

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 October 1, 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; Chris Catren, Police Commander; 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; Ashley Shear, Interim 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 labor negotiator - Government Code §54957.6
Agency Negotiator: Richard Kreisler
Employee Organizations: Redlands Association of Department Directors
Redlands Police Officers Association
Redlands Association of Safety Management Employees
2. Conference with legal counsel: Existing litigation – Government Code §54956.9(d)(1) One Case
 - a. Christine Smith v. City of Redlands, et al, San Bernardino Superior Court Case No. CIVDS 1311312.

The meeting reconvened at 6:21 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 Officer Bill Miller introduced “Dunn”, a two-year old male poodle mix, who is available for adoption, with fifty other dogs and one hundred and two cats, at the Redlands Animal Shelter. Officer Miller informed the Council that nineteen dogs and five cats have been adopted since the last City Council meeting.

PUBLIC COMMENT:

Solid Waste and Sewer Fees – Barbara Bicking offered suggestions to change the system by which solid waste and sewer fees are charged to City of Redlands customers. As a single person, living alone and practicing conservation methods, she said her solid waste collection and sewer usage needs are much less than the average household within the city. Her request is for smaller solid waste containers and a system of fees directly proportionate to usage of services.

CONSENT CALENDAR:

Minutes - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the minutes of the regular meeting of September 17, 2013 were unanimously approved as submitted.

Proclamation - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved a proclamation declaring October 6 through 12, 2013 as *Fire Prevention Week*.

Proclamation - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved a proclamation declaring October 1, 2013 as *Doris L. Henry Day*.

Settlement Disclosure - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the release of details of a full and final release of all claims associated with a lawsuit of the City of Redlands and Barbara Graham. Under terms of the settlement, for the sole consideration of a Waiver of Costs and Attorney’s Fees incurred by the City of Redlands in the defense of the lawsuit, Ms. Graham releases the City from all claims.

Settlement Disclosure - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the release of details of a full and final release of all claims associated with a lawsuit of the City of Redlands and Tracey Harris. Under terms of the settlement, The City of Redlands will pay \$50,000 to Ms. Harris for the release of claims and withdrawal of her request for arbitration of her grievance.

Fee Waiver - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved a request from Stater Bros to waive all fees associated with the 6th Annual Believe Walk event to be held on October 6, 2013.

Forensic Analysis Services - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved an agreement between the City of Redlands and Orange County to perform criminal forensic analysis and consultation services.

Bid Rejection - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the rejection of all bids received in response to Project No. 71207, the Dearborn Reservoir Rehabilitation Project, and directed staff to solicit new bids for the Project.

Resolution No. 7328 – CALPERS Contribution - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved Resolution No. 7325 changing the paying and reporting of employer paid member contribution to the California Public Employee Retirement System (CALPERS) – Civilian Safety.

JOINT MEETING WITH THE REDLANDS FINANCING AUTHORITY

Chairman Aguilar called the meeting to order as a joint session with the City Council of the City of Redlands and offered those present the opportunity to speak on any subject not already scheduled on the agenda and within the jurisdiction of the Financing Authority.

PUBLIC COMMENT

None forthcoming

CONSENT CALENDAR

Minutes - The minutes of the regular meeting of September 17, 2013, were approved as submitted on motion of Mr. Foster, seconded by Mr. Gardner.

Resolution No. 2013-10 - Solid Waste Bonds – Finance Director Tina Kundig provided background on a proposal to finance the Pavement Accelerated Repair Implementation Strategy (PARIS) program. Robert Poor, of Fieldman, Rolapp & Associates, informed the Council the expected fixed interest rate for the bonds will be between 2.60% to 2.65%. On motion of Mr. Foster, seconded by Mr. Gardner, the Board unanimously approved Resolution No. 2013-10 authorizing the issuance, sale and delivery of not-to-exceed \$13.5 million Solid Waste Revenue Bonds Series 2013A.

Resolution No. 7308 – Bond Documentation – On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved Resolution No. 7308 approving a solid waste trust agreement, agency agreement, bond purchase agreement, and the form of a preliminary official statement and continuing disclosure certificate; and authorizing changes thereto and execution thereof; and authorizing related actions and execution of related documents in connection therewith.

ADJOURNMENT

The Governing Board's regular meeting of the Redlands Financing Authority was adjourned at 6:37 P.M. The next regular meeting of the Board will be held on January 21, 2014.

