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 September 3, 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; 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
   General Employees Association of Redlands (SBPEA)
   Redlands Civilian Safety Employees Association
   Redlands Police Officers Association
   Redlands Association of Safety Management Employees

2. Conference with legal counsel: Existing litigation – Government Code §54956.9(d)(1) Three Cases
   a. Shelley Rodriguez v. City of Redlands et al, San Bernardino Superior Court Case No. CIVDS 1016720
   c. Mamco, Inc. v. City of Redlands, Riverside Superior Court Case No. RIC 1301249
   a. Facts and circumstances: Consideration of a claim by Salvador Lopez/Integrity Trucking
   b. Facts and circumstances: Consideration of a claim by RepWest Insurance as subrogee of U-Haul International

   a. Facts and circumstances – Consideration of a threat of litigation from Amelia Hamilton, as trustee of the Survivor’s Trust created under the Cardinal Family Trust of 1990

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

6. Conference with real property negotiator – Government Code §54956.8
   Property: APN 0171-022-13
   Agency negotiators: N. Enrique Martinez, Oscar Orci
   Negotiating party: Veronica Burgess representing Property One, LLC
   Under negotiation: Terms and price for purchase of City property

7. Conference with real property negotiator – Government Code §54956.8
   Property: APN 0175-144-34
   Agency negotiators: N. Enrique Martinez, Fred Cardenas
   Negotiating party: Tim Rochford
   Under negotiation: Terms and price for purchase of City property

The meeting reconvened at 6:01 P.M. with an invocation by Mayor Pro Tem Foster 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. Councilmember Harrison recused himself from discussions with Property One LLC due to his employment relationship with the company’s owner.

PRESENTATIONS:

Redlands Animal Shelter – Animal Control Officer Bill Miller introduced “Conrad”, a six year old male Boston Terrier mix, who is available for adoption, with sixty-five other dogs and one hundred and one cats, at the Redlands Animal Shelter. Officer Miller informed the Council that one hundred and seventeen
dogs, fifty-four cats and eight rabbits have been adopted since the last City Council meeting.

PUBLIC COMMENT:

Hillside Cemetery – Andrew Hoder described a continuing loss of manpower at the Hillside Cemetery offices and expressed concerns that the quality of service is decreasing.

CONSENT CALENDAR:

Minutes - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the minutes of the regular meeting of July 16, 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 September 21, 2013 as A Day for Kids.

Proclamation - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved a proclamation declaring the week of September 17-23, 2013 as Constitution Week.

Proclamation - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved a proclamation recognizing Eritrea National Day.

Proclamation - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved a proclamation declaring October 17, 2013 as Earthquake Shake Out Day.

Commission Appointment - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the appointment of Donn Grenda to the Historic and Scenic Preservation Commission to serve the remainder of an unexpired term ending September 18, 2017.

Discount Agreement - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved an agreement between the City of Redlands, the State of California and Microsoft Volume Licensing Group for Microsoft Select Licensing.

Resolution No. 7307 – Records Destruction - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved Resolution No. 7307 authorizing the destruction of certain public records maintained by the Redlands Police Department consisting of citizen complaints and internal investigations more than five years old.
Sobriety Check Grant – At the request of staff, this item was removed from the agenda for consideration at a later date.

Traffic Enforcement Grant - At the request of staff, this item was removed from the agenda for consideration at a later date.

Volunteer 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 HandsOn Inland Empire United Way Agency for volunteer services.

MOU Amendment - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved a side letter to amend the Memorandum of Understanding (MOU) between the City of Redlands and the Redlands Association of Fire Management Employees.

MOU Amendment - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved a side letter to amend the Memorandum of Understanding (MOU) between the City of Redlands and the Redlands Professional Firefighters Association.

Resolution No. 7310 – PERS Reports - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved Resolution No. 7310 paying and reporting the value of employer paid member contributions to the California Public Employee Retirement System (PERS) – Miscellaneous.

