

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 2, 2013, at 5:00 P.M.

PRESENT: Pete Aguilar, Mayor
Paul Foster, Mayor Pro Tem
Jon Harrison, Councilmember
Bob Gardner, Councilmember
Pat Gilbreath, 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, Interim Chief Information Officer; Fred Mousavipour, Municipal Utilities and Engineering Director; Fred Cardenas, Quality of Life Director; Tina Kundig, Finance Director; 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:

None forthcoming.

CLOSED SESSION:

1. Conference with legal counsel: Existing Litigation - Government Code §54956.9(d)(1)

a. One Case: Charles E. Holcombe, et al v. City of Redlands, San Bernardino Superior Court Case No. CIVDS 1107627

The meeting reconvened at 6:00 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 no reportable action was taken by the City Council during closed session.

PRESENTATIONS:

Redlands Animal Shelter – Animal Control Volunteer Cyndy Dunham introduced “Duckie”, a two year old male Chihuahua mix, who is available for adoption, with sixty-two other dogs and thirty-five cats, at the Redlands Animal Shelter. Ms. Dunham informed the Council forty-five dogs and fifteen cats have been adopted since the last City Council meeting.

Interstate Highway Corridor – Jane Drehar, from the San Bernardino Associated Governments (SANBAG) presented an overview of progress on the Interstate 10/Interstate 15 Corridor Projects. Both projects are currently being studied. Neither has reached a decision making milestone, but options are being explored to add traffic flow capacity on the two interstate highways: Interstate 10 from Ford Street in Redlands to Haven Avenue in Ontario, and Interstate 15 from State Route 60 to US Highway 395. Options include no build, the addition of a car pool lane, or the addition of two express (toll) lanes.

ANNUAL COMMISSION REPORT:

Street Tree Committee – Due to a schedule conflict, this report will be presented at a future meeting.

PUBLIC COMMENT:

Car Show – Corey Schwerlfeger announced a Car Show event to benefit the establishment of an automotive program at Citrus Valley High School on April 27, 2013 from noon to 5:00 P.M. at the school.

Transparency – Angela Bartlett spoke in favor of televising Redlands Unified School Board meetings.

Reminiscing – Steve Rogers reviewed his experiences, since 2007, speaking out at City Council meetings and implied a negative impact these experiences have had on his ability to find work in Redlands.

CONSENT CALENDAR:

Minutes - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the minutes of the regular meeting of March 19, 2013 were approved as submitted.

Proclamation - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved a proclamation declaring April 2013 as *Child Abuse Prevention Month*.

Proclamation - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved a proclamation declaring April 22, 2013 as *Earth Day*.

Goals Workshop – On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously agreed to authorize the City Manager to negotiate and execute an agreement, the cost of which is not to exceed \$25,000, to perform professional services for facilitation of a City Council Goal Setting Workshop. As a public comment, Steve Rogers said the workshop should be done in house without hiring a facilitator.

Settlement Disclosure – On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the disclosure of details of a settlement and mutual general release agreement between the City of Redlands and Cooley Construction, Inc. related to Cooley's performance of grading work at Heritage Park. The City agreed to ratify Cooley's substitution of silt fencing for the use of sandbags for a Heritage Park Grading Project, which were required by the City's contract specifications and erosion control plan. Cooley agreed that the unapproved extra work performed to remove saturated soils material from the Project site shall be at the sole expense of Cooley, at no cost to the City of Redlands. As a public comment, Steve Rogers questioned whether proper contracting practices were followed. At the request of Mayor Pro Tem Foster, City Attorney Dan McHugh stated assurance that the contract in this matter was properly entered into and followed by the City, and the settlement of the dispute was appropriately reviewed by staff and discussed and agreed to by the City Council.

Maintenance Covenant – On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the acceptance of a maintenance covenant for a retaining wall in the public right-of-way from TLRED, LLC, for a property located at 300 Kansas Street.

Bid Rejection – On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the rejection of all bids received for the lighting upgrades to the City-owned parking garages, Project No. 47017.

