

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 April 7, 2015, at 5:00 P.M.

PRESENT: Paul Foster, Mayor
Jon Harrison, Mayor Pro Tem
Pat Gilbreath, Councilmember
Paul Barich, Councilmember
John James, 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, Chief Innovation Officer; Chris Diggs, Interim Municipal Utilities and Engineering Director; Fred Cardenas, Quality of Life Director; Tina Kundig, Finance Director; Oscar Orci, Development Services Director

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 labor negotiator - Government Code §54957.6
Agency Negotiator: N. Enrique Martinez, Amy Martin, Daniel J. McHugh
Employee Organizations: Redlands Association of Fire Management Employees
Redlands Professional Firefighters Association
General Employees Association of Redlands
Redlands Civilian Safety Employees Association
Redlands Association of Management Employees
Redlands Association of Mid-Management Employees
Redlands Association of Department Directors
2. Conference with legal counsel: Existing Litigation - Government Code §54956.9(a) – Two Cases
 - a. Lynn Holecek v. City of Redlands, et al, San Bernardino Superior Court Case No. CIVDS 1410313
 - b. Verizon California Inc. v. State Board of Equalization, et al, Sacramento Superior Court Case No. 34-2015-00175609
3. Public Employee Dismissal/Release - Government Code §54957

- a. Consideration of industrial disability retirement applications of three public safety employees
4. Conference with real property negotiator – Government Code §54956.8
 - Property: APN 0168-121-03
 - Agency negotiators: N. Enrique Martinez, Fred Cardenas
 - Negotiating party: Phillip Burum, Diversified Pacific
 - Under negotiation: Terms and price for the purchase of City property
5. Conference with real property negotiator – Government Code §54956.8
 - Property: 21 East Citrus Avenue, APN 0171-121-17
 - Agency negotiators: N. Enrique Martinez, Fred Cardenas
 - Negotiating party: Brad Hundman and Roger Schneider, 21 Citrus, LLC
 - Under negotiation: Terms and price for the purchase of property by the City
6. Conference with real property negotiator – Government Code §54956.8
 - Property: APNs 0171-053-03, -04 & -06, and 0171-251-06, -07, -08, -09 & -10
 - Agency negotiators: N. Enrique Martinez, Oscar Orci
 - Negotiating party: Travis King, CEO of Brixton Capital
 - Under negotiation: Terms and price for the purchase of City property

The meeting reconvened at 6:13 P.M. with an invocation by Councilmember Barich followed by the pledge of allegiance to the American flag.

CLOSED SESSION REPORT:

City Attorney McHugh announced that, during the closed session, the City Council voted unanimously to approve two applications and disapprove one application for industrial disability retirement of three respective public safety employees.

PRESENTATIONS:

Redlands Animal Shelter – Animal Control Officer Bill Miller, introduced “Mutt”, a five year old, male shepherd/ hound mix, who is available for adoption along with forty-three other dogs and eight cats at the Redlands Animal Shelter. Officer Miller informed the Council thirty-seven dogs and sixteen cats have been adopted since the last City Council meeting.

Fire Department Recognition – Captain Bill Conway, representing the Professional Firefighters Association and the Redlands Fire Department, received recognition from Jeanne Terwilliger and Robert Visconti of the Burn Institute of the Inland Empire for the Department’s participation in the “Fill the Boot” campaign to help burn victims. The Redlands Fire Department received the perpetual trophy for being the largest contributor to Burn Institute fundraising. Socorro Pantaleon, of the Office of Assembly Member Mark Steinorth and David Matza, representing State Senator Mike Morrell, also presented proclamations.

PUBLIC COMMENT:

Police Department Recognition – Pastor Kevin O’Connor, of the ARK Church of the Nazarene, described a break-in incident which at the Church recently and presented a very large thank you card to Chief Mark Garcia for the investigative work done by the Police Department which resulted in recovery of most of the items taken.

