

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 March 7, 2017, at 5:00 P.M.

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

ABSENT: None

STAFF N. Enrique Martinez, City Manager; Dan McHugh, City Attorney; Robert Dawes, City Treasurer; Jeanne Donaldson, City Clerk; 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. Conference with legal counsel: Anticipated Litigation - Government Code §54956.9(d)(2) (e)(3) (Human Resources/Risk Management Director Martin)

Two Cases:

- a. Consideration of Workers' Compensation claim filed by Gina Griego
- b. Consideration of Workers' Compensation claim filed by Gregory Holmer

2. Conference with real property negotiators - Government Code §54956.8 (Interim Development Services Director Troyer)

Property: APN Nos. 0169-281-19 (31 W. Stuart Avenue) and 0169-281-23 (205 W. Stuart Avenue)

Agency negotiators: N. Enrique Martinez, James Troyer

Negotiating party: Mr. Allen Nunez, ALN Redlands District, LLC

Under negotiation: Terms of payment and price for possible purchase of City property

3. Conference with real property negotiators - Government Code §54956.8 (Interim Development Services Director Troyer)

Property: APN Nos. 0171-053-03, 04, 06 and 0171-251-06, 07, 08, 09 and 10 (Redlands Mall Parking Lot)

Agency negotiators: N. Enrique Martinez, James Troyer

Negotiating party: Travis King, Brixton Redlands LLC

Under negotiation: Terms of payment and price for possible purchase of City Property

The meeting reconvened at 6:01 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 no reportable action was taken during the closed session.

PRESENTATIONS:

Redlands Animal Shelter – Animal Control Volunteer Sentil Chinnachamy introduced “Lola”, a two-year old female Chihuahua, who is available for adoption, with thirty-six other dogs and thirty-nine cats, at the Redlands Animal Shelter. Mr. Chinnachamy informed the Council twelve dogs and twenty-five cats have been adopted since the last regular City Council meeting.

PUBLIC COMMENT:

Open Government – Stephen Rogers raised concerns related to the Public Records Act and how the City is processing records requests and urged the Council to make sure all requests are treated fairly and consistently.

Redlands Train – Greg Brittain expressed his opposition to the Redlands Passenger Rail Project by quoting Norm King, a retired SBCTA (formerly SANBAG) employee who now questions the viability of public transit, pointing to lower transit ridership, a decline in market share and the increasing costs per passenger mile, to name a few.

‘Nestle’ Protest – Natalie Giamboa-Schwartz and Lisa Chambers encouraged the Council to make an official statement and oppose the removal of millions of gallons of water annually from the San Bernardino National Forest by a subsidiary of ‘Nestle’ and urged the Council to assert their leadership with environmental issues.

Police Academy – Andy Hoder attended the Citizens Informational Academy conducted by the Redlands Police Department and praised the program, which he found extremely informative. The program included activities and speakers from various departments such as, traffic, narcotics, gangs, homeless, dispatch center and more.

YGreene Energy Fund – George Apostolopoulos listed the benefits of Ygreene Energy Fund, a privately funded program, committed to making it easy for property owners to invest in their future and a healthier environment. He encouraged the Council to support the program, which could bring to Redlands a significant economic stimulus and creation of new jobs.

Public Engagement – Willem Pennings reminded the Council that over sixty residents attended the last Council meeting to exercise their rights and he requested the Council treat the public respectfully even when their viewpoints are different.

## CONSENT CALENDAR:

Minutes – On motion of Councilmember Gilbreath, seconded by Mayor Pro Tem Barich, the City Council unanimously approved the minutes of the regular meeting of February 21, 2017, were unanimously approved as submitted.

Settlement Agreement – On motion of Councilmember Gilbreath, seconded by Mayor Pro Tem Barich, the City Council unanimously approved the public disclosure of details of a Settlement Agreement between the City of Redlands, the City of San Bernardino and Kristin Bauer. Under the terms of the agreement, The City of Redlands and the City of San Bernardino agree to pay Ms. Bauer and her attorneys the aggregate sum of \$300,000.00 for the release of all claims, demands and causes of action arising out of injuries she suffered from an officer-involved shooting of her hostage taker/ex-boyfriend.