JOINT MEETING WITH THE SUCCESSOR AGENCY OF THE FORMER REDEVELOPMENT AGENCY OF THE CITY OF REDLANDS

Chairman Aguilar called the meeting to order as a joint session with the City Council of the City of Redlands and offered anyone present the opportunity to address the Board on any subject, not already on the agenda, within the jurisdiction of the Successor Agency.

PUBLIC COMMENT

None forthcoming

CONSENT CALENDAR

Minutes – On motion of Mr. Foster, seconded by Mr. Gilbreath, the minutes of the special meeting on September 17, 2013 were approved.

Agreement Enforcement – At the request of staff, this item will be rescheduled for a later Successor Agency meeting.

ADJOURNMENT

There being no further business, the meeting of the Successor Agency to the Redevelopment Agency adjourned at 6:38 P.M. The next regular meeting of this Board will be held on November 5, 2013.

NEW BUSINESS:

Ordinance No. 2800 – Utility Due Dates – Chris Diggs, of the Municipal Utilities and Engineering Department, provided background on a request to change utility billing due dates and prepayment fees. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved

the introduction of Ordinance No. 2800 amending Chapters 13.12.020 and 13.12.080 of the Redlands Municipal Code to modify due dates and prepayment procedures for utility customers.

Economic Development Loans – Janet Miller, from the Development Services Department, provided an overview of the Economic Development Loan and Microenterprise Assistance Programs and proposals set forth from Hangar 24 Craft Brewery, LLC and Citrograph, LLC. Representing Hangar 24 Craft Brewery, Alex Lemos thanked the staff for the opportunity to participate in the Economic Development Loan Program (EDLP). On motions of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved an EDLP agreement between the City of Redlands and Hangar 24 Craft Brewery, LLC and a Microenterprise Assistance Program agreement between the City of Redlands and Citrograph, LLC. Staff was authorized to take non-substantive actions necessary for the administration of the agreements. As the result of these programs, the two businesses will be required to establish six new full time positions for low to moderate income wage earners in the City of Redlands.

Resolution No.7327 – Reader Boards – Lorelee Farris, of the Development Services Department, explained the need to redefine the term “reader board” as it is used in the implementation of Measure “U”. As a public comment, Alex Booen listed seven reasons to allow the use of LED signs for gas stations. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously agreed the interpretation of the term “reader board” is categorically exempt from further environment review in accordance with California Environmental Quality Act guidelines and approved Resolution No. 7327 interpreting the term “reader board” for the purposes of implementing the City of Redlands General Plan (Measure U) with respect to fuel price signs.

Civilian Safety Employees MOU – Interim Human Resources Director Ashley Shear presented details on a proposed Memorandum of Understanding (MOU) between the City of Redlands and the Redlands Civilian Safety Employees. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the MOU.

Janitorial Services - Quality of Life Director Fred Cardenas introduced a proposed contract for facilities janitorial services. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved a three-year agreement between the City of Redlands and PROgreen Building Maintenance for the provision of janitorial services and supplies for City facilities and authorized an annual purchase order for \$141,840.

Ordinance No. 2799 – Administrative Citations – At the request of the City Council, this item will be scheduled for a later meeting.

PUBLIC HEARINGS:

Resolution No. 7322 – Emergency Shelters – Mayor Aguilar opened the public hearing and called upon Sean Kelleher, from the Development Services Department, to provide background on request to permit emergency shelters in the downtown business area as prescribed by state law. On motions of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously agreed that allowing emergency shelters in the downtown business area is categorically exempt from review in accordance with California Environmental Quality Act guidelines and approved Resolution No. 7322, Specific Plan No. 45, Amendment No. 17, amending Section III, Table 1, to permit Emergency Shelters in the Service Commercial (SC) District of the Downtown Specific Plan.

Ordinance No. 2744 – Various Code Changes - Mayor Aguilar opened the public hearing and called upon Sean Kelleher, from the Development Services Department, to provide a summary of proposed changes to the Redlands Municipal Code:

Chapter 13.84 is being deleted because it is almost 30 years old and no longer represents the current status of State law. The City of Redlands is pre-empted by State Law from imposing its own school impact fees. This section is proposed to be deleted to maintain a streamlined Municipal Code. School fees are collected by the administrative arm of the local school district.

Chapter 15.36.420 C is proposed for amendment is to clarify that the size of freeway oriented signs can exceed the maximum one hundred and twenty (120) square foot area, provided the applicant receives approval of a Conditional Use Permit.

