

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 3, 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; 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. Conference with labor negotiator - Government Code §54957.6  
Agency Negotiator: Oliver Yee  
Employee Organizations: Redlands Association of Safety Management Employees  
Redlands Professional Firefighters Association  
General Employees Association of Redlands (SBPEA)  
Redlands Civilian Safety Employees Association  
Redlands Association of Management Employees  
Redlands Association of Mid-Management Employees
2. Conference with legal counsel: Anticipated Litigation - Government Code §54956.9(d)(2)(e)(3) – Two Cases
  - a. Facts and circumstances – Consideration of a threat of litigation relating to an Equal Employment Opportunities Commission complaint
  - b. Facts and circumstances – Consideration of a Workers’ Compensation claim filed by Michael Lee
3. Conference with legal counsel: Existing Litigation - Government Code §54956.9(d)(1) – Five Cases

- a. The People of the State of California v. Edward Awad, San Bernardino Superior Court Case No. MSB807601
  - b. Amanda Emmanuel v. City of Redlands, et al, San Bernardino Superior Court Case No. 1301030
  - c. Ellen Eastwood v. City of Redlands, et al, San Bernardino Superior Court Case No. 1402813
  - d. City of Redlands v. Franchise Realty Interstate Corporation (Food n' Fuel), et al, San Bernardino Superior Court Case No. 1315417
  - e. City of Redlands v. Redlands 7-11 Associates (WAM Gold, LLC), et al, San Bernardino Superior Court Case No. 1315422
4. Conference with real property negotiator – Government Code §54956.8
- |                     |   |
|---------------------|---|
| Property:           | APNs 0171-053-03, -04 and -06 and 0171-251-06, -07, -08, -09, and -10 |
| Agency negotiators: | N. Enrique Martinez, Oscar Orci                                       |
| Negotiating party:  | Travis King, CEO of Braxton Capital                                   |
| Under negotiation:  | Terms and price for the purchase of City property                     |

The meeting reconvened at 6:05 P.M. with an invocation by Mayor Pro Tem Harrison followed by the pledge of allegiance to the American flag.

PRESENTATIONS:

Redlands Animal Shelter – Animal Control Officer Bill Miller, introduced two puppies which will be among those offered for adoption at the *Dog Walking & Cat Cuddling* at Sylvan Park on Saturday, February 7, 2015. Thirty-three dogs and forty-one cats are available for adoption at the Redlands Animal Shelter. Officer Miller informed the Council twenty dogs and seventeen cats have been adopted since the last City Council meeting.

PUBLIC COMMENT:

Post Office Maintenance – Jo Hale described a need for janitorial and landscape maintenance at the Brookside Avenue Post Office and praised the Redlands Fire Department.

Mills Act Workshop – Sherli Leonard, Executive Director of the Redlands Conservancy, announced a free workshop to demystify the Mills Act, legislation passed to encourage restoration of historical properties through tax incentives to owners. The workshop will be conducted by the Redlands Conservancy on Tuesday, February 10, 2015, at 7:00 P.M. at the Graham Cope Building.

Airfest Fee Waiver – Recalling last years' experience, Andy Hoder encouraged planners for the 2015 Airfest to file any application for fee waivers for the event early enough to allow the City Council adequate time to consider approval without the consequence of forfeiting sunken costs associated with the event.

Thanks RPD – Sam Wong described a neighborhood incident for which he had to return to California from Texas to reach a solution to matters. He thanked the Redlands Police Department (RPD) and Officer Steve Crane for their assistance.

Discrimination – Steve Rogers read from a prepared text and asked for consideration as to whether opportunities and personnel operations at the City of Redlands are being offered or conducted without unlawful discrimination.

#### CONSENT CALENDAR:

Minutes – On motion of Councilmember Gilbreath, seconded by Mayor Pro Tem Harrison, the City Council unanimously approved the minutes of the regular and special meetings of January 20, 2015 and the special meeting of January 26, 2015 as submitted.

Commission Appointment – On motion of Councilmember Gilbreath, seconded by Mayor Pro Tem Harrison, the City Council unanimously approved the appointment of Danielle Trynoski to serve on the Cultural Arts Commission for a four year term ending January 6, 2019.

Commission Appointment – On motion of Councilmember Gilbreath, seconded by Mayor Pro Tem Harrison, the City Council unanimously approved the reappointment of Emily Elliot to serve on the Traffic and Parking Commission for an additional four year term ending December 20, 2018.

Board Appointments – On motion of Councilmember Gilbreath, seconded by Mayor Pro Tem Harrison, the City Council unanimously approved the reappointment of Rosa Gomez and Martin Davis to serve on the Library Board of Trustees for additional four year terms ending January 1, 2018.

