

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 December 20, 2016, 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, 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

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. Public Employee Dismissal/Release - Government Code §54957  
(Human Resources/Risk Management Director Martin)
  - a. Consideration of an industrial disability retirement application of a public safety employee
2. Conference with legal counsel: Existing Litigation – Government Code §54956.9(d)(1) (Human Resources/Risk Management Director Martin)  
One Case:
  - a. Biggs v. City of Redlands, et al., San Bernardino Superior Court Case No. CIVDS1616356
3. Conference with real property negotiators - Government Code §54956.8  
(Quality of Life Director Boatman)  
Property:  
Agency negotiators: APN No. 0292-192-19, 1615 West Park Avenue  
Agency negotiators: N. Enrique Martinez, Chris Boatman  
Negotiating party: Mr. Patrick O'Brien  
Under negotiation: Terms of payment and price for possible purchase of City property

The meeting reconvened at 6:00 P.M. with an invocation by Mayor Foster 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 an industrial disability retirement application of a public safety employee.

PRESENTATIONS:

Redlands Animal Shelter – Animal Control Officer Bill Miller introduced “Elf”, a two year old male American Pit Bull Terrier, who is available for adoption, with twenty other dogs and thirty-three cats, at the Redlands Animal Shelter. Officer Miller informed the Council twenty dogs and twenty-seven cats have been adopted since the last regular City Council meeting.

Expression of Appreciation – For his two years of service as a Member of the City Council, John James received expressions of gratitude and praise from each of his fellow Councilmembers for his diligence and extensive preparation. Mr. James was presented with a fine plaque and thanked all those with whom he has worked over the years. He praised the City staff for their contributions and he is confident the current City Council will rise to the many difficult challenges ahead of them.

Expression of Appreciation – For his seven years of service as the City Clerk, Sam Irwin received accolades from each of the Councilmembers. Appreciation was expressed for Mr. Irwin’s patience and strong leadership and he was presented with a fine plaque. He thanked all those with whom he has worked over the years and praised the City staff for their contributions.

CERITIFICATION OF ELECTION:

Resolution No. 7694- Election Results - City Clerk Irwin presented Resolution No. 7694, a resolution of the City Council of the City of Redlands reciting the fact of the general municipal election held on Tuesday, November 8, 2016, declaring the following results and such other matters as provided by law:

MEMBER OF THE CITY COUNCIL	VOTES CAST
Pat Gilbreath	8,216
Eddie Tejada	5,733
John "Jim" James	5,477
Mike Saifie	5,472
Kaisar Ahmed	5,401
Ken Hunter	4,671
Andy Hoder	4,021
Dustin Foster	3,673
Ivan Ramirez	3,331

CITY CLERK	VOTES CAST
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Jeanne Donaldson	15,703
Al Hernandez	6,854
N.W. "Nick" Miller	2,230

CITY TREASURER	VOTES CAST
Robert Dawes	21,456

On motion of Councilmember Gilbreath, seconded by Mayor Pro Tem Harrison, the City Council declared and determined that Pat Gilbreath and Eddie Tejada were elected as Members of the City Council, Jeanne Donaldson was elected as City Clerk, and Robert Dawes was elected as City Treasurer, all for four year terms, unanimously adopted Resolution No. 7694, and ordered that the complete text of the resolution be filed in the Office of the City Clerk.

Oaths of Office – City Clerk Irwin administered the oath of office to the newly elected City Clerk. City Clerk Donaldson administered the oath of office to the newly elected Councilmembers and the Treasurer. All inductees took their respective seats at the dais.

Random Drawing – Assisted by the City Treasurer, City Clerk Donaldson randomly drew names of the members of the City Council from a bowl to determine the roll call vote order if it was necessary during the elections for Mayor and Mayor Pro Tempore.

Election of Mayor - City Clerk Donaldson called for nominations for the office of Mayor for a two-year term. Councilmember Tejada nominated Pat Gilbreath. Councilmember Barich nominated Paul Foster. There being no further nominations, a roll call vote was taken:

For Pat Gilbreath: Ayes: Councilmember Tejada

A second roll call vote was taken:

For Paul Foster: Ayes: Councilmembers Tejada, Foster, Barich, Gilbreath, Harrison  
City Clerk Donaldson declared Paul Foster elected to the office of Mayor for a term of two years.

Election of Mayor Pro Tempore - City Clerk Donaldson called for nominations for the office of Mayor Pro Tempore for a two year term. Councilmember Tejada nominated Paul Barich. There being no further nominations, Paul Barich was elected to the office of Mayor Pro Tempore for a term of two years.