Great Ideas – Fred Dill gave an historical summary of events leading to the development and building of the present Redlands Mall. He cautioned the City Council to take great care in their decision making for the future of the downtown business area of the City of Redlands.

Water Bill Increases – Carol Lohoefer described the plight of fixed income senior citizens in dealing with cost of living increases imposed by government and requested the City Council to keep these residents in mind when considering utility rate increases for the City.

Redlands Passenger Rail – Ken Hunter and Greg Brittain expressed their opposition to the San Bernardino Associated Governments (SANBAG) planned mass transit development between the San Bernardino Transportation Center and Redlands.

Permit Fees – Andy Hoder relayed the experiences of his neighbor associated with the repair of a sewer line to their residence. He called for a kinder and gentler permit fee policy for fixed income senior citizens and requested consistency in repair standards and requirements.

City Planning – Representing the North Redlands Visioning Committee, Mario Saucedo requested the City Council and staff to keep the concerns of all areas of the City of Redlands equally foremost in their perspective as they address problems and develop the update of the General Plan.

Organ Donations – Marie Hyth presented a plea for participation in the *DMV Donate Life Program*.

CONSENT CALENDAR:

Minutes – On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously approved the minutes of the regular meeting of March 17, 2015 as submitted.

Proclamation – On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously approved a proclamation declaring May 7, 2015 as the *National Day of Prayer*.

Proclamation – As public comment, Jan Barnett and Kathryn Brown, of the American Association of University Women (AAUW), heighten the audience’s sensitivity to the inequality of employment compensation between men and

women. Greg Brittain expressed skepticism with regard to the statistics used by the AAUW. On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously approved a proclamation declaring April 14, 2015 as *Equal Pay Day*.

Proclamation – On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously approved a proclamation declaring the month of April, 2015 as *Child Abuse Prevention Month*.

Proclamation – On motion of Councilmember Gilbreath, seconded by Councilmember Barich, the City Council unanimously approved a proclamation declaring the month of April, 2015 as *DMV/Donate Life California Month*.

Proclamation – As public comment, Don Buchanan, of the Street Tree Committee, announced the plan to plant only two trees this year in deference to drought conditions within the state. On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously approved a proclamation for calendar year 2015 recognizing the celebration of *National Arbor Day*.

Resolution No. 7494 – Court Representatives – On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously approved Resolution No. 7494 appointing small claims court representatives for the City of Redlands and rescinding Resolution No. 7459.

Resolution No. 7495 – Records Destruction – On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously approved Resolution No. 7495 approving the destruction of certain records in the Police Department.

Agreement Termination – On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously approved the termination of an agreement between the City of Redlands and Farm Fresh Books for the publication of the Redlands Farmers' Market Cookbook.

Firefighting Agreement – On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously approved an agreement between the City of Redlands and the California Department of Forestry and Fire Protection, for the use of inmates, under the immediate supervision of Cal Fire officials, to perform conservation projects, fire management and hazard reduction within the City.

Fee Waiver – Councilmember Gilbreath recognized the generosity of Tim Rochford in providing the use of the Burrage Mansion for this event. On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously approved a request from Big Hearts for Little Hearts Guild/Loma Linda University Children's Hospital (LLUCH) for the waiver of all fees associated with the *LLUCH 5K Walk/Run* event to be held on May 3, 2015.

Energy Plan Agreement – On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously approved the first amendment to an agreement between the City of Redlands and Southern California Edison Company to extend the California Energy Efficiency Strategic Plan Phase 3 Implementation through the end of calendar year 2015.

Settlement Agreement - On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously approved the public disclosure of details of a settlement and release agreement between the City of Redlands and WAM Gold, LC dba AAA Gold Exchange. Under the terms of the agreement, the City will pay the sum of \$2,500.00 to WAM Gold and grant a complete release from City claims, demands and existing and potential causes of action associated with a lawsuit filed in the San Bernardino County Superior Court as Case No. CIVDS 1315422.