Resolution No. 7311 – PERS Reports - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved Resolution No. 7310 paying and reporting the value of employer paid member contributions to the California Public Employee Retirement System (PERS) – Fire Safety.

Resolution No. 7312 – Reimbursement for Training - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved Resolution No. 7312 accepting a grant and authorizing a Memorandum of Understanding between the City of Redlands and the Urban Area Initiative for reimbursement of training/events for fire and emergency operations.

Emergency Operations MOU - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved a Memorandum of Understanding (MOU) between the City of Redlands and the San Bernardino County Department of Public Health for the provision of a point of dispersing trailer and for site/facility use.
Emergency Operations MOU - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved a Memorandum of Understanding (MOU) between the City of Redlands and the San Bernardino County fire Department Office of Emergency Services for the use, storage and deployment of a Mass Care and Shelter Trailer/Cache.

FEMA Grant - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the acceptance of a grant from the Federal Emergency Management Agency (FEMA) 2011 Homeland Security Grant Program and authorized an additional appropriation in the amount of $22,117.

Park Donation - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the acceptance of a donation from the Friends of Prospect Park, in the amount of $39,170, for maintenance and repairs to the Prospect Park Carriage House and authorized an additional appropriation in that amount to the Quality of Life Department.

Fee Waiver - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved a request from the River Church to waive all fees associated with the Beautiful Run 5K to be held on September 21, 2013 at Prospect Park.

Fee Waiver - On motion of Mayor Aguilar, seconded by Mayor Pro Tem Foster, the City Council approved a request from the Fuchsia Fellowship Ministries to waive all fees associated with a fundraiser held on August 25, 2013 at Sylvan Park. Councilmembers Harrison and Gilbreath voted no on the request citing problems with the lack of details in the application which was not clear as to the beneficiaries of the fundraising.

Fee Waiver - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved a request from Assemblyman Mike Morrell to waive all fees associated with the Military Family Pancake Breakfast to be held on September 7, 2013 at Sylvan Park.

Resolution No. 7285 – Energy Efficiency - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved Resolution No. 7285 amending the Southern California Gas Company Energy Leader Partnership Program and implementing efficiency programs.

Energy Efficiency - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved an agreement between the City of Redlands and Southern California Edison for strategic plan funding and implementation of energy efficiency programs.
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 RFB A-2013-001: Refuse, Green Waste and Recycling Automated Containers.

LCNG Station Expansion - On motion of Mayor Pro Tem Foster, seconded by Councilmember Harrison, the City Council unanimously approved a contract between the City of Redlands and Fuel Solutions, Inc., in the amount of $37,883, for technical consulting and design services associated with the Liquid Compressed Natural Gas (LCNG) station expansion.

Resolution No. 7047 – Water Entitlement Exchange Authority - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved Resolution No. 7047 authorizing approval and execution of agreements to exchange entitlement water without prior Council approval.

Right-of-Way Services - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved an amendment to an agreement between the City of Redlands and Paragon Partners LTD to perform right-of-way appraisal and acquisition services.

PUBLIC HEARINGS:

Resolutions No. 7313, 7316 and 7315 – Hillwood Investment Partners – Applicant – Mayor Aguilar opened the hearing and called upon Manuel Baeza, of the Development Services Department to provide background on the proposed development of a 1,015,740 square foot warehouse/distribution “fulfillment” center on approximately 50.66 acres. The project site is comprised of six (6) contiguous parcels located on the south side of Lugonia Avenue, the east side of Bryn Mawr Avenue immediately north of the I-10 Freeway, approximately 635 feet west of California Street. As a public comment, Andrew Hoder questioned the magnitude of impact considered in studies presented as to truck traffic associated with the proposed facility and asked about the trees included in the developer’s landscape plan. Tom Dodson, environmental consultant for the applicant, addressed concerns expressed in a written comment received from Briggs Law Corporation during the meeting. On motions of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council determined, based on the whole of the administrative record to date, that the information contained in the whole record justifies the adoption of a mitigated negative declaration for the fulfillment center project