Fee Waiver – On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved a request from Kiwanis Club of Redlands for a waiver of all fees associated with the annual Run through Redlands events to be held April 20 and 21, 2013.

Fee Waiver – On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved a request from the Shiloh Messianic Congregation of Redlands for a waiver of all fees associated with the annual March of Remembrance event to be held at Sylvan Park on April 7, 2013.

Fee Waiver – On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved a request from the Inland

Empire Lighthouse for the Blind, Inc. for a waiver of all fees associated with the Cruise for Sight event to be held on April 13, 2013.

Real Estate Data – On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved an agreement between the City of Redlands and Costar Realty Group for the provision of real estate data.

Fire Truck Sale – On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the sale of a 1936 Seagrave fire engine and a 1969 Crown Fire Coach fire engine to the Redlands Professional Firefighters Association in the interest of historical preservation.

CUP Extension – On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously agreed an extension of Conditional Use Permit (CUP) No. 53 (Revision 3) does not require further environmental processing in accordance with California Environmental Quality Act guidelines and approved a second extension, to June 10, 2014, for CUP No. 53 (Revision 3), an approved 5,968 square foot classroom expansion of an existing private school, Westside Christian Church at 1495 West Olive Avenue in the R-S (Suburban Residential) District.

Resolution No. 7259 – Traffic Regulation – On motion of Councilmember Gilbreath, seconded by Mayor Pro Tem Foster, this item was sent back to staff for further consideration prior to submission for City Council action.

Resolution No. 7260 – Traffic Regulation – Art Creef, of the Municipal Utilities and Engineering Department, provided the background on a proposed Resolution No. 7260 to designate a no parking zone along the middle of the road pedestrian walkway and at all interior curb returns on Cypress Circle. Many residents from the neighborhood in question spoke as public comment in support of maintaining the status quo and insisted no specific Title 10 traffic regulation is required to address parking issues on Cypress Circle. At the recommendation of Fire Chief Frazier and on motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously agreed on an alternative to establish signage at the entrances to the Cypress Circle neighborhood which would solicit extra caution in parking to ensure adequate clearance for transit of emergency vehicles and access to driveways for residents.

Resolution No. 7261 – Traffic Regulation – At the request of staff, this item was pulled from the agenda for further consideration prior to submission for City Council action.

Fee Waiver – On motion of Councilmember Gilbreath, seconded by Mayor Pro Tem Foster, the City Council unanimously approved a request from Hangar 24

Charities for a waiver of fees associated with the Hangar 24 Air Show 2013 event to be held on May 18, 2013 and an application to serve alcohol on airport property at the event. Councilmembers Gilbreath and Harrison expressed concern about waiving enterprise fund fees such as solid waste collection and consensus agreed to address policy changes in this area during the budget process. As a public comment, Steve Rogers said there was inadequate parking and lighting in the area around Hangar 24.

PUBLIC HEARINGS:

Resolution No. 7258 – Fees and Service Charges – Mayor Aguilar opened the public hearing and called for a report from Finance Director Tina Kundig for background on a proposal to establish or adjust fees associated with the Mills Act, solar energy systems installation, and miscellaneous others that were not addressed or incorrectly tabulated in the existing fee resolution. As a public comment, Steve Rogers asked where monies from “General Plan Maintenance Fees” were spent. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved Resolution No. 7258 approving a fee and service charge revenue/cost comparison system; establishing amounts of fees and charges levied in connection with the City’s provision of regulations, products and services; and rescinding Resolution No. 7152. Clint Daigle, of Seabright Solar, Inc., asked if, when and how any previous overpayment of fees would be refunded. Development Services Director Oscar Orci said refunds would be processed after June 1, 2013, to allow sixty days for Resolution No. 7258 to become effective pursuant to the Government Code.

