

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 February 7, 2017, at 5:00 P.M.

PRESENT Paul Foster, Mayor
Paul Barich, Mayor Pro Tem
Jon Harrison, Councilmember
Pat Gilbreath, Councilmember
Eddie Tejada, Councilmember

ABSENT: None

STAFF N. Enrique Martinez, City Manager; Dan McHugh, City Attorney; Robert Dawes, City Treasurer; Jeanne Donaldson, City Clerk; Carl Baker, Public Information Officer; Jeff Frazier, Fire Marshal; Mark Garcia, Police Chief; Danielle Garcia, Management Services/Finance Director; Chris Diggs, Municipal Utilities and Engineering Director; Chris Boatman, Quality of Life Director; James Troyer, Interim Development Services Director; Amy Martin, Human Resources Director; Janice McConnell, Assistant to the City Manager

Mayor Foster 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 (d)(2) (e)(2) (Human Resources/Risk Management Director Martin)
-One case:
 - a. Facts and circumstances: Consideration of grievance filed by the Redlands Police Officers Association and Greg Holmer

2. Conference with legal counsel: Existing Litigation - Government Code §54956.9(d)(1) (Human Resources/Risk Management Director Martin)
One Case:
 - a. Christine Smith v. City of Redlands, et al

3. Conference with labor negotiator - Government Code §54957.6 (Human Resources/Risk Management Director Martin)
Agency negotiators: N. Enrique Martinez and/or Daniel J. McHugh and/or Amy Martin depending upon which bargaining unit the City is negotiating with.
Employee Organizations: Redlands Association of Department Directors

Redlands Association of Management Employees
Redlands Association of Mid-Management Employees
Redlands Civilian Safety Employees Association
General Employees Association of Redlands
Redlands Police Officers Association
Redlands Association of Safety Management Employees
Redlands Professional Firefighters Association
Redlands Association of Fire Management Employees

Agency Negotiators: Mayor Foster and Mayor Pro Tem Barich
Unrepresented Employees: City Manager
City Attorney

4. Conference with real property negotiators - Government Code §54956.8
(Interim Development Services Director Troyer)
Property: APN Nos. 0171-053-03
Agency negotiators: N. Enrique Martinez, James Troyer
Negotiating party: Travis King, Brixton Redlands LLC
Under negotiation: Terms of payment and price for possible purchase of City Property

5. Conference with real property negotiators - Government Code §54956.8
(Interim Development Services Director Troyer)
Property: APN Nos. 0169-281-19 (31 W. Stuart Street) and 0169-281-23
(205 W. Stuart Street).
Agency negotiators: N. Enrique Martinez, James Troyer
Negotiating party: Mr. Allen Nunez of Pacific Community Real Estate, LLC and
Under negotiation: Terms of payment and price for possible purchase of City property

The meeting reconvened at 6:04 P.M. with an invocation by Councilmember Tejada 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 Officer Bill Miller introduced “Jackson”, a two-year old neutered male American Pit Bull, who is available for adoption, with twenty-five other dogs and eighteen cats, at the Redlands Animal Shelter. Officer Miller informed the Council eighteen dogs and twenty-four cats have been adopted since the last regular City Council meeting.

PUBLIC COMMENT:

Earthquake Retrofit Program – Tim Sparks, of Sparks Construction, provided information related to Earthquake Brace & Bolt, a state funded program developed to offer financial assistance to homeowners in order to lessen the potential for damage to their houses during an earthquake.

Energy Costs – Greg Brittan is opposed to climate change policies instituted at the City, stating the policies lead to higher costs for the consumer and he cited sources which claim the data used to support global warming may be based on unreliable suppositions. Mr. Brittan also restated his opposition to the regional train project.

CONSENT CALENDAR:

Minutes – On motion of Councilmember Gilbreath, seconded by Mayor Pro Tem Barich, the City Council unanimously approved the minutes of the regular meeting of January 17, 2017, were unanimously approved as submitted.

Commissioner Appointments – On motion of Councilmember Gilbreath, seconded by Mayor Pro Tem Barich, the City Council unanimously approved the reappointment of Janet Korfmacher and the appointment of Joan Barger to serve four-year terms on the Cultural Arts Commission, ending January 6, 2021.