Fee Waiver - On motion of Councilmember Gilbreath, seconded by Mayor Pro Tem Barich, the City Council unanimously approved a request from Volunteers for Veterans Foundation for the 27<sup>th</sup> Annual Volunteers for the waiver of \$926.00 in fees associated with the 27<sup>th</sup> Annual Volunteers for Veterans Car Show event to be held at Sylvan Park on October 1, 2017.

Grant Acceptance – On motion of Councilmember Gilbreath, seconded by Mayor Pro Tem Barich, the City Council unanimously approved the acceptance of an amended grant award, in the amount of \$24,516.00, from the FY 2016 State Homeland Security Grant Program and authorized a supplemental appropriation to the Police Department in the amount of \$2,225.00.

## COMMUNICATIONS:

Street Tree Committee Report – Committee Member Don Buchanan presented the Committee's accomplishments of the year, including eighteen new trees planted throughout City, formal Arbor Day program conducted in Hillside Memorial Cemetery, Committee members and staff gave educational power point presentations to various organizations and clubs, recommendations provided to the Quality of Life Department and the City Council on tree trimming cycles, tree maintenance and, tree removal, Earth Day program participation on April 22, 2016, and input provided to the City Council regarding annual budget expenditures and recommendations for increased budget.

Citrus Preservation Commission Report – Chairman Peter Buoye reported the City's grove operations are running in the black for a third year, but stated it is getting harder to make money, especially with the challenges of the Asian Citrus Psyllid (ACP). He highlighted the Commission's accomplishments for the year including, assisted staff to generate a revised map of City groves, helped to organize a presentation by CA Citrus Mutual to the Council on impacts of ACP and HLB disease on the citrus industry, developed materials to educate homeowners with larger parcels about the citrus heritage of the area, reviewed the City's Annual Citrus Report, evaluated different properties for potential acquisitions to reach the City goal of 200 acres of citrus, created a subcommittee to develop guidelines for citrus plantings in future new developments. He

also thanked Wayne Mishak and Gary McCormick for their long years of dedication and service.

Budget Subcommittee – On motion of Mayor Foster, seconded by Councilmember Harrison, the City Council unanimously approved the appointment of Councilmember Pat Gilbreath, Councilmember Eddie Tejada and the City Treasurer Robert Dawes to serve on the City Council subcommittee for the FY2017-2018 Budget Subcommittee.

Solid Waste Rates Meeting Schedule – Mayor Foster introduced the meeting schedule and outreach efforts on the proposed solid waste rate adjustments. Councilmember Harrison recommended the City continue the outreach efforts, which allow the public the opportunity to express their insights and opinions. Councilmembers were in agreement and directed staff to extend the timeline for the Council to consider the Proposition 218 Notice, moving it to May 2, 2017.

Cancellation of August 1 and August 15, 2017 – Mayor Foster opened the discussion relating to the cancellation of the August City Council Meetings. On motion of Councilmember Gilbreath, seconded by Councilmember Tejada, the City Council unanimously approved the cancellation of the August 1 and August 15, 2017 City Council Meetings.

PARIS Update – Mike Pool, of the Municipal Utilities and Engineering Department, presented an update of the Pavement Accelerated Repair Implementation Strategy (PARIS). Since the City adopted PARIS, nearly \$30 million have been invested in the program to rehabilitate 207 of 427 lane miles of streets. The current phase of PARIS (1029-1490), now under construction, was approved in September 2016 and invests approximately \$9 million to rehabilitate 115 lane miles. Following the completion of this phase of PARIS, the City will have invested \$39 million and rehabilitated 322 lane miles. The design for the subsequent phases of PARIS are expected to be completed late 2017 and in 2018, will be coordinated with water pipeline projects, and will rehabilitate approximately 105 additional lane miles of City streets. Councilmember Harrison raised the question of how the City will maintain the successes of the PARIS program and requested staff to come back before Council with their recommendations, after the new budget is adopted.

