

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 May 7, 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 Pro Tem 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 real property negotiator – Government Code §54956.8
Property: APN 0300-321-34
Agency negotiators: N. Enrique Martinez, Oscar Orci
Negotiating party: Curtiss Allen
Under negotiation: Terms and price for City purchase of property
2. Conference with real property negotiator – Government Code §54956.8
Property: APN 022-111-02
Agency negotiators: N. Enrique Martinez, Fred Mousavipour
Negotiating party: Jill Wicke representing Metropolitan Water District
Under negotiation: Terms and price for City purchase of property
3. Conference with legal counsel: Existing Litigation (adjudicatory administrative proceeding) - Government Code §54956.9(d)(1) - One Case
 - a. LAFCO 3171 – Regarding the application of Treh Partners, LLC to detach from the City of Redlands approximately 13.26 acres of property located on the north side of San Bernardino Avenue, adjacent to the west side of the 210 freeway.

4. Conference with legal counsel: Anticipated litigation – Government Code §54956.9(d)(4)
 - a. One Case: Possible initiation of litigation by the City of Redlands

The meeting reconvened at 6:00 P.M. with an invocation by Councilmember Gilbreath 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, assisted by her son Michael and his friend Jen introduced “Who”, a mother Rat Terrier mix and her litter available for adoption, with fifty-two other dogs and twenty-eight cats, at the Redlands Animal Shelter. Ms. Dunham informed the Council forty-two dogs and twenty cats have been adopted since the last City Council meeting.

Proclamation – Mayor Aguilar thanked the whole team from KCAL Radio for their support for community charities and events and presented them with a proclamation declaring May 17, 2013 as *96.7 KCAL Rocks! Day*.

ANNUAL COMMISSION REPORTS

Street Tree Committee – Committee Chairperson Chris Sedmack reviewed the accomplishments of her group over the past year to include an update of the urban forest of Redlands and the completion of the Street Tree Policy and Protection Guidelines Manual.

Airport Advisory Board – John Loy introduced the members of the Board and provided an overview of the airport repaving program accomplished over the past year. He discussed other issues to be addressed by the Board in the future and the upcoming Hangar 24 Airfest.

Citrus Preservation Commission – Commission Chairman Peter Buoye reviewed the impact of changes made in the management of the City of Redlands groves and expressed satisfaction with the use of Jacinto Farming as contract manager and California Citrus Cooperative for packing house services. The biggest

challenge facing the groves in the immediate future will be the threat of the Asian Citrus Psyllid infestation and subsequent Huanglongbing disease problem.

PUBLIC COMMENT:

Bike Lanes – A large contingent from the bicycling community spoke in support of the recent addition of bike lanes to many streets around the City.

Fiscal Responsibility – Several representatives of the Redlands Tea Party expressed their opposition to increasing taxes and asked for fiscal restraint during the upcoming budget deliberations.

Flood Zones – John Berry requested the Council to look into establishing a Base Flood Elevation for the City of Redlands to protect residents against outside intervention from other government agencies making arbitrary flood area demarcations which can result in significantly adverse financial impacts on insurance rates and home values.

Traffic Safety – Richard Marshall identified the intersection of Lugonia Avenue and Orange Street as unsafe citing several accidents which have occurred at that location.

Aid for Residents with Disabilities – Bill Sandefur described an incident he experienced while trying to assist an individual with disabilities living independently within the City of Redlands. He alleged the organizations with which he dealt failed to provide adequate support and asked for assistance from staff in dealing with the situation.

CONSENT CALENDAR:

Minutes - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the minutes of the special and regular meetings of April 16, 2013 were approved as submitted.

Tolling Agreement - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved a tolling agreement between the City of Redlands and Amelia Hamilton, Trustee of the Survivor's Trust under the Cardinal Family Trust of 1990. The purpose of the agreement is to avoid costs of litigation between the parties while amicable settlement negotiations are being undertaken.

Settlement Disclosure – On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the disclosure of details of a parental indemnity agreement and release of all claims between the City of Redlands and Timothy Pepper, as Guardian Ad Litem for Adam Pepper, a minor, related to a lawsuit alleging injuries sustained by Adam Pepper when he was struck by a vehicle as he crossed the street on his bicycle at the intersection

of Pacific Street and Chestnut Avenue. Under the terms of the settlement, the Pepper's costs and attorney's fees are waived and they release the City from all claims related to the lawsuit.

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 Leasher Morris related to a lawsuit alleging injuries sustained by Mr. Morris due to a raised sidewalk at 1217 Prado Street. Under the terms of the settlement, Mr. Morris agrees to discontinue the lawsuit and the City of Redlands agrees to pay him the aggregate sum of \$1,000.

