

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 July 3, 2012 at 5:00 P.M.

PRESENT: Pete Aguilar, Mayor
Paul Foster, Mayor Pro Tem
Jon Harrison, Councilmember
Jerry Bean, Councilmember

ABSENT: Bob Gardner, 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; 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:

Agenda Preview – Steve Rogers provided his views on the items to be discussed during closed session.

CLOSED SESSION:

The meeting recessed at 5:07 P.M. to a closed session to discuss the following:

1. Conference with legal counsel: Existing Litigation - Government Code §54956.9(a) Three Cases:
 - a. City of Redlands v. Verizon California, Inc., et al, San Bernardino Superior Court Case No. CIVDS 1205452
 - b. Eva Toppos v. City of Redlands, et al, San Bernardino Superior Court Case No. CIVDS 1205681
 - c. Stephen W. Rogers v. City of Redlands, et al, San Bernardino Court Case No. CIVDS 1206381
2. Public Employee Appointment - Government Code §54957
 - a. Public Employee Dismissal/Release – consideration of disability retirement application of a public safety employee

The meeting reconvened at 6:01 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 the City Council had decided, during the closed session, by unanimous vote of those present, to approve a disability retirement application of a public safety employee.

PRESENTATIONS:

Redlands Animal Shelter – Animal Control Volunteers Cyndy Dunham and Juan Nunez introduced Tinkles, a three month year old, male, Spaniel mix, who is available for adoption, with fifty other dogs and ninety-one cats, at the Redlands Animal Shelter. Ms. Dunham informed the Council forty dogs and twenty-seven cats have been adopted since the last City Council meeting.

Grove Replanting – Mayor Aguilar and Gary Branstetter, Citrus Preservation Commission Chairman, presented certificates of recognition to Chuck Hills, of Larry Jacinto Farming, and Ed Nedham, of Duarte Nursery, for their generous donations to the replanting of the Fifth Avenue Citrus Grove.

PUBLIC COMMENTS:

Transparency – Steve Rogers questioned the decision making process which derived the items for the City Council closed sessions.

CONSENT CALENDAR:

Minutes – On motion of Mayor Pro Tem Foster, seconded by Councilmember Bean, the City Council approved the minutes of the regular meeting of June 19, 2012 and the special meeting workshop on June 25, 2012.

Budget Update - On motion of Mayor Aguilar, seconded by Mayor Pro Tem Foster, the City Council agreed to receive and file the FY 2012-2013 Adopted Budget Update. As a public comment, Arlen Einertson asked why solid waste rates weren't reduced rather transferring monies from the Solid Waste Fund to the General Fund for street repair. Steve Rogers cited monies in the Budget for a review of the Housing Element of the General Plan and said the review has to be done in the context of the entire General plan, not in isolation.

Resolution No. 7184 - Audit Consultant - On motion of Mayor Pro Tem Foster, seconded by Councilmember Bean, the City Council approved Resolution No. 7184, authorizing the examination of sales, use and transactions tax records, and an agreement between the City of Redlands and HDL Coren & Cone and the HDL Companies for property tax and sales tax consulting and audit services.

Surrounding Jurisdictions - On motion of Mayor Pro Tem Foster, seconded by Councilmember Harrison, the City Council agreed to direct staff to write a letter for the Mayor's signature voicing opposition to a 306-unit apartment complex proposed to be located on the north side of Lugonia Avenue, approximately 690 feet east of Nevada Street, and adjacent to the rear of the JC Penny's commercial center. As a public comment, Steve Rogers agreed with the motion.

Resolution No. 7187 – Traffic Regulations - On motion of Mayor Pro Tem Foster, seconded by Councilmember Bean, the City Council approved Resolution No. 7187 approving the installation of bicycle racks in the public right-of-way located on the east side of Fifth Street, south of Citrus Avenue, adjacent to the public parking structure.

Resolution No. 7188 – Traffic Regulations - On motion of Mayor Pro Tem Foster, seconded by Councilmember Bean, the City Council approved Resolution No. 7188 establishing a no parking zone on the south side of Lugonia Avenue from the west end of Lot 1, Tract No. 12419, west to Nevada Street.

Settlement Details – At the request of staff, this item was pulled from the agenda for consideration at a later date.

Crossing Guards - On motion of Mayor Pro Tem Foster, seconded by Councilmember Bean, the City Council approved an agreement between the City of Redlands and All City Management for crossing guard services.

Anti-Drug Grant - On motion of Mayor Pro Tem Foster, seconded by Councilmember Bean, the City Council authorized the Chief of Police to accept a grant from the National Association of Drug Diversion Investigators and approved an agreement between the City of Redlands and the Association to fund confidential investigative activities undertaken by the police department.

Air Quality Compliance - On motion of Mayor Pro Tem Foster, seconded by Councilmember Bean, the City Council approved the first amendment to an agreement between the City of Redlands and Stantec Consulting for the provision of additional compliance tasks as required by the South Coast Air Quality Management District Amended Rule 1105.1.

COMMUNICATIONS:

Resolution No. 7190 – Veterans Recognition - On motion of Mayor Pro Tem Foster, seconded by Councilmember Harrison, the City Council approved Resolution No. 7190 endorsing the use of a Veterans Remembered Flag and authorizing the prominent display of the Flag in the Redlands City Council chambers.