Fee Waiver – As a public comment, Andy Hoder expressed concerns that waiver requests were receiving “rubber stamp” approval and proposed a ceiling for all fee waivers. On motion of Mayor Pro Tem Harrison, seconded by Councilmember James, the City Council unanimously approved a request from the Kiwanis Club of Redlands to waive \$10,227.88 in fees associated with the 2015 Run through Redlands to be held on March 7-8, 2015.

Resolution No. 7484 – Hold Harmless Agreements – On motion of Councilmember Gilbreath, seconded by Mayor Pro Tem Harrison, the City Council unanimously approved Resolution No. 7484 designating the City Manager as authorized signatory to execute hold harmless agreements between the City of Redlands and the Redlands Conservancy.

#### COMMUNICATIONS:

Water Conservation – Cecilia Griego, of the Municipal Utilities and Engineering Department presented an update on drought conditions and steps taken to address the need to conserve water. Her report covered the period since mandatory restrictions were imposed and the City of Redlands had gone to Stage II

conservation in July 2014. Water consumption rates decreased in August by 17% and in September by 7% year to year, however, rates increased by 3% in October and 10% in November. In December, rates showed a significant decrease of 27%. Conservation efforts for the future will increase programs addressing outdoor water consumption, continue staff education on the efforts to conserve, and increase advertisement. As a public comment, Andy Hoder suggested a different approach to programming irrigation controllers to provide alternate day watering of lawns and shrubbery. He also asked about the effect on revenues to the Water Fund of an 11% reduction in water consumption and how rates would be impacted.

#### PUBLIC HEARINGS:

Resolutions No. 7462 – General Plan Amendment No. 131 – Mayor Foster opened the hearing and called upon Development Services Director Oscar Orci to provide background and an update on land use issues associated with a request from 800 Opal LLC to amend the General Plan Land Use Designation from Light Industrial to Low-Density Residential (0 to 6 units per gross acre) for 35.17 acres located on the north side of Colton Avenue, the south side of Nice Avenue, and the east side of Opal Avenue in the unincorporated community of Mentone. As a public comment, Steve Rogers, representing the Mentone Area Community Association, expressed his opposition to any zone change in area being considered. Bill Cunningham requested the staff investigate whether the property in question was in agriculture in 1986. Andy Hoder pointed out procedures allow for further input from the City of Redlands regardless of any decision made during this hearing and expressed concern about the use of utilities in the area. At the request of the applicant, and on motion of Councilmember James, seconded by Councilmember Gilbreath, the City Council unanimously agreed to continue the public hearing to the February 17, 2015 City Council meeting.

Ordinance No. 2791 – Alcohol Sales Permitting – Mayor Foster opened the hearing and called upon Sean Kelleher, of the Development Services Department, to summarize proposed changes to the Redlands Municipal Code (RMC). As a public comment, Mario Saucedo, representing the Common Vision Coalition, and Geoff Bonney, representing the Redlands Chamber of Commerce, expressed their respective organization's support for the ordinance. On motions of Councilmember Gilbreath, seconded by Councilmember Barich, the City Council unanimously agreed that Ordinance No. 2791 (Ordinance Text Amendment No. 338), Specific Plan 40 (Amendment 42), and Specific Plan 45 (Amendment 19) are exempt from review under the California Environmental Quality Act (CEQA) pursuant to Section 15061 (B)(3) of the CEQA Guidelines; approved the introduction of Ordinance No. 2791 adding Chapter 18.190 to the RMC to establish conditional use permit requirements for new alcoholic beverage sales activities and to establish regulations for alcohol beverage sales activities which are conferred deemed approved status, and amending Chapters 18.84 (C-1 Zoning Designation Permitted and Conditionally Permitted Uses), 18.88 (C-2 Zoning

Designation Permitted and Conditionally Permitted Uses), 18.92 (C-3 Zoning Designation Permitted and Conditionally Permitted Uses), 18.96 (C-4 Zoning Designation Permitted and Conditionally Permitted Uses), AND 18.100 (C-M Zoning Designation Permitted and Conditionally Permitted Uses) of the RMC; approved Resolution No. 7379 approving Amendment No. 42 to Specific Plan 40; and approved Resolution No. 7380 approving Amendment No. 19 to Specific Plan 45.

#### NEW BUSINESS:

Resolution No. 7482 – Resolving Disturbances – Police Chief Mark Garcia introduced the need for protocol to settle disturbances at public meetings. As a public comment, Steve Rogers read from a prepared text stating that the proposed resolution will discourage free speech at government offices and during public meetings. On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously approved Resolution No. 7482 establishing a protocol for resolving disturbances at public meetings.