Resolution No. 7253 and Ordinance No. 2788 – Zoning Uses – Mayor Aguilar opened the public hearing and called for a report from Manuel Baeza, of the Development Services Department, for background on a proposal to determine “similar uses” permitted within the City’s zoning districts and incorporate into the Redlands Municipal Code, previous City Council determinations regarding permitted uses in applicable zoning districts of the City and to permit towing yards and day spas in certain districts. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved Resolution No. 7253 “defining similar” uses and the introduction of Ordinance No. 2788 amending various sections of Title 18 of the Redlands Municipal Code (RMC) by codifying previous City Council determinations regarding permitted uses in applicable zoning districts of the City of Redlands; and amending Section 18.88.100 (C-2, Neighborhood Convenience Center District) and Section 18.64.030 (A-P, Administrative and Professional Office District) of the RMC to allow Day Spas as a permitted use.

NEW BUSINESS:

Liquor License Appeal – Police Chief Garcia provided the background on an appeal by 7-Eleven, Inc. for a letter of public convenience or necessity which was

denied during the appellant's application for an Alcoholic Beverage Control (ABC) License for alcohol sales at 1256 Orange Street. Don Tucker, of the 7-Eleven, Inc., provided a chronology of events leading to the evening's appeal. He thanked the staff for their efforts to arrive at a solution which would provide for the needs and concerns of all parties in this matter. Based on an agreement from 7-Eleven, Inc. to accept ABC license conditions on the sale of certain items for the store, and on motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously agreed to overturn a decision by the Chief of Police and make findings that the interests of the public are served by permitting this business to operate within the restrictions as identified by staff.

IT Master Plan – Interim Chief Information Officer Danielle Garcia introduced David Krout and Tom Jakobsen of ClientFirst Technology Consulting who presented a high level review of the user survey and workshop process used to derive the proposed Information Technology (IT) Master Plan. As a public comment, Steve Rogers criticized the effort as piecemeal and asked if the Plan considers the advent of a new Safety Hall. Tom Resh, of the Innovation and Technology Department, expressed concern that none of his staff had been included in the survey and workshop process and, as a result, the Plan proposes to develop projects and capabilities which have been ongoing or already exist. Discussion highlighted the intent that the Plan would be a “living” document which will evolve as it is implemented. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the adoption of the City of Redlands IT Master Plan.

IT Consultant – Interim Chief Information Officer Danielle Garcia provided the rationale for the need for an agreement with ClientFirst to provide information technology (IT) and telecommunications consulting services to the City of Redlands. As a public comment, Steve Rogers asked why this contract was not subjected to the competitive bid process. Tom Resh, of the Innovation and Technology Department, pointed out the consultant's hourly rates in the contract are higher than those of his salary and expressed frustration that he was never given a budget equal to the contract to accomplish the same job. On motion of Councilmember Harrison, seconded by Mayor Pro Tem Foster, the City Council unanimously approved an agreement between the City of Redlands and ClientFirst Technology Consulting to implement the IT Master Plan, in an amount not-to-exceed \$714,914 for April 2013 through January 2014 with a review at three months into the contract to evaluate progress and determine if items contained in Table 2 of the contract should proceed. Staff was given further guidance to work with the consultant to modify the IT Master Plan to address issues of measurement and estimating of costs and sustainability of IT systems.

Storm Drain Repair – Jonathan Wu, of the Municipal Utilities and Engineering Department, summarized the proposed effort toward addressing the storm drain repair needs of the City. On motions of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously agreed a storm drain

repair project is categorically exempt from further environmental review in accordance with the State of California Environmental Quality Act guidelines, and awarded a construction contract to West Coast Structures, Inc. doing business as Western Structures, in the amount of \$97,399, for storm drain repair services.

Water Agreement – Chris Diggs, of the Municipal Utilities and Engineering Department, summarized a proposal to sell reservoir capacity and water. As a public comment, Bill Cunningham expressed concerns that testing of the water concerned only measured a single contaminant and the recommended proposal provided no revenue to the City of Redlands. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously concurred an agreement to between the City of Redlands and the San Bernardino Valley Municipal Water District is categorically exempt from further environmental review in accordance with the State of California Environmental Quality Act guidelines, and approved the agreement to sell reservoir capacity and water in the Texas Grove Reservoir.