City/School District Bridge Committee – Councilmember Tejada introduced a plan to begin collaborating with the Redlands Unified School District (RUSD). As public comment, Bill Cunningham declared that a joint commission of the RUSD and the Recreation Commission did exist in the past, and it was very successful. Mayor Foster recommended the City wait before taking action since the School Board has not had a chance to consider this item. On motion of Mayor Foster, seconded by Councilmember Gilbreath, the City Council agreed to table the item indefinitely until the City hears back from the School Board leadership, with Councilmember Tejada abstaining.

#### PUBLIC HEARINGS:

By-District Election Boundary Maps – Mayor Foster opened the public hearing and called upon Management Services/Finance Director Danielle Garcia who introduced Dr.

Justin Levitt, of the National Demographics Corporation. Dr. Levitt briefly presented a Summary Table of the maps under consideration. As public comment, Stephen Rogers and Greg Brittain questioned whether the attorneys hired by the City to review the draft maps were truly independent and raised concerns as to the potential for conflict of interests and Mr. Brittain still favors RCE Map D. Nancy Blastos restated the 2010 Census population numbers are outdated, not reflecting the current population and her map of choice is now Map 1-C. Michael Reiter also favored Map 1-C, highlighting several reasons for its superiority over other maps. Mark Kumler, of the University of Redlands, presented the newest map submitted by his students and listed the important distinctions. Phil Courtney, for Mike Layne, questioned whether the timing of the Consultant Draft Maps and the schedule for public hearings followed the legislative procedures spelled out in AB 350. Ana McNaughton and Kathy Feely encouraged the Council to take their time with this decision, to allow for more meetings and Ms. Feely prefers Map 3-C. Bill Cunningham voiced his support for Map 2-B as the map which best eliminates the freeway barrier of a perceived community divide because districts cut across the freeway. Upon no further comments, the Council discussed the merits of the maps. Councilmember map selections were as follows:

Councilmember Gilbreath – Map 2-B

Mayor Pro Tem Barich – Map 2-B

Councilmember Tejada – Map 1-C

Councilmember Harrison – Map 1-C

Mayor Foster – Map 2-B

City Attorney McHugh clarified the hearing process would be extended if the Council included the two new maps recently submitted by the University of Redlands students, since those maps should be vetted properly with the same practices as occurred with all the other maps. Councilmember Tejada made a motion to continue the public hearing to March 21, 2017, but motion failed due to lack of a second. Councilmember Harrison made a motion, seconded by Councilmember Tejada, selecting Map 1-c as the final map for staff to prepare an ordinance. The motion failed due to lack of a majority with Councilmember Gilbreath, Mayor Pro Tem Barich and Mayor Foster voting NO. On motion of Councilmember Gilbreath, seconded by Councilmember Tejada, the City Council agreed to continue the public hearing to the regular City Council meeting scheduled for March 21, 2017 and directed staff to prepare an ordinance for introduction at the March 21, 2017 meeting identifying the final district boundary map and election sequencing for Map 2-b, with Councilmember Harrison voting NO.

#### NEW BUSINESS:

Information Technology Fund Reserve Account – James Garland, of the Management Services/Finance Department provided background on the request to release funds in the audit adjustment liability account and to establish a reserve account in the Information Technology Fund with proceeds to be used for a new Enterprise Resource Planning (ERP) system. On motion of Councilmember Gilbreath, seconded by Councilmember Tejada, the City Council unanimously approved to release the funds in the audit adjustment liability account and use these funds to establish a reserve account in the Information Technology Fund with the proceeds to be used for a new ERP system.

Agricultural Open Space Funds – Quality of Life Director Boatman explained that the funds used to plant two new groves, West Riverview Grove and Best Property Grove, were funds originally appropriated for the Prospect Park Grove replanting project. On motion of Councilmember Gilbreath, seconded by Councilmember Tejada, the City Council unanimously agreed to return the remaining \$6,875.00 from the Prospect Park Planting Project to the Agricultural Open Space designation of Nevada Palmetto Grove Proceeds.