Ordinance No. 2811 – Government Claims – Human Resources Director Amy Martin provided background on suggested changes to the process for handling claims against the City. On motion of Councilmember Gilbreath, seconded by Mayor Pro Tem Harrison, the City Council unanimously approved the introduction of Ordinance No. 2811 amending Chapter 3.09 of the Redlands Municipal Code relating to local government claims. The amendment changes the City Manager’s designee for compromising and settling claims from the Finance Director to the Human Resources staff.

Ordinance No. 2810 – Purchasing and Sales – Purchasing Manager Dana Abramovitz-Daniel summarized proposed changes to City purchasing and sale procedures. On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously approved the introduction of Ordinance No. 2810 amending Chapter 2.16 of the Redlands Municipal Code relating to city purchasing regulations and sale of surplus personal property. Changes allow the City Council to donate surplus personal property to public agencies and nonprofit organizations upon finding that the donation serves a valid public purpose, allow for sale notices of surplus property to be posted on the city’s website, and define describe the procedure for “no cost” procurement.

Automated Procurement – Purchasing Manager Dana Abramovitz-Daniel highlighted the advantages in automating and standardizing procurement processes. On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously approved an agreement between the City of Redlands and PlanetBids, in the amount of \$118,447.00, for an eProcurement system.

Encumbrances and Carryovers – Tom Steele, of the Finance Department, explained the need for an additional appropriation to cover year end encumbrances and carryovers. On motion of Councilmember Gilbreath, seconded

by Mayor Pro Tem Harrison, the City Council unanimously approved additional appropriations to the FY2014-2015 Budget for FY2013-2014 year-end encumbrances and carryovers.

Consulting Services – Development Services Director Oscar Orci defined the immediate need for manpower in the Building Division. On motion of Councilmember Gilbreath, seconded by Mayor Pro Tem Harrison, the City Council unanimously approved amending an agreement between the City of Redlands and CSG Consultants, Inc. to provide professional plan review, building inspections and CASp consulting services in an amount not to exceed \$80,000.00 for fiscal year 2014-2015 and extend the contract to fiscal year 2015-2016 in an amount not to exceed \$80,000.00.

Quiet Zones – Interim Municipal Utilities and Engineering Director Chris Diggs explained certain quiet zone planning approval requirements for progress on the Redlands Passenger Rail Project. As a public comment, Larry Leonard, representing the Inland Empire Transit Alliance, expressed concerns about the safety and schedule impacts of quiet zones. Fred Dill suggested City Councilmembers should walk the length of track to be utilized for the Project to fully appreciate the areas to be impacted. Sam Wong discussed the inherent dangers of mass transit. Carolyn Hays and Greg Brittain questioned the overall benefit and demand for the Project when considering the associated costs. Andy Hoder pointed out the decision for the evening was to approve quiet zones along the train route. Justin Fornelli, San Bernardino Associated Governments (SANBAG) Chief of Transit Rail Programs, described the additional precautionary design requirements implemented to address safety risks at quiet zone railroad crossings, and the noise and pollution characteristics of candidate engines being considered for the Project. On motion of Councilmember Gilbreath, seconded by Mayor Pro Tem Harrison, the City Council unanimously approved a memorandum of understanding between the City of Redlands and for purposes of advancement of the Redlands Passenger Rail Project regarding implementation of quiet zones along the rail corridor.

Utility Billing – Cindy Tryon, of the Municipal Utilities and Engineering Department, provided a summary of the improvements expected from a proposal to update the City's utility billing software. On motion of Mayor Pro Tem Harrison, seconded by Councilmember James, the City Council unanimously approved an agreement between the City of Redlands and Systems & Software, Inc., in the amount of \$204,120.00, for utility billing software and programming services and authorized an additional appropriation in the same amount.

#### COUNCILMEMBER ANNOUNCEMENTS AND ACTIVITIES:

Chamber Installation – Several members of City Council attended the Redlands Chamber of Commerce officer installation on January 28, 2015. Councilmember Barich congratulated Elizabeth Green, Police Officer of the Year, and Michael McMath, Firefighter of the Year, who were also recognized at the meeting.

Smart Growth – Mayor Pro Tem Harrison attended the Partners for Smart Growth Conference in Baltimore, Maryland, January 29-31, 2015. He will be working with staff to present ideas gained from the conference.

Air Show Planning – Councilmember James announced he has been attending the AirFest 2015 planning sessions and is encouraged by the willingness of all parties to work through the many issues still to be resolved for a successful event.

ADJOURNMENT:

There being no further action required, Mayor Foster adjourned the meeting at 7:25 P.M. The next regular meeting of the City of Redlands City Council will be held on February 17, 2015.