Task Force Appointments - On motion of Mayor Pro Tem Foster, seconded by Councilmember Harrison, the City Council approved the appointment of Gary Branstetter, Char Burgess, Roy Cencirulo, Joe Gonzales, John James, Brian King, Tim Krantz, Sherli Leonard, Reyes Quezada, and Bob Roberts to the Public Benefit Resources Community Task Force. The purpose of the task force is to recommend to the City Council a framework for coordinating and guiding the use of Development Impact Fee and Measure O funds and any other funds that may become available to the City for park and open space acquisition and development.

PUBLIC HEARINGS:

Resolution No. 7165 - Levy of Assessments - Street Lighting Maintenance District No. 1 - Mayor Aguilar opened the public hearing and called for a report from Ross Wittman, of the Municipal Utilities and Engineering Department, for background on the Street Lighting Maintenance District process. As a public comment on this and the next agenda item, Steve Rogers questioned the propriety of the maintenance district process. On motion of Mayor Pro Tem Foster, seconded by Councilmember Harrison, the City Council approved Resolution No. 7165 approving the Engineer's Report for Street Lighting Maintenance District No. 1 and confirming the assessments for FY 2012-2013.

Resolution No. 7169 - Levy of Assessments - Landscape Maintenance District No. 1 - Mayor Aguilar opened the public hearing and called for a report from Ross Wittman, Municipal Utilities and Engineering Department, for background on the Landscape Maintenance District process. On motion of Mayor Pro Tem Foster, seconded by Councilmember Harrison, the City Council approved Resolution No. 7169 approving the Engineer's Report for Landscape Maintenance District No. 1 and confirming the assessments for FY 2012-2013.

Resolution No. 7183 - Levy of Taxes – Community Facilities District No. 2004-1 - Mayor Aguilar opened the public hearing and called for a report from Fred Mousavipour, Municipal Utilities and Engineering Director, for background on the Community Facilities District process. As a public comment Steve Rogers requested a delay in an election on this levy, so he could review the documents associated with a proposed annexation. On motion of Mayor Pro Tem Foster, seconded by Councilmember Harrison, the City Council approved Resolution No. 7183 calling a special election and submitting to the qualified electors of territory proposed to be annexed to Community Facilities District 2004-1 of the City of Redlands, the question of levying special taxes within that territory.

NEW BUSINESS:

Resolution No. 7180 – Bond Tax Rate - On motion of Mayor Pro Tem Foster, seconded by Councilmember Harrison, the City Council approved Resolution No. 7180 authorizing the FY 2012-2013 tax rate for Measure O (Open Space) 2003 General Obligation Refunding Bonds.

Orange Blossom Trail – Doug Grove, of RHA Landscape Architects-Planners, presented a conceptual design plan for the proposed Orange Blossom Trail from the intersection of Colton and Wabash Avenues to Grove Street. On motion of Councilmember Harrison, seconded by Councilmember Bean, the City Council approved the conceptual design plan for Trail and authorized proceeding with Requests for Proposals for final design and construction documents.

Heavy Equipment Purchase – On motion of Mayor Pro Tem Foster, seconded by Councilmember Harrison, the City Council approved the purchase of a Caterpillar 420E Backhoe Loader DCA2 in the amount of \$97,634.43 under the California Multiple Award Schedules contract number 4-09-23-0027A. Councilmember Bean voted No on the purchase stating he didn't believe adequate consideration had been given to competitive bidding in the selection of a Backhoe Loader manufacturer.

Veterinary Services - On motion of Mayor Pro Tem Foster, seconded by Councilmember Harrison, the City Council approved an agreement between the City of Redlands and Highland Village Pet Hospital for veterinary services and medical supplies for the Redlands Animal Shelter.

Workers' Compensation Administration - On motion of Mayor Pro Tem Foster, seconded by Councilmember Harrison, the City Council approved an agreement between the City of Redlands and AdminSure for the administration of the City's Self-Insured Workers' Compensation Program. Councilmember Bean voted No on the purchase stating he didn't believe adequate consideration had been given to competitive bidding in the selection of an administrator. As a public comment, Steve Rogers suggested the City staff should administer the program in-house.

Resolution No. 7185 – Salaries - On motion of Mayor Aguilar, seconded by Mayor Pro Tem Foster, the City Council voted to table Resolution No. 7185 for consideration at a later date.

Annual Purchase Orders - On motion of Mayor Pro Tem Foster, seconded by Councilmember Harrison, the City Council approved the citywide annual purchase orders for FY 2012-2013. As a public comment, Steve Rogers observed that no small businesses were on the annual purchase order list.

COUNCILMEMBER ANNOUNCEMENTS AND ACTIVITIES:

Busy Week Ahead – Mayor Aguilar highlighted events upcoming in the City Council meeting schedule. Starting with July 11, 2012, the State of City will be presented as a special meeting of City Council at 11:30 A.M., at the Orton Center, University of Redlands. On July 16, the first meeting will be held at 5:30 P.M. for the Public Benefit Resources Community Task Force. On July 17, the regular meeting of the City Council will be held at 5:00 P.M in Council chambers. On July 18, a special meeting Public Hearing will be held at 6:00 P.M. at Citrus Valley High School to consider the Super Walmart proposal. On Jul 19, a special meeting of the City Council is anticipated for 5:00 P.M. in the Council Chambers for discussion of labor issues. There will be only one regular meeting of the City Council in August and that will be on August 7th.

ADJOURNMENT:

There being no further business to address, this meeting was adjourned at 7:46 P.M. The Council will meet at their next regular meeting on July 17, 2012.