

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 May 17, 2011 at 5:02 P.M.

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

ABSENT: None

STAFF: N. Enrique Martinez, City Manager; Dan McHugh, City Attorney; Sam Irwin, City Clerk; Carl Baker, Public Information Officer; Jim Bueermann, Police Chief; Jeff Frazier, Fire Chief; David Hexem, Chief Information Officer; Rosemary Hoerning, Municipal Utilities and Engineering Director; Fred Cardenas, Quality of Life Director; Tina Kundig, Finance Director/City Treasurer; Oscar W. Orci, Development Services Director; Deborah 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 to be discussed in closed session.

PUBLIC COMMENT:

None forthcoming

CLOSED SESSION:

The meeting recessed at 5:03 P.M. to a closed session to discuss the following:

1. Conference with real property negotiator – Government Code §54956.8
Property: APNs 0169-011-38
Agency negotiators: N. Enrique Martinez, Oscar Orci
Negotiating party: Tom Bell Chevrolet
Under negotiation: Terms and price for City purchase of a recordable interest (operating covenant) in real property

2. Conference with real property negotiator – Government Code §54956.8
Property: APNs 301-143-036 and 301-191-013
Agency negotiators: N. Enrique Martinez, Oscar Orci
Negotiating party: Larry Jacinto
Under negotiation: Terms and price for City purchase of property.

3. Conference with legal counsel: Anticipated Litigation – Government Code §54956.9(b)(2)(C) – One Case
 - a. Facts and Circumstances - Threat of litigation regarding payment of lifetime Dental Insurance.

4. Conference with real property negotiator – Government Code §54956.8
 - Property: APNs 0292-044-09, -10, -11 and -12
 - Agency negotiators: N. Enrique Martinez, Oscar Orci
 - Negotiating party: AMB Property Corporation, Howard Industrial Partners, Coldwell Banker Commercial/Overton Moore Properties and Hillwood Investment Properties (Four separate offers)

 - Under negotiation: Terms and price for purchase of City property

The meeting reconvened at 6:07 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 there was no reportable action taken during the closed session.

PRESENTATIONS:

Redlands Animal Shelter - Volunteer Lynda Ackerman and Officer Bill Miller introduced One-Eyed Jack, a three year old male poodle, who is available for adoption at the Redlands Animal Shelter along with Forty-two other dogs and forty-five cats. Ms. Ackerman informed the Council thirty-six dogs and eighteen cats have been adopted since the last City Council meeting. The animal shelter will be hosting a car wash fund raiser on Saturday, June 4, 2011 at 10:00 A.M.

Water Awareness - Woody Hynes, Water Conservation Coordinator, expressed thanks to the City Council and participating Redlands teachers for their support of the Water Awareness Program. Mayor Aguilar issued a proclamation declaring May 2011 *Water Awareness Month* and presented awards to Layla Moncada-Terreros and Emma Martinez-Spencer for winning this year's water conservation poster contest.

PUBLIC COMMENTS:

Examining Alternatives - Don Wallace asked if any request for proposal had been sent to San Bernardino County for contract services in the areas of police and fire protection. He also announced the next meeting of Reform Redlands Now would be held at 7:00 P.M. on May 23, 2011 at Edwards Mansion.

Personnel Cut Priorities - Leonard Goldman questioned whether the appropriate staff positions were being deleted in anticipation of the FY 2011-2012 Budget.

BOARDS AND COMMISSIONS REPORTS:

Citrus Preservation Commission - Chairman Gary Branstetter presented a tutorial on growing citrus and managing groves with very limited funds in the City of Redlands. The entire City Council expressed great appreciation for the efforts of the Commission.

CONSENT CALENDAR:

Minutes - On motion of Councilmember Harrison, seconded by Mayor Pro Tem Foster, the City Council unanimously approved the minutes of the regular meeting of May 3, 2011.

Planning Commission Workshops - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously agreed to receive and file a report on Planning Commission efforts to establish workshops to discuss issues and advise the City Council on recommended courses of action.