Limited-Term Positions – Human Resources Director Amy Martin reviewed the organizational changes experienced by the Development Services Department (DSD) in the fall of 2016 and clarified the need to add limited-term positions within DSD and within the Management Services Department. As public comment, Stephen Rogers raised concerns as to the method used to fill the limited-term positions. In response to Mr. Rogers, Director Martin stated this hiring practice was approved in the City’s resolution and public employers are allowed to hire “at will”. On motion of Councilmember Gilbreath, seconded by Councilmember Tejada, the City Council unanimously approved the limited-term positions of Planning Associate I and Development Services Director within the DSD and the limited-term positions of Principal Accountant and GIS Technician within the Management Services Department, effective March 13, 2017.

Pipeline Replacement – Municipal Utilities and Engineering Director Chris Diggs summarized an overview of the Highland Avenue Water Pipeline Replacement. On motions of Councilmember Gilbreath, seconded by Councilmember Harrison, the City Council agreed that approval of an agreement and construction of the Highland Avenue Water Pipeline Replacement Project, Project No. 71274, is exempt from review under Section 15302 of the California Environmental Quality Act guidelines, approved the Project plans and specifications and awarded a construction contract to MCC Pipeline, Incorporated in the amount of \$219,567.00 for the work.

Exclusive Negotiations – Interim Development Services Director James Troyer provided background and explained the need for a new exclusive real estate negotiating agreement with ALN Redlands District, LLC. On motions of Councilmember Gilbreath, seconded by Mayor Pro Tem Barich, the City Council agreed that approval of an exclusive negotiating agreement for APN 0169-281-19 and 0169-281-23, is exempt from review under Section 15061(b)(3) of the California Environmental Quality Act guidelines, and approved the Exclusive Negotiating Agreement between the City of Redlands and ALN Redlands district, LLC.

Real Property Purchase – Interim Development Services Director James Troyer presented a summary of details involved in the sale of City owned property, the Redlands Mall parking lot, APN 0171-053-03, 04, 06 and 0171-251-06, 07, 08, 09, and 10. As public comment Stephen Rogers restated his concerns as to whether an appraisal was performed to determine the appropriate value. Bill Cunningham questioned the property purchase price but was satisfied to hear the lots are guaranteed to remain as public parking for five years. On motions of Councilmember Gilbreath, seconded by Councilmember Harrison, the City Council agreed that approval of a purchase and sale agreement for APN 0171-053-03, 04, 06 and 0171-251-06, 07, 08, 09, and 10 is exempt from review under Section

15061(b)(3) of the California Environmental Quality Act guidelines, and approved the Purchase and Sale Agreement between the City of Redlands and Brixton Redlands, LLC.

COUNCILMEMBER ANNOUNCEMENTS AND ACTIVITIES:

Mayor Pro Tem Barich is looking forward to the Coffee with the Council scheduled for this Saturday, March 11, 2017 at the Community Center on Lugonia Avenue.

Councilmember Gilbreath attended the Omnitrans Board of Directors meeting on March 1, 2017.

Councilmember Harrison announced a community event, hosted by the Friends of Redlands Skatepark (FORS), to raise awareness and funds for the skatepark. The event will be held April 22, 2017 at its future site at Sylvan Park, offering lots of activities including food vendors. He congratulated FORS since it was awarded a \$25,000 grant from the Tony Hawk Foundation. He attended the San Bernardino County Transit Authority (SBCTA) meeting where a ten-year plan was adopted, including projects related to Redlands. As the liaison to the Municipal Utilities/Public Works Commission, he has attended all the meetings discussing the proposed solid waste rate adjustments. He participated in the Emerald Necklace Tour put on by the Conservancy and toured the Southern California Regional Authority facility in Los Angeles.

Councilmember Tejada attended the Special Airport Advisory Board Meeting on March 1, 2017 and is also looking forward to the Coffee with the Council scheduled for this Saturday, March 11, 2017 at the Community Center on Lugonia Avenue.

Mayor Foster represented the City for a dedication of the new baseball field at Redlands Seventh Day Adventist School, by throwing out the first pitch. He attended the swearing in of the new Board of Directors of the Family Service Association and met with Supervisor James Ramos on March 6, 2017, which included discussion on a number of County issues.

ADJOURNMENT:

There being no further action required the meeting adjourned at 8:21 P.M. The next regular meeting of the City of Redlands City Council will be held on March 21, 2017.