Chapter 15.56 is being proposed to screen construction activities and debris, to safeguard the public by restricting public access to such sites, and to preserve the aesthetics of the neighborhood and minimize construction nuisance. This can be accomplished through the imposition of requirements for building and construction sites to be fenced and screened. Through the addition of Chapter 15.56, the City will have the authority to impose these requirements.

Chapters 17.07.070 B and 17.07.120 C are proposed to be updated consistent with existing state law and allow six years of extensions.

Chapters 17.13.030 and 17.13.040 are brought into compliance with State law and allow for Vesting Tentative Maps to be submitted and approved for residential and nonresidential projects.

Chapter 18.12.080 is proposed to be amended to provide a process for providing surety for the construction of public improvements in the event the applicant is unable to complete the work. Additionally, this section has been amended to provide additional clarity to the procedures and approval process for site plan submittals. This includes identification of a need for fees to be submitted at time of application submittal, as well as, number and types of plan sets that must be submitted. It has also been modified to clarify the types

of improvements that may be required as part of a site plan approval. This amendment also identifies the reviewing authority over site plan applications and clarifying projects that require Planning Commission versus City Council action.

Chapter 18.52.160 B.4 restricts the length of apartment complex buildings to a maximum of 150 feet. The City has found that the design of buildings within newer apartment complexes is typically longer than this standard. Through the implementation of various architectural treatments, the length of a building can be visually broken, reducing its perceived length while maintaining a visually pleasing project. Therefore, this section is proposed to be eliminated.

Chapters 18.56.190 B.4 and 18.60.160 D are proposed to be eliminated for the same reason as the previous Chapter.

Chapter 18.100.040 is amended to establish that Animal Hospitals are permitted in Commercial Industrial (C-M) Zoning District only through the approval of a Conditional Use Permit.

Chapter 18.180.030 is being amended to allow an applicant to post security with the City in a form and amount satisfactory to the City to cover the estimated costs and expenditures involved in complying with the conditions related to the improvements of the property. The ordinance previously only permitted the use of a bond for security.

Chapters 18.200.050 through 18.200.080 are proposed to be modified to provide clarity of the Planning Commissions authority to recommend the denial, modification, or approval of Zone Change Applications to the City Council. Additionally, the amendments to these Sections will provide clarity in the noticing requirements for a Zone Change Application.

Chapter 18.208.050 is proposed to provide better enforcement of Title 18, any applicable specific plan, and the terms and conditions of any land use entitlement. Additionally this section is proposed to identify that any person found in violation of the sections noted above is guilty of a misdemeanor.

On motions of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously agreed proposed changes to the Redlands Municipal Code are categorically exempt from review in accordance with California Environmental Quality Act guidelines and approved the introduction of Ordinance No. 2744 deleting Chapter 13.84 of the Redlands Municipal Code (RMC) relating to school impaction fees, adding Chapter 15.56 to the RMC relating to fencing and screening for building and construction sites and amending Chapters 15.36, 17.07, 17.13, 18.12, 18.52, 18.56, 18.60, 18.100, 18.180, 18.200, and 18.208 of the RMC relating to freeway-oriented signs, tentative subdivision map extensions, site plan approvals, vesting tentative maps, building length limitations for R-2, R-2-2000 and R-3 Zoning Districts, bonds associated with the moving of buildings, zone changes, and zoning enforcement, respectively.

COUNCILMEMBER ANNOUNCEMENTS AND ACTIVITIES:

Healthy Redlands – Councilmember Gilbreath is coordinating with the Fire Department to have Healthy Redlands presence at every Fire Prevention Week event.

Believe Walk – Councilmember Gilbreath reminded everyone about the event to be held on Sunday, October 6, 2013 to raise money to fight cancer.

Library Family Day - Mayor Aguilar reminded those present that the A.K. Smiley Library Family Day is scheduled for Saturday, October 5, 2013.

Asistencia Support – Mayor Pro Tem Foster attended the second pancake breakfast put on by local service clubs and San Bernardino County to raise funds to renovate the Asistencia Mission. After the breakfast, a group of residents from the Grove School, the Boy Scouts and staff performed clean up at Heritage Park.

ADJOURNMENT:

There being no further action required, Mayor Aguilar adjourned the meeting at 7:05 P.M. The next regular meeting of the City of Redlands City Council will be held on October 15, 2013.