Settlement Agreement - On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously approved the public disclosure of details of a settlement and general release agreement between the City of Redlands and Clarisse Fisher, by and through her guardian ad litem Samia Fisher. Under the terms of the agreement, the City will pay the sum of \$5,000.00 to Clarisse Fisher, through her guardian ad litem, Samia Fisher, for the dismissal, with prejudice, her claim associated with a lawsuit filed in the San Bernardino County Superior Court and entitled Samia Fisher v. City of Redlands, et al., Case No. CIVDS 1305121.

Water Stock Purchase – On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously approved the City of Redlands' purchase of 1.5 shares of West Redlands Water Company water stock from John E. Serrano and/or Kathleen A. Serrano.

COMMUNICATIONS:

SCAG Conference Delegate – As public comment, Greg Brittain expressed his disapproval of regional government agencies such as the Southern California Associated Governments (SCAG) arguing that their decision-making priorities are not in the best interests of local communities. On motion of Mayor Foster, seconded by Councilmember Gilbreath, the City Council unanimously approved the appointment of Jon Harrison to serve as the delegate for the 2015 SCAG General Assembly meeting. On motion of Mayor Foster, seconded by Councilmember James, the City Council unanimously approved the appointment of Paul Barich to serve as the alternate delegate.

Lobbying Report – Public Information Officer Carl Baker introduced Letitia White, of Innovative Federal Strategies, who provided a brief report and update regarding the firm's federal legislative advocacy efforts for the City of Redlands. She discussed the status of the sale of the Brookside Avenue Post Office building,

the municipal bond environment, and grants opportunities for trails, museums and the Fire Department.

Drought Update – Cecilia Griego, of the Municipal Utilities and Engineering Department, summarized Governor Brown’s most recent speech on California’s drought conditions. It is anticipated that implementation of the most recent executive order will impact the City of Redlands in eight areas. Mayor Foster commented that the drought situation is going to get a lot worse before it gets better. Residents can expect much more guidance to come.

Prospect Park Grove – Quality of Life Director Fred Cardenas introduced this item and reviewed steps taken to arrive at a decision with respect to the future of the Prospect Park Reservoir. On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously agreed to direct staff to issue a Request for Bids for work required to fill the vacant Prospect Park Reservoir with soil and plant citrus trees in its location.

Equipment and Services Procurement – Quality of Life Director Fred Cardenas introduced a proposal to procure additional equipment to decrease response times and enhance levels of service of Department work crews. On motion of Councilmember James, seconded by Councilmember Gilbreath, the City Council unanimously approved authorization to procure equipment necessary to support additional striping, storm drain maintenance and tree removal services.

UNFINISHED BUSINESS:

Tobacco and E-Cigarette Regulation – Development Services Director Oscar Orci put forth a request for guidance as to regulating the sale and use of tobacco products and E-cigarettes within the City of Redlands. As public comment, Jill Riley, representing the Redlands Chamber of Commerce, thanked the City Council for the time and opportunity to comment on this issue and expressed support for letting businesses compete, succeed or fail in a free market environment. On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously agreed to direct staff to provide additional provisions to regulate the smoking and/or retail sales of tobacco and e-cigarettes.

NEW BUSINESS:

Cemetery Management – Chris Boatman, of the Quality of Life Department, presented the need for consulting services to execute the Hillside Memorial Park Cemetery Business Plan. As public comment, Andy Hoder inquired as to the possibility of the consultant in this agreement becoming an employee of the City of Redlands in the future. Quality of Life Director Fred Cardenas informed the Council that a hiring process for the position of Cemetery Manager will be on-going concurrently with the period of this agreement. On motion of Councilmember Barich, seconded by Councilmember James, the City Council approved an agreement between the City of Redlands and Ryan M. Lee, in the

amount not to exceed \$89,440.0 for a period of six months, for Cemetery Management Consulting Services. Mayor Foster and Councilmember Gilbreath recused themselves from discussion and voting on this item due to a possible conflict of interest since they each own property in Hillside Cemetery.