NPDES Test Claim - On motion of Councilmember Harrison, seconded by Mayor Pro Tem Foster, the City Council unanimously approved participation in the filing of a test claim to determine if certain provisions of the current National Pollutant Discharge Elimination System (NPDES) General Permit are unfunded mandates under Article XIII B, Section 6 of the California Constitution.

Resolutions No. 7039 and 7043 - Engineer Appointment - On motion of Councilmember Harrison, seconded by Mayor Pro Tem Foster, the City Council unanimously approved Resolutions No. 7039 and 7043 appointing an assessment engineer for Landscape Maintenance District No. 1 and Street Lighting District No. 1 and directing the preparation of an engineer's report for FY 2011-2012 for each District.

Storm Drain Relocation - On motion of Councilmember Harrison, seconded by Mayor Pro Tem Foster, the City Council unanimously approved a Right of Entry Contract between the City of Redlands and Ray Jamison for the purpose of relocating a portion of the City's storm drain system which was installed on Mr. Jamison's property at 2125 Orange Street without his permission.

Fee Waiver - On motion of Councilmember Harrison, seconded by Mayor Pro Tem Foster, the City Council unanimously approved a request from the Cystic Fibrosis Foundation for a refund in lieu of a waiver of all fees related to their Great Strides Walk event to be held at Sylvan Park on Saturday, May 14, 2011.

Ordinance No. 2747 - Aggressive Solicitation - On motion of Councilmember Harrison, seconded by Mayor Pro Tem Foster, the City Council unanimously approved adoption of Ordinance No. 2747, ordinance of the City of Redlands adding Chapter 9.10 of the Redlands Municipal Code relating to aggressive soliciting and or panhandling.

UNFINISHED BUSINESS:

Resolution No. 7037 - Water Agreement Authority - Rosemary Hoerning introduced this item by answering a question raised by Councilmember Bean at the May 3, 2011 City Council meeting. Approximately \$118,000 is returned to the City of Redlands in the value of water obtained through water exchange entitlements. As a public comment, Bill Cunningham, representing West Redlands Water Company, said these transactions were mutually beneficial to both parties in the exchange. Mr. Cunningham expressed concern as to what impact the authorization change would have on his Company and asked that the resolution not go forward without legal review. On motion of Councilmember Bean, seconded by Mayor Pro Tem Foster, the City Council unanimously approved Resolution No. 7037 authorizing the Mayor or any member of the City Council to approve and execute annual lease agreements for water stock without prior Council approval. A portion of the Resolution dealing with agreements for water exchange entitlements for water received from the Santa Ana River and Mill Creek was deleted and continued to a later meeting to allow more review.

NEW BUSINESS:

Live Oak Canyon Road Reconstruction - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved a no-fee encroachment permit to Match Corporation for the reconstruction of an approximately one mile section of Live Oak Canyon Road near the railroad crossing at San Timoteo Canyon.

PLANNING AND COMMUNITY DEVELOPMENT:

Distribution Center - Pat Meyer, representing the McShane Corporation, presented an overview of the company's proposal to build a 703,360 square foot distribution warehouse on 33.53 acres located on the west side of California Street between San Bernardino and Almond Avenues. Dr. John Husing presented an economic analysis of the Inland Empire which supported the warehouse proposal.

COUNCILMEMBER ACTIVITIES:

SCAG - Councilmember Harrison attended the General Assembly of the Southern California Association of Governments (SCAG) as the City of Redlands voting representative. He solicited inputs in reaction to the SCAG economic development strategy which was distributed at the Assembly.

League of Cities - Mayor Aguilar will be attending a Legislative Days gathering in Sacramento with the intent of addressing redevelopment agencies, enterprise funds and the proposed SB34 (Water Fund) legislation with our state government representatives.

Coffee - Councilmembers Harrison and Gardner will be having coffee with Redlands residents at Augie's Coffee House at 113 North Fifth Street from 8:00 A.M. to 10:00 A.M. on Saturday, May 21, 2011.

ADJOURNMENT:

There being no further business, the joint meeting was adjourned and the City of Redlands City Council meeting adjourned at 7:14 P.M. The Council will meet at their next regular meeting on June 7, 2011.