Resolution No. 7266 – Destruction of Records - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved Resolution No. 7266 approving the destruction of certain accounts payable records of the Finance Department.

Surrounding Jurisdictions' Projects - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously agreed to receive and file a report of notices of environmental actions and pending projects received from surround jurisdictions. The report discusses a recent filing of a development proposal by Prologis LP for a conditional use permit to develop a 289,327 square foot warehouse/distribution center on 13.29 acres located on the southeast corner of Alabama Street and River Bluff Road.

Air Support Consolidation - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved an agreement between the City of Redlands and the City of Fontana to regionalize police department air support programs.

COPLINK Funding - On motions of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved an agreement between the City of Redlands and Cletus Hyman for “pass-through” payments in connection with his services for the San Bernardino County Police Chiefs and Sheriffs Association COPLINK Data Sharing Project, and an additional appropriation in the amount of \$25,000 for the Project.

Fee Waiver – On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved a request from the Redlands Arts Festival Association for a waiver of all fees associated with the Redlands Festival of the Arts to be held May 24-26, 2013.

Fee Waiver – On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved a request from Mental Health Systems, Inc. for a waiver of all fees associated with the Recovery Happens event to be held September 14, 2013.

Fee Waiver – On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved a request from Redlands 4th of July, Inc. for a waiver of all fees associated with the 2013 Redlands 4th of July celebration.

Fee Waiver – On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved a request from the YMCA of the East Valley for a waiver of all fees associated with the Surfin’ USA event to be held on June 22, 2013.

Fee Waiver – On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved a request from the Redlands Optimist Club for a waiver of all fees associated with the Annual Car Show and Chili Cook-off to be held May 18, 2013.

Access for Training - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved an agreement between the City of Redlands and One Stop Landscape for entry upon property and release for use as a training site.

Commission Appointment - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the appointment of Rolland Moore to serve the remainder of an unexpired term on the Citrus Preservation Commission ending April 16, 2016.

PUBLIC HEARINGS:

Resolution No. 7270 – CDBG Action Plan – Mayor Aguilar opened the public hearing and called for a report from Janet Miller, of the Development Services Department, for background on the 2013-2014 One-Year Action Plan prepared for the US Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) funding consideration. On motions of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved Resolution No. 7270 approving the 2013-2014 One-Year Action Plan; directed staff to submit the 2013-2014 One-Year Action Plan to HUD and adjust the final awards to all activities contained in the 2013-2014 One-Year Action Plan by an equal percentage once the 2013-2014 final award is announced; and authorized the Mayor to execute subrecipient agreements with the selected public services agencies after receiving final approval of the 2013-2014 One-Year Action Plan from HUD.

Ordinance No. 2794 – Permitted Land Use - Mayor Aguilar opened the public hearing on a request to amend Section 3(A)(2) of the Redlands Municipal Code regarding permitted and conditionally permitted uses within the Administrative and Professional Offices District of Specific Plan 23 located south of Interstate 10 and East of Ford Street. At the request of staff, and on motion of Mayor Pro Tem

Foster, seconded by Councilmember Gardner, the City Council unanimously agreed to continue consideration of a Negative Declaration and the public hearing for Ordinance No. 2794 to the May 21, 2013 City Council meeting.

Resolutions No. 7267 and 7268 – Variance and CUP - Mayor Aguilar opened the public hearing and called for a report from Manuel Baeza, of the Development Services Department, for background on a request to waive on-site parking requirements and expand the allowed activities at the Mission Gables Bowl House located at 168 Eureka Street in the R-2 (Multiple Family Residential) District. On motions of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the Mitigated Negative Declaration for Resolutions No. 7267 and 7268 and the lease agreement with the Redlands Community Music Association (RCMA); directed staff to post a Notice of Determination in accordance with California Environmental Quality Act guidelines; approved Resolution No. 7268 granting Variance No. 767 to waive on-site parking requirements pursuant to Section 18.164.240 of the Redlands Municipal Code for a proposed public gathering facility located at the 168 Eureka Street address; and approved Resolution No. 7267 granting Conditional Use Permit (CUP) No. 689 (Revision No. 2) amending Conditions of Approval No. 4 and No. 7 to expand the allowed activities, to include weddings, parties, classes, lectures, musical and theatrical performances, meetings, business retreats, award ceremonies, catered luncheons and dinners, music lessons, and holiday celebrations at the Mission Gables Bowl House at 168 Eureka Street and allow the facility to be rented or otherwise used for RCMA events year round, seven days per week. On days when performances are scheduled at the Bowl, the facility may only be used or rented if the event does not conflict with performances at the Bowl, including compliance with the parking plan.