Resolution No. 7502 - Cemetery Improvements – Quality of Life Director Fred Cardenas summarized a plan to fund Capital Improvement Programs designated as part of the Hillside Memorial Park Cemetery Business Plan. As public comment, Jack Wilshire requested a resolution protecting one half the amount of the Cemetery Endowment Fund from further invasion for the purpose of loans to other Funds. Mayor Pro Tem Harrison remarked that over half of the Cemetery Endowment Fund will remain after the proposed loan is executed. On motions of Councilmember James, seconded by Councilmember Barich, the City Council approved Resolution No. 7502 approving a loan from the Cemetery Endowment Fund to the Cemetery Operating Fund, in the amount of \$113,362.00, to fund capital projects included in the cemetery Capital Improvement Plan for FY 2014-2015, approved an increase of the amount of the existing annual purchase order with West Coast Arborists, and authorized an additional appropriation in the amount of \$113,362.00. Mayor Foster and Councilmember Gilbreath recused themselves due to their property ownership in Hillside Cemetery.

Ordinance No. 2818 – Off-Road Vehicles – Ben Matlock, of the Quality of Life Department, summarized regulations proposed to control the use of off-road vehicles in the unimproved areas of property owned by the City. On motions of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously agreed that Ordinance No. 2818 is exempt from review under Section 15061(b)(3) of the California Environmental Quality Act guidelines and approved the introduction of Ordinance No. 2818 adding Chapter 10.58 to the Redlands Municipal Code relating to off-road use of motor vehicles upon unimproved City property.

Ordinance No. 2814 – Extraordinary Law Enforcement – Police Chief Mark Garcia introduced the need to require those who utilize a disproportionate amount of public safety resources and require extraordinary law enforcement services to be liable for the costs incurred by the City. On motion of Councilmember Gilbreath, seconded by Councilmember Barich, the City Council approved the introduction of Ordinance No. 2814 amending Chapter 9.32 of the Redlands Municipal Code relating to the costs associated with extraordinary law enforcement services.

Patrol Car Purchase – Shayna Walker, of the Redlands Police Department, provided an overview of a purchase request for five new patrol units. On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously approved the purchase of five 2015 Ford Interceptor Utility patrol units, in the amount of \$132,938.35, per the terms included in the State of California contract number 1-12-23-14 plus outfitting costs of \$57,061.65 for a total purchase price of \$190,000.00.

Document Scanning – Chief Innovation Officer Danielle Garcia reviewed progress of document scanning in various staff departments. On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously approved an amendment to an agreement between the City of Redlands and American Microimaging, Inc., increasing the amount \$49,737.96, to scan backlog files for the Development Services Department.

Ordinance No. 2816 – Building Code Update – Chris Tracy, of the Development Services Department, presented a summary of proposed update changes required to comply with California Building Codes. On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously agreed that Ordinance No. 2816 is exempt from review under Section 15061(b)(3) of the California Environmental Quality Act guidelines. On motion of Councilmember Gilbreath, seconded by Councilmember Barich, the City Council unanimously approved the introduction of Ordinance No. 2816 rescinding Chapters 15.04, 15.08, 15.12 and 15.16 of the Redlands Municipal Code; adding Chapters 15.04, 15.06, 15.08, 15.10, 15.12, 15.16, 15.18 and 15.22 to the Redlands Municipal Code relating to the adoption of the 2013 California Building Code, 2013 California Plumbing Code, 2013 California Electrical Code, 2013 California Mechanical Code, 2013 California Residential Code, 2013 California Energy Code, 2013 California Historical Building Code and 2013 California Green Building Standards Code, amending Chapter 15.24 of the Redlands Municipal Code relating to the Uniform Housing Code, and rescinding Chapter 15.52 of the Redlands Municipal Code relating to the Uniform Building Code for Building Conservation.