The City Council recessed at 6:35 P.M. and reconvened at 6:52 P.M.

PRESENT

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

ABSENT:

None

STAFF: Enrique Martinez, City Manager; Dan McHugh, City Attorney; Jeanne Donaldson, City Clerk; Robert Dawes, City Treasurer; Carl Baker, Public Information Officer; Jeff Frazier, Fire Chief; 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

Mayor Foster called the meeting to order and offered those present the opportunity to provide public comment on any item not on the agenda for the remaining session.

PUBLIC COMMENT:

Shop with a Cop & Annual Memorial Walk – Gail Howard proudly announced the annual Shop with a Cop event provided about 160 Redlands-area children with a \$125 shopping spree, held on December 16, 2016 at Target in Redlands. She also welcomed everyone to attend the 5<sup>th</sup> annual Memorial Walk honoring the boys that were lost in the senseless shootings in 2011. The walk begins at Post and Sun Street.

Stephen Rogers – Stephen Rogers, representing the Mentone area, welcomed incoming Councilmember Tejada and wished everyone a happy holidays.

Stuff a Plane with Toys for Tots – Cindy Gablin, of the Redlands Airport Association, recapped the activities leading to another great Stuff a Plane with Toys for Tots event. She thanked the many organizations involved from the kick-off day in late October to the culmination in December when 28 planes were stuffed with 600 toys and flown to 29 Palms airport to be distributed to children in need.

Quiet Zones – Tandy Hill and Eamonn McGloin restated their support and a request for funding for a railroad quiet zone at the intersection of Alessandro and San Timoteo Canyon Road. They described how train noise affects humans and habitat alike and encouraged vetting of the project before the mid-year budget review.

Campaign Activity – Andy Hoder thanked the current Councilmembers for ensuring our local government is run for the people and by the people. He explained they were the inspiration for his City Council run this November and he expressed his appreciation to every candidate in the Council Member race for their integrity and fairness.

CONSENT CALENDAR:

Minutes - On motion of Councilmember Gilbreath, seconded by Councilmember Harrison, the minutes of the regular meeting of December 6, 2016, were approved as submitted.

Student Commissioner Appointments – On motion of Councilmember Gilbreath, seconded by Councilmember Harrison, the City Council unanimously approved the appointment as student commissioners of Ashley Samaan to serve on Human Relations Commission, Bailee Kimery to serve on the Parks and Recreation Advisory Commission, and Rohan Reddy to serve on the Traffic and Parking Commission.

Local Appointments List – On motion of Councilmember Gilbreath, seconded by Councilmember Harrison, the City Council unanimously approved the Local Appointments List for 2017 as required by Government Code §54972.

Commissioner Appointments - On motion of Councilmember Gilbreath, seconded by Councilmember Harrison, the City Council unanimously approved the reappointment of Anna Jaiswal and the appointment of Cathrin DeVoe to serve four year terms on the Traffic and Parking Commission. Their new terms will expire December 20, 2020.

Commissioner Appointments - On motion of Councilmember Gilbreath, seconded by Councilmember Harrison, the City Council unanimously approved the reappointments of Richard Hernandez, Normal Miner, and Tim Landis to each serve an additional four-year term on the Municipal Utilities/Public Works Commission. Their new terms will expire November 16, 2020.

Resolution No. 7676 – Signing Authority – On motion of Councilmember Gilbreath, seconded by Councilmember Harrison, the City Council unanimously approved Resolution No. 7676 designating (the authorized signers) Robert Dawes and Jeanne Donaldson as authorized signers on all investment accounts established by the City.

Resolution No. 7698 – Transportation Programs – Chris Diggs, Municipal Utilities and Engineering Director, briefly explained Resolution No. 7698 updates a current Caltrans document which allows the City to move forward with additional Caltrans projects. As public comment, Stephen Rogers urged the Council to authorize the City Manager to sign such documents that have been Council approved. On motion of Councilmember Gilbreath, seconded by Mayor Pro Tem Barich, the City Council unanimously approved Resolution No. 7698 authorizing the Mayor or any City Council Member to execute California State Transportation (Caltrans) funding documents and rescinding Resolution No. 6934.

Resolution No. 7695 - Destruction of Public Records – On motion of Councilmember Gilbreath, seconded by Councilmember Harrison, the City Council unanimously adopted Resolution No. 7695, a resolution of the City Council of the City of Redlands approving the destruction of certain public records in the Police Department.