NEW BUSINESS:

Lease Agreement - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved a lease agreement between the City of Redlands and the Redlands Community Music Association for the use of the Mission Gables Bowl House.

Fuel Purchase Increase - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved a \$54,000 increase to an annual purchase order for LNG/CNG fuel with Applied LNG Technologies for a total new amount of \$433,500 for FY 2012-2013.

Ordinance No. 2792 – Administrative Citations – Chris Boatman, of the Quality of Life Department, provide a summary of proposed changes to the City of Redlands Administrative Citation process. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the introduction of Ordinance No. 2792 amending Chapter 1.22 of the Redlands Municipal Code relating to Administrative Citations.

Police Laptop Computers – Police Commander Chris Catren defined the need for 45 new laptop computers for the Redlands Police Department. On motions of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the purchase of 45 Panasonic Toughbook ruggedized computers and 45 port replicators from CDW-G in the amount of \$229,602.33.

Police Vehicles – Shayna Walker, of the Redlands Police Department, defined the need for eight patrol units for the Redlands Police Department. On motions of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the purchase of eight Ford Interceptor Utility patrol units in the amount of \$202,670.32 per the State of California’s contract number 1-12-23-14.

Custody Services - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved a purchase order for annual custody services with G4S Secure Solutions in the amount of \$79,394 for FY 2013-2014.

Detachment Application – Development Services Director Oscar Orci reviewed the process involved for an application from Treh Partners, LLC to detach their property from the City of Redlands and annex to the County of San Bernardino Fire Protection District and its Valley Service Zone and annex to the County Service Area 70 and its Zone EV-1. The property in question contains two contiguous parcels which total 13.26 acres located on the north side of San Bernardino Avenue, west of the 210 Freeway. As a public comment, Bill Cunningham expressed strong opposition to the detachment and suggested a quid pro quo arrangement to replace the area of influence lost to the City of Redlands if the proposal is approved. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously agreed to direct staff to provide written notice pursuant to the provisions outlined in Section 99 of the Revenue and Tax Code to extend the period by an additional 30 days to respond to the Local Agency Formation Commission (LAFCO) regarding the distribution of ad valorem taxes.

Pipeline Replacement – Greg Brooks, of the Municipal Utilities and Engineering Department, summarized the details of the Brookside Avenue and Ash Street Water Pipeline Replacement Project. On motions of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously agreed the pipeline replacement project is categorically exempt from further environmental review in accordance with the State of California Environmental Quality Act guidelines, approved the Project plans and specifications, and awarded a construction contract to Miramontes Construction Co., Inc. in the amount of \$354,350 for the work.

Resolution No. 7269 – Measure “I” CIP – Ross Wittman, of the Municipal Utilities and Engineering Department, summarized changes which add and delete

candidate streets for repaving in the Five-Year Measure “I” Capital Improvement Program (CIP). On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved Resolution No. 7269 amending the Five-Year Measure “I” CIP.

COUNCILMEMBER ANNOUNCEMENTS AND ACTIVITIES:

Heritage Park - Both Mayor Aguilar and Mayor Pro Tem Foster highlighted the events of the community work day at Heritage Park on Saturday, April 27, 2013, when about 2,400 people, representing over 130 volunteer organizations, gathered, toiled and transformed the area. Their efforts will be appreciated for years to come and the Park is well on its way to becoming a lovely recreation and education site for all of Redlands.

SCAG General Assembly – Councilmember Harrison attended the Southern California Associated Governments (SCAG) Regional Council and General Assembly where efforts focused on passing a budget and looking forward to the next cycle of talks on the Regional Transportation Plan and Sustainable Community Strategy.

Healthy Redlands – Councilmember Gilbreath announced the next meeting will be on Thursday, May 23, 2013, at 4:00 P.M, in the City Council Chambers, for those interested in participating in planning for a Healthy Redlands Program and thanked the Police and Fire Departments for their expression of support and participation in getting the Program off the ground.

Airshow Shuttle Service - Councilmember Gilbreath also announced there would be shuttle service from various points around the City to the airport to relieve the limited parking situation at the Hangar 24 Airfest on May 18, 2013.

ADJOURNMENT:

There being no further action required Mayor Aguilar adjourned the meeting at 7:58 P.M. The next regular meeting of the City of Redlands City Council will be held on May 21, 2013.