Resolution No. 7506 – Water Conservation – Cecilia Griego, of the Municipal Utilities and Engineering Department summarized proposed changes to the City of Redlands Water Conservation Plan. On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously agreed that revision of the water conservation plan is exempt from review under Section 15061(b)(3) of the California Environmental Quality Act guidelines and approved Resolution No. 7506 implementing modifications to Stage II of the City’s water conservation plan.

PUBLIC HEARINGS:

Ordinance No. 2813 – Residential Rooftop Solar Systems – Mayor Foster opened the hearing and called upon Patricia Brenes, of the Development Services Department, for an overview of the proposed measures to expedite the installation rooftop solar systems. On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously agreed that Ordinance No. 2813 is exempt from review under Section 15061(b)(3) of the California Environmental Quality Act guidelines and approved the introduction of Ordinance No. 2813 amending Chapter 18.172 to the Redlands Municipal Code to

provide an expedited, streamlined permitting process for small residential rooftop solar systems.

CDBG Planning – Mayor Foster opened the hearing and called upon Janet Miller, of the Development Services Department, for a summary of proposed changes to the City of Redlands Community Development Block Grant Program. On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously approved the Substantial Amendments to the City’s 2009-2014 Consolidated Plan and the 2014-2015 One-Year Action Plan to include a Historic Preservation Capital Improvement Project at the A.K. Smiley Library in the amount of \$44,000.00 and a Removal of Architectural Barriers Capital Improvement Project at the Redlands Civic Center, Suite 20 in the amount of \$50,000.00; and approved a second amendment to an agreement between the City of Redlands and LDM Associates, Inc., in the amount of \$14,770.00, for the provision of Professional Consulting Services.

Resolution No. 7501 – Fee Schedule – Mayor Foster opened the hearing and called upon Development Services Director Oscar Orci for the status of proposed fee schedule changes. At the request of staff, and on motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously agreed to continue this public hearing to the April 21, 2015 regular City Council meeting.

Resolution No. 7503 – River Wash Planning – Mayor Foster opened the hearing and called upon Cecilia Griego, of the Municipal Utilities and Engineering Department, for an executive summary of the 2015 Upper Santa Ana River Watershed Integrated Regional Water Management Plan. On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously agreed that approval of the Plan is categorically exempt from further environmental review in accordance with Section 15061 of the California Environmental Quality Act and approved Resolution No. 7503 adopting the Plan.

COUNCILMEMBER ANNOUNCEMENTS AND ACTIVITIES:

SANBAG – Mayor Pro Tem Harrison attended a meeting of the San Bernardino Associated Governments (SANBAG) which approved the next milestone for the Redlands Passenger Rail project and agreed further study is needed for a proposal to install toll lanes on Interstate 15 along a 35-mile stretch from the Riverside County line to Highway 395 in Hesperia and extend carpool lanes from a point two miles west of the Los Angeles County line in Pomona to Ford Street in Redlands.

All Over the Place – Councilmember James attended the SANBAG meeting with Mayor Pro Tem Harrison, received and orientation of the Emergency Operations Center, had coffee with Councilmember Barich and about twenty local residents, went to the Cesar Chavez Breakfast at the American Legion Post 650, attended

the Artwalk with Councilmember Barich and took part in AirFest 2015 planning meetings.

First Responders – Councilmember Gilbreath thanked the first responders from the Police and Fire Departments who assisted her during a recent automobile accident and expressed her gratitude for living in Redlands and having our own police and fire services.

ADJOURNMENT:

There being no further action required, Mayor Foster adjourned the meeting, at 8:16 P.M., in memory of John Robert “Bob” West, long time community dermatologist, philanthropist, scout and church leader, and father of many. The next regular meeting of the City of Redlands City Council will be held on April 21, 2015.