Commissioner Appointments - On motion of Councilmember Gilbreath, seconded by Mayor Pro Tem Barich, the City Council unanimously approved by the reappointment of William D. Hatfield and Kate Pretorius to each serve a three-year term on the Library Board of Trustees, ending January 1, 2020.

Commissioner Appointments - On motion of Councilmember Gilbreath, seconded by Mayor Pro Tem Barich, the City Council unanimously approved the reappointment of Donn Grenda and the appointment of Christopher A. Buscaglia and Kristine Brown to each serve a four-year term on the Historic and Scenic Preservation Commission, ending January 18, 2021.

Settlement Agreement – On motion of Councilmember Gilbreath, seconded by Mayor Pro Tem Barich, the City Council unanimously approved the public disclosure of details of a settlement and release agreement between the City of Redlands and Deena Lowe-Davidson. Under the terms of the agreement, the City will pay the sum of \$50,000.00 to Deena Lowe-Davidson for the release of all claims, demands and case or causes of action set forth by the parties with respect to a civil action pending in the San Bernardino County Superior Court and entitled Lowe-Davidson v. City of Redlands, et al., Case No. CIVDS 1417744. Each party shall bear their own fees and costs.

Grant Application – On motion of Councilmember Gilbreath, seconded by Mayor Pro Tem Barich, the City Council unanimously approved authorization for the submittal of an application to Lowes for the Lowes Community Partners Grant to enhance the Community Emergency Response Team (CERT) program.

Grant Application - On motion of Councilmember Gilbreath, seconded by Mayor Pro Tem Barich, the City Council unanimously approved authorization for the submittal of an application to San Manuel for the San Manuel Charitable Giving Grant Program to enhance the Community Emergency Response Team (CERT) program.

Grant Application – On motion of Councilmember Gilbreath, seconded by Mayor Pro Tem Barich, the City Council unanimously approved authorization for the submittal of an application to Center for Health, Environment and Justice Grant to enhance the Community Emergency Response Team (CERT) program.

Alcohol Consumption Permit – On motion of Councilmember Gilbreath, seconded by Mayor Pro Tem Barich, the City Council unanimously approved a request for permission to consume alcoholic beverages in Ed Hales Park for the Downtown Redlands Art Walk to be held on March 26, 2017.

Resolution No. 7703 – Traffic Regulation – Municipal Utilities and Engineering Director Chris Diggs provided background to the request to establish a handicapped parking zone on Chestnut Avenue. As public comment, Dennis Bell explained he is not opposed to the item in general but doesn't like the precedent it sets, as it gives the appearance of creating a handicapped parking space for one person. On motion of Councilmember Gilbreath, seconded by Councilmember Harrison, the City Council unanimously adopted Resolution No. 7703 establishing a handicapped parking zone at 1047 Chestnut Avenue and determining that the project is exempt from review in accordance with Section 15061(b)(3) of the California Environmental Quality Act guidelines.

GPS Tracking Devices – On behalf of the City Council, Chief Garcia, graciously accepted the presentation of a monetary donation from representatives of the Redlands Hotel Council, in the amount of \$4,600 for the purchase of GPS tracing devices. On motion of Councilmember Gilbreath, seconded by Mayor Pro Tem Barich, the City Council unanimously approved the acceptance of a donation, in the amount of \$4,600.00, from the Redlands Hotel Council to purchase GPS tracking devices to be deployed in the businesses located in the City of Redlands and an additional appropriation in the same amount.

Tract Map Approval – On motion of Councilmember Gilbreath, seconded by Mayor Pro Tem Barich, the City Council unanimously approved Final Tract Map No. 18988 to subdivide 30.51 acres into eighty-two (82) single-family residential lots and seven (7) lettered lots, for a planned residential development, located on the north side of Pioneer Avenue, approximately 630 feet east of Texas Street.

COMMUNICATIONS:

Coffee with the Council – Mayor Foster summarized changes reflected in a new schedule for Coffee with the Council and Walking with the Council. As public comment, Dr. Wong expressed his concerns for residents who may have an underlying

disability preventing them from participating in the Walking with the Council. On motion of Councilmember Gilbreath, seconded by Councilmember Harrison, the City Council unanimously approved the Coffee with the Council and Walking with the Council 2017 schedule.