Biking Activities – On motion of Councilmember Gilbreath, seconded by Councilmember Harrison, the City Council unanimously approved a request from the Redlands Interscholastic Cycling Organization to conduct mountain biking activities within the City’s open space areas in Live Oak Canyon.

Agreement Termination – On motion of Councilmember Gilbreath, seconded by Councilmember Harrison, the City Council unanimously approved authorizing the Mayor to terminate the agreement for the use of City Hall for an outdoor coffee cart and café venue between the City of Redlands and Hazelbrook, Inc.

Fee Waiver – On motion of Councilmember Gilbreath, seconded by Councilmember Harrison, the City Council unanimously approved a request from the Kiwanis Club of

Redlands for the waiver of \$15,659.43 in fees and approval to serve alcoholic beverages for the 2017 Run through Redlands to be held on March 5-6, 2017.

PUBLIC HEARRINGS:

Resolution No. 7671 – Fees and Service Charges – Mayor Foster opened the public hearing and called upon Management Services/Finance Director Danielle Garcia and Interim Development Services Director, James Troyer, for a report of proposed fee schedule changes. Ms. Garcia explained the resolution provides an update to the existing schedule of user fees sufficient to meet the cost recovery levels established by ordinance and will apply a CPI increase of 1.7% to the fees listed on the current fee schedule, with the exception of Building and Safety fees and those fees which are excluded from the CPI increase due to statute. Mr. Troyer provided background to the Building and Safety user fee portion of the resolution and explained the City contracted with Matrix Consulting Group in March 2016 to undertake a detailed cost of services study in order to accurately report the true cost of providing various Building and Safety fee-related services. He introduced Courtney Ramos, of the Matrix Consulting Group, for a presentation of their findings and recommendations. Following City Council guidance, workshops were held in order to solicit input from the public. As public comment, Gordon Nichols, representing the Building Industry Association (BIA), and also a coalition group comprised of several entities, including the BIA, Chamber of Commerce and East Valley Association of Realtors, thanked the City Council for allowing additional workshops for their consideration of concerns on the Matrix Group study. Mr. Nichols stated the BIA and the coalition members are in favor of staff's recommendation of a 98% cost recovery rate for 2017, approximately a 1% increase. Stephen Rogers expressed skepticism with respect to the methodology used to derive the fee schedule study and asked the Council to delay a decision on this matter. Bill Cunningham pointed out costs for all processing services must be fully recovered. Upon no further comments, Mayor Foster closed the public hearing. Mayor Foster, Mayor Pro Tem Barich and Councilmember Gilbreath attended the workshops and thanked the consultant and staff for their exceptional work. On motions of Councilmember Gilbreath, seconded by Mayor Pro Tem Barich, the City Council unanimously adopted Resolution No. 7671, a resolution of the City Council of the City of Redlands approving a fee and service charge revenue/cost comparison system; establishing the amounts of fees and charges levied in connection with the City's provision of regulations, products and services; and rescinding Resolution No. 7609; and approving the adjustment of the building permit and inspection fee portion of the exhibit to Resolution No. 7671 to reflect a 98% cost recovery rate.

Resolution No. 7696 – Street Vacation – Mayor Foster opened the public hearing and called upon Emily Elliott of the Development Services Department to provide details on a request to vacate approximately 300 linear feet of Canyon Road, north of Sunset Drive in the R-A (Residential Estate) District. Ms. Elliot explained the applicant intends to increase lot sizes and adjust property lines. As a public comment, Peter Serfass and Jim Chappell expressed their concerns with Canyon Road being used as an access point for any future development which may occur on these parcels, while Harold Hartwick, of Hicks and Hartwick, described studies he has performed on the

area and thinks access from Canyon Road would be unlikely, due to topographical constraints. Upon no further comments, Mayor Foster closed the public hearing. On motions of Councilmember Gilbreath, seconded by Councilmember Harrison, the City Council unanimously approved the adoption of a Notice of Exemption for Street Vacation No. 164 pursuant to Section 21084 of the California Environmental Quality Act (CEQA) and Section 15061(b)(3) of the State CEQA Guidelines; approved Resolution No. 7696 vacating approximately 300 linear feet of Canyon Road, north of E. Sunset Drive and charged Director Troyer and staff to make notations of the residents' comments made here tonight so when and if this matter does come to a development stage, and staff pulls this file, they see those comments and take them into consideration before an over the counter decision is made or before it goes to Planning Commission.

