer Carl Baker introduced a presentation on a staff work plan document developed to discuss various projects, identified as priorities, and the resources currently available or needed to see the projects through to fruition. The document is divided into three main sections: project fact sheets, funding plan options, and staff time analysis. The consensus of the City Council was that the document may prove valuable to provide a framework for priority-setting discussions during the budget process.

#### UNFINISHED BUSINESS:

Grove Sales Proceeds – Quality of Life Director Fred Cardenas introduced a request for guidance to develop recommendations for expenditure of the Nevada Palmetto Citrus Grove sale proceeds. After discussion, the City Council agreed to direct the Citrus Preservation Commission to finalize their recommendations on maintenance and refurbishment of existing city-owned groves versus acquisition of new grove lands and to direct the Parks and Recreation Commission to provide their recommendations on the appropriate use of funds for park development. After hearing from these two bodies, the Council will consider the appointment of a subcommittee to evaluate and recommend specific property acquisitions or projects for consideration by the City Council as a whole.

#### NEW BUSINESS:

Lobbyist Services – Public Information Officer Carl Baker presented the results of a competitive bid process for lobbying services. On motion of Mayor Pro Tem Foster, seconded by Councilmember Harrison, the City Council unanimously approved an agreement between the City of Redlands and Federal Strategies, LLC to provide legislative advocate services for one year at an amount not to exceed \$49,000 beginning July 1, 2013.

Engineering Services – Chris Diggs, of the Municipal Utilities and Engineering Department, presented the findings of a structural assessment performed by Carollo Engineers on the Dearborn Reservoir. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved an agreement between the City of Redlands and Dudek, in the amount of \$142,894, for professional engineering services in association with the design of the Dearborn Reservoir roof rehabilitation.

More Engineering Services – Ross Wittman, of the Municipal Utilities and Engineering Department presented an overview of work to be performed on the Orange Blossom Trail. On motion of Mayor Pro Tem Foster, seconded by

Councilmember Harrison, the City Council unanimously approved an agreement between the City of Redlands and RHA Landscape Architects Planners, Inc. to perform professional engineering services for the design of the Orange Blossom Trail Phase II.

PARIS Resurfacing Project – Mike Pool, of the Municipal Utilities and Engineering Department, presented a review of the PARIS Resurfacing Project. On motions of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously agreed the approval of the PARIS 2013 Project is categorically exempt from environmental review in accordance with California Environmental Quality Act guidelines and awarded a contract, in the amount of \$595,562.60, to Silvia Construction, Inc. for the work.

Safe Routes to School – Jason Montgomery, of the Municipal Utilities and Engineering Department, presented an overview of the Safe Routes to School, Cycle 2. On motions of Mayor Pro Tem Foster, seconded by Councilmember Harrison, the City Council unanimously agreed the approval of the project is categorically exempt from environmental review in accordance with California Environmental Quality Act guidelines and awarded a contract, in the amount of \$769,556.50, to New Legacy Corporation for the work.

Underpass Improvements – Development Services Director Oscar Orci introduced proposed design solutions to enrich the aesthetic value of the City's gateways with improvements to areas around some Interstate 10 underpasses. As a public comment, Daney Bachiu expressed Redlands Chamber of Commerce support for the proposed underpass improvements. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously agreed to direct staff to evaluate and return with program options to address painting underpass walls, replacing existing ceiling lights with LED lights, installing murals and enhancing the landscape adjacent to the underpasses along Pearl Street at Eureka, Orange and Sixth Streets.

Solid Waste Vehicles – Quality of Life Director Fred Cardenas presented the staff recommendation for the purchase of two LNG heavy duty solid waste trucks. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the purchase from Rush Truck Center in the amount of \$631,765.

Trees Replacement – Quality of Life Director Fred Cardenas presented the staff recommendation for an agreement between the City of Redlands and the Redlands Seventh Day Adventist Church to install and maintain replacement trees for two large redwoods which were removed from the City right-of-way on Buena Vista Street near Brookside Avenue. As a public comment, Marie Louise Bosin called for an investigation into the events surrounding the removal of the trees. Representatives from the Church expressed safety concerns about the size of the proposed replacement trees and a desire to move on from the whole tree removal

incident. Other comments centered on the size and type of tree to be used as replacement for the redwoods. On motion of Councilmember Gilbreath, seconded by Councilmember Harrison, the City Council approved the agreement as presented. Mayor Aguilar voted No on the agreement citing his disagreement with particular details of the efforts to “make the neighborhood whole” after the loss of the trees.

Development Agreement Review- On motion of Councilmember Gilbreath, seconded by Mayor Pro Tem Foster, the City Council agreed to accept a report for the annual review of development agreement with Esri, determined the agreement is in compliance with proscribed terms and directed staff to prepare a Certificate of Compliance to be recorded by the applicant. Councilmember Harrison recused himself from discussion and voting on this item due to his source of income relationship with Esri.

ADJOURNMENT:

There being no further action required, Mayor Aguilar adjourned the meeting at 8:58 P.M. in memory of Officer Michael Crain and Deputy Jeremiah MacKay, killed in the line of duty. The next regular meeting of the City of Redlands City Council will be held on March 5, 2013.