PUBLIC HEARINGS:

By-District Election Boundary Maps – Mayor Foster opened the public hearing and called upon Management Services/Finance Director Danielle Garcia who introduced Dr. Justin Levitt, of the National Demographics Corporation. Dr. Levitt provided a brief overview of the district boundary maps that have been submitted up to this point and encouraged the public to continue participating in the process at Drawredlands.org. He explained all the plans are legally justifiable and meet the requirements to comply with the California Voting Rights Act of 2001 and the statewide threats of litigation being sent to similar cities and districts whose representation remains through an “at-large” system. As public comment, Greg Brittan raised concerns as to a potential conflict of interest the Council may have as the legislative body ultimately selecting the City’s voting district boundaries and requested all Councilmembers to disclose their residence locations to the public. Nancy Blastos pointed out the 2010 Census population numbers are outdated and do not reflect the current population and she pushed for equal representation within a community area. Mike Layne encouraged the Council to adopt district boundaries that are appropriate to the neighborhoods, thereby maximizing the opportunities for diversity on the Council and he is opposed to breaking up community interest areas, as a means to protect incumbents. Stephen Rogers restated his question as to why voting by districts was not implemented sooner and he recommended the Council approve boundaries providing an equal plan for the community as a whole. Dr. Wong clarified for the public that Mayor Foster and Councilmember Harrison do live in the same district based on the current maps under Council review. Upon no further comments, Mayor Foster closed the public hearing and asked each Councilmember to select their top one or top two choices for district boundary maps. Selections were as follows:

- Consultant Map #1 – Councilmember Gilbreath, Councilmember Tejada
- Consultant Map #2 – Mayor Pro Tem Barich
- Consultant Map #2b- Mayor Foster, Councilmember Harrison

With the district boundary map recommendations narrowed down somewhat, the Mayor recommended the Council consider those maps at the next public hearing. On motion by Councilmember Gilbreath, seconded by Mayor Pro Tem Barich, this item was continued to February 21, 2017 at 6:00 PM.

NEW BUSINESS:

CAFR and Accountant’s Report – At the request of staff, the City Council agreed to continue until February 21, 2017, a discussion of the 2015-2016 City of Redlands

Comprehensive Annual Financial Report (CAFR) and the independent accountant's report on agreed-upon procedures applied to appropriation limit worksheets. Due to a scheduling conflict, the Consultant was unable to present the report tonight.

Encumbrances and Carryovers – James Garland of the Management Services/Finance Department briefly explained this is an annual recurring housekeeping item and since expenditures of previously encumbered items will occur in 2016-17, the additional appropriations will prevent overspending of the current year budget. As public comment, Stephen Rogers stated he was unhappy he could not address the Council on the previous agenda item and claimed the City missed a submittal deadline related to an audit for SANBAG, now called San Bernardino County Transit Authority (SBCTA). Management Services/Finance Director Garcia clarified the previous agenda item was in connection to the completed CAFR, an audit separate and apart from the SBCTA audit, and was recommended for submission to the award for excellence in financial reporting. Furthermore, City Manager Martinez explained the audit for SBCTA was required for Title 1 funds and the audit was late, not because of the City, but because the SBCTA consulting firm experienced staff turnover. City staff has worked diligently and will submit to SBCTA tomorrow morning. Councilmember Gilbreath pointed out this report is required annually. On motion of Councilmember Gilbreath, seconded by Councilmember Harrison, the City Council unanimously approved an additional appropriation for FY 2015-2016 year-end encumbrances and carryover balances.

Grove Management – Tabitha Kevari of the Quality of Life Department presented details of an agreement to manage the City's Best Citrus Gove, utilizing funds appropriated for the Prospect Park replanting project. On motions of Councilmember Gilbreath, seconded by Councilmember Harrison, the City Council unanimously agreed that approval of an agreement for planting and irrigation of the Best Grove is categorically exempt from environmental review in accordance with Section 15304 of the California Environmental Quality Act guidelines; and approved an agreement between the City of Redlands and Larry Jacinto Farming, Inc., in an amount not-to-exceed \$85,825.00 for planting and irrigation of Best Citrus Grove. Councilmember Harrison pointed out the remaining amount of funds within the Prospect Park project will total \$13,875 and requested an agenda item be added to a future Council Meeting date to consider moving those funds back to the citrus grove account.