Resolutions No. 7688, 7690 and 7691 and Ordinance No. 2843 – Larry Jacinto, Applicant – Mayor Foster opened the public hearing and called upon Lorelee Farris, of the Development Services Department, for a summary of the applicant's requests to develop approximately 18.54 acres of land located on the east side of Wabash Avenue, between Highland Avenue and Citrus Avenue. The requests include a proposed annexation, zone change, general plan amendment, and tentative tract map. Mr. Meyer, the applicant's representative, provided an overview of the project, including the intent to reuse the existing cut stone curbing to enhance monumentation work, and stated the applicant is in agreement with all of the mitigation measures and conditions of approval placed on the project, including Condition of Approval No. 21, to fund the acquisition of farmland or farmland conservation easements. As public comment, Andy Hoder questioned whether the trees depicted in the landscape plans are in compliance with the City's approved tree palette. In response, Director Troyer confirmed the plans are in compliance. Upon no further comments, the public hearing was closed. On motions of Councilmember Gilbreath, seconded by Councilmember Harrison, the City Council unanimously approved Resolution No. 7688 for a Socio-Economic cost-benefit study; approved Resolution No. 7690 for Annexation No. 92 (General Plan Amendment No. 134) to amend the General Plan land use designation of 18.54 acres within City of Redlands Sphere of Influence from Rural Living (0.4 units per gross acre) to Very-Low-Density Residential (0 to 2/7 dwelling units per gross acre); approved the introduction of Ordinance No. 2843 for Zone Change No. 450 to pre-zone the proposed site to be annexed from an unincorporated part of the County of San Bernardino to Residential Estate (R-E) District; and approved Resolution No. 7691 for Tentative Tract No. 19956 to subdivide site into forty (40) single family residential lots and two (2) lettered lots located at the northeast corner of Highland Avenue and Wabash Avenue.

Ordinance No. 2840 – Fire Code - Mayor Foster opened the public hearing and called upon Fire Chief Frazier to provide factors driving the fire code changes. With no written or public comments received, the public hearing was closed. On motion of Councilmember Gilbreath, seconded by Councilmember Harrison, the City Council unanimously approved the adoption of Ordinance No. 2480 amending Chapter 15.20 of the Redlands Municipal Code and adopting by reference the 2016 edition of the

California Fire Code (California Code of Regulations, Title 24, Part 9) with necessary local amendments.

NEW BUSINESS:

Public Art Contract – Public Information Officer Carl Baker introduced Danielle Trynoski, Chairperson of the Cultural Arts Commission, who presented a review of events leading up to the current status for a Public Art clock sculpture by Romeo Metal at Ed Hales Park. Mayor Foster introduced the artists, Dan and Dina Romero and shared his enthusiasm for the project which, through a generous donation, is the first piece of art done publicly under the Mayor’s Art Initiative. Mayor Foster also thanked the Cultural Arts Commission, and specifically, Dennis Christensen, for all his work. On motion of Mayor Foster, seconded by Councilmember Tejeda, the City Council unanimously approved the agreement between the City of Redlands and Dan and Dina Romero for a Public Art clock sculpture to be located on the south side of Ed Hales Park facing State Street for a cost not to exceed \$65,000 with funding provided by private donors.

Model Home Agreement – Emily Elliott of the Development Services provided background on a request to construct four model homes, and a temporary parking lot, prior to final map recordation for their development. As public comment, Ted Gablin, President of the Redlands Airport Association, called for development compliance as it relates to the Redlands Municipal Code and marketing disclosure requirements for subdivisions in the airport influence area. Stephen Willer, Redlands Airport Association, pushed for the City to institute a pilot awareness program and update file documents. On motion of Councilmember Gilbreath, seconded by Councilmember Harrison, the City Council unanimously agreed the approval of a Model Home Agreement does not require further environmental processing in accordance with California Environmental Quality Act guidelines; approved the Model Home Agreement between the City of Redlands and Redlands Pioneer, LLC for Tentative Tract Map No. 18979, located on the north side of San Bernardino Avenue, approximately 600 feet east of Judson Street; and accepted the associated surety (cash deposit) in the amount of \$80,000.

Model Home Agreement – Lorelee Farris of the Development Services Department offered background on a request to construct three model homes and a temporary parking lot, prior to final map recordation for their development. On motion of Councilmember Gilbreath, seconded by Councilmember Harrison, the City Council unanimously agreed the approval of a Model Home Agreement does not require further environmental processing in accordance with California Environmental Quality Act guidelines; approved the Model Home Agreement between the City of Redlands and Lennar for Tentative Tract Map No. 18988, located on the north side of Pioneer Avenue, approximately 630 feet east of Texas Street, and accepted the associated surety (cash deposit) in the amount of \$60,000.