Pedestrian Safety – Jason Montgomery, of the Municipal Utilities and Engineering Department, provide an overview of the efforts to address pedestrian safety issues. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved a contract, in the amount of \$46,046 between the City of Redlands and PTM General Engineering Services, Inc. for the Cope & McKinley Pedestrian Safety Improvements Project.

MOU and Funding Agreement Termination – Quality of Life Director Fred Cardenas provided the background on a request from Gussing Renewable Energy America LLC (GREA) to terminate efforts to produce energy from gasified solid waste in Redlands. California law (AB1122) now prohibits the provision of biomass energy from municipal solid waste. On motions of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the termination of a Memorandum of Understanding (MOU) and a funding agreement between the City of Redlands and North American Biomass Company and a funding agreement between the City of Redlands and GREA.

Vehicle Maintenance – Quality of Life Director Fred Cardenas presented his department's approach to vehicle maintenance repair services. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved three service agreements between the City of Redlands and Ray Gaskin Service, Southern California Fleet and Diversified Services, in an amount not to exceed \$395,000 collectively, for vehicle maintenance repair services. A second motion approved rejection of all bids received for maintenance/repair pertaining to radios and safety equipment.

Purchase Order Increase – Purchasing Manager Dana Abramovitz-Daniel summarized a proposal to increase existing annual purchase orders with Home Depot and Office Depot. On motions of Mayor Pro Tem Foster, seconded by

Councilmember Gardner, the City Council unanimously approved modifications to increase existing annual purchase orders with Home Depot and Office Depot to annual amounts of \$178,050 and \$127,256 respectively, to provide miscellaneous tools, equipment and supplies on an as-needed basis for FY 2012-2013.

Software Maintenance – Finance Director Tina Kundig provided the background on a payment requirement for software maintenance. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the issuance of a purchase order and payment, in the amount of \$53,398.77, with SunGard Public Sector for software maintenance.

Employee Medical Coverage – Human Resources Director Deborah Scott-Leistra presented a contract renewal request for employee medical benefits. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the renewal of a medical insurance coverage agreement between the City of Redlands and Health Net for medical coverage for members of the Redlands Police Officer Association and the Redlands Association of Safety Management Employees.

Technology Support Services – Interim Chief Information Officer Danielle Garcia provided the background on a payment requirement for technology support services. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved payments to Ian Stewart Consulting for technology support services rendered to date in the amount of \$55,050 and authorization of an additional \$9,550 in unpaid invoices.

COUNCILMEMBER ANNOUNCEMENTS AND ACTIVITIES:

CHERP – Councilmember Harrison reminded everyone of the meeting of the Community Home Energy Retrofit Project (CHERP) to be held in the City Council Chambers on Wednesday, April 10, 2013 at 7:00 P.M. CHERP offers an energy-efficiency assessment that gives property owners a detailed analysis of a building's weaknesses – heating and cooling escaping through windows, doors and ceilings, for example, and aging appliances that cost a lot to run. The assessment includes an estimate of how much it would cost to address the problems.

Bike Classic – Council Gilbreath will be selling beer on Sunday for the Sunrise Rotary Club. Mayor Pro Tem Foster will be selling pancakes for the noon Kiwanis Club.

Healthy Redlands – Councilmember Gilbreath said she had nineteen attendees at her initial planning meeting held on March 27, 2013 to breathe new life into the Healthy Redlands program. She announced she would be attending the Healthy Cities Conference in Los Angeles next week and the community can expect further meetings for planning and goal setting upon her return.

Heritage Park – Mayor Pro Tem announced great progress on the work projects at Heritage Park. The Redlands Unified School District is estimating a thousand students will participate in the community service work day on April 27, 2013.

ADJOURNMENT:

There being no further action required Mayor Aguilar adjourned the meeting at 9:48 P.M. The next regular meeting of the City of Redlands City Council will be held on April 16, 2013.