Resolution No. 7685 – Cemetery Loan – Armando Valles, of the Quality of Life Department, summarized a proposal to fund development at the cemetery. On motion of Councilmember Tejada, seconded by Councilmember Harrison, the City Council approved Resolution No. 7685 approving a loan of \$33,600.00 from the Cemetery Endowment Fund to the Cemetery Operating Fund in an amount not-to-exceed \$33,600.00 for improvement projects at Hillside Memorial Park and an additional appropriation of \$33,600. Mayor Foster and Councilmember Gilbreath recused themselves from discussion and voting on the motions due to their ownership of property in the cemetery.

Purchase Order Modification – Tim Sullivan, of the Quality of Life Department, explained the need to modify the purchase order annual amount for Liquefied Natural Gas due to an increase of external users. Mayor Pro Tem Barich was pleased to see the additional revenues expected for the City. On motion of Councilmember Gilbreath, seconded by Mayor Pro Tem Barich, the City Council unanimously approved a purchase order modification between the City of Redlands and Applied LNG Technologies to increase the purchase order annual amount from \$450,000.00 to \$515,000.00 for the supply of Liquefied Natural Gas, due to an increase in non-city customer sales.

Redlands-Highland Bike Project Grant – Kjeld Lindsted, of the Municipal Utilities and Engineering Department, provided details to a cooperative agreement with the City of Highland to design and build a bike route connecting the two cities across the Santa Ana River via Orange Street. The City of Highland is the lead agency for the grant and will manage the project on behalf of both cities. As public comment, Greg Brittan questioned the value of the trail in comparison to the tax dollars spent. He was concerned the bike lane would replace existing lanes and wondered how many people would really use it. Jonathan Shidler, expressed his full support of this project, as well as, his appreciation to the Council for their efforts to enhance a healthier lifestyle choice. Dennis Bell is opposed to the project, citing very few people will use the trail and requested the quarterly written schedule updates provided by the City of Highland be made available to the public, along with any construction delays or cost overruns. Councilmember Harrison expressed his support of the project. On motion of Councilmember Gilbreath, seconded by Councilmember Harrison, the City Council unanimously approved the cooperative agreement between the City of Redlands and the City of Highland to implement and manage the Redlands-Highland Bike Project Grant.

Real Property Purchase – At the request of staff, the City Council agreed to continue until February 21, 2017, a discussion of the Purchase and Sale Agreement between the City of Redlands and Brixton Redlands, LLC for the sale of city-owned property, Parcel 3 of the Redlands Mall parking lot, APN 0171-053-03. As public comment, Bill Cunningham lauded the recent efforts of the Council to enhance the downtown area but also voiced his concerns regarding the shortage of public parking, and he called upon the Council to take action to keep the downtown viable. Stephen Rogers raised his concerns related to the environmental review report and urged the Council to publically disclose the developer's intentions for the property once it is sold. On motion of Councilmember Gilbreath, seconded by Mayor Pro Tem, the City Council unanimously approved to continue this item till February 21, 2017.

COUNCILMEMBER ANNOUNCEMENTS AND ACTIVITIES:

Mayor Pro Tem Barich complimented staff for all their hard work keeping the City's streets safe during the recent rains. He attended the Sacred Heart School event honoring first responders, held on January 30, 2017. He also enjoyed watching a great Super Bowl.

Councilmember Gilbreath explained she has been fighting a virus since her vacation, but she felt it important to attend tonight's meeting.

Councilmember Harrison attended the California Climate Change Symposium in Sacramento on January 25-26, of this year. The event highlights the economic value of technology innovations. He plans to attend the San Bernardino County Transportation Authority or SBCTA meeting scheduled for February 9, 2017. He helped with the Sister Cities Clean-Up the Trails Day and was pleased with the number of walkers he saw out enjoying the trails.

Councilmember Tejada attended a community meeting with residents from the Calimesa and Yucaipa area. He also enjoyed some family time.

Mayor Foster participated in the Downtown Business Meeting held in the Council Chambers on January 24, 2017, attended the opening of the City's Time Capsule at the old Safety Hall on January 26, 2017, and filled in for Councilmember Gilbreath and represented the City at the Omnitrans Board of Directors meeting, held February 3, 2017. He also spoke at the Lincoln Pilgrimage on February 4, 2017 and attended the Sacred Heart School event honoring first responders, held on January 30, 2017.

ADJOURNMENT:

There being no further action required the meeting adjourned at 7:14 P.M. The next regular meeting of the City of Redlands City Council will be held on February 21, 2017.