RDA 2016-IV-01 and RDA 2016-IV-02 – Emily Elliott, of the Development Services Department, presented background on the Residential Development Allocation (RDA) process. On motion of Councilmember Gilbreath, seconded by Councilmember Harrison, the City Council unanimously accepted the recommendations of the points to be awarded to the subject project, approved RDA 2016-I-01 and allocated eighty-two (82) units to LENNAR; Conditional Use Permit No. 1028, Tentative Tract No. 18988.

Police Network Support – Management Services/Finance Director Danielle Garcia presented details for an amendment to an existing agreement and a one-year renewal term for Police Department and System support services. As public comment, Stephen Rogers encouraged the Council to ensure agendas contain appropriate descriptions for each agenda item and he communicated his confidentiality concerns related to the work performed by the consultant. On motion of Councilmember Gilbreath, seconded by Councilmember Harrison, the City Council unanimously approved the option to extend the agreement between the City of Redlands and Ian Stewart Consulting for a one-year term, ending January 18, 2018; and approving the modification for compensation for the one-year renewal term in the amount not-to-exceed \$124,000.00, for Police Department IT network support.

Water Conservation Design and Creative Services – Cecilia Griego of the Municipal Utilities and Engineering Department explained the need for professional design and creative services for the Water Conservation Educational Program, an outreach to educate elementary school aged children in outdoor water efficiency. Councilmember Harrison recommended staff print the materials in English and Spanish. On motion of Councilmember Gilbreath, seconded by Councilmember Harrison, the City Council unanimously approved the professional design and creative services agreement between the City of Redlands and ETA Advertising for the water conservation educational program, in the amount not to exceed \$68,000.

Grant Amendment – Municipal Utilities and Engineering Director Chris Diggs explained the need to extend the performance period to maximize the grant and allow for some additional improvements to the trail. On motion of Councilmember Gilbreath, seconded by Councilmember Harrison, the City Council unanimously approved Amendment 3 to Grant Agreement R54018-0 with the California Natural Resources Agency, extending the performance period to June 30, 2017, and includes nominal additions to the scope of work, for the Orange Blossom Trail Phase II Project.

Emergency Repair Project – Municipal Utilities and Engineering Director Chris Diggs provided a brief summary discussing the emergency repairs that were made to a water main on Dearborn Street. As public comment, Andy Hoder wondered what caused this pipe failure. In response, Director Diggs informed him the failure was likely due to installation and not the type of pipe used. On motion of Councilmember Gilbreath, seconded by Councilmember Harrison, the City Council unanimously agreed to receive and file a report of emergency water main repairs performed on Dearborn Street.

Shade Structures – Quality of Life Director Chris Boatman detailed the progress of the installation of shade structures at various City parks and presented the current need, due to on-site conditions, for additional funding to complete the work. On motion of Councilmember Gilbreath, seconded by Councilmember Harrison, the City Council approved an additional appropriation in the amount of \$28,785.00 for the installation of shade structure at various City parks.

Buyer's Interest Assignment Agreement – Quality of Life Director Chris Boatman presented details involved in the sale of property at 1615 West Park Avenue, originally approved on November 1, 2016 and explained the Buyer's request to assign all interest and rights to Balboa Park Properties LLC for the purchase of the property, however, all other provisions of the Purchase and Sale Agreement remain in effect. As public comment, Stephen Rogers questioned how the City carries out property negotiations with developers. Mayor Foster and City Manager Martinez both expressed their disappointment with Mr. Roger's accusations and cautioned him to refrain from pushing the boundaries of free speech. The Mayor and City Manager also clarified the City's policy regarding property negotiations, which include: the City Manager does not work independently on property negotiations and the City Council is involved in all of these discussions. On motions of Councilmember Gilbreath, seconded by Mayor Foster, the City Council unanimously agreed that an Assignment of Buyer's Interest Agreement is exempt from review under the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines and approved the Assignment of Buyer's Interest Agreement for APN 0292-192-19 by and between the City of Redlands, Judson & Brown, LLC and Patrick Obrien.

#### COUNCILMEMBER ANNOUNCEMENTS AND ACTIVITIES:

In the spirit of the season, Mayor Foster requested to forgo the Councilmember Announcements and wished everyone a Merry Christmas and Happy Holidays.

#### ADJOURNMENT:

There being no further action required the meeting adjourned at 8:51 P.M. The next regular meeting of the City of Redlands City Council will be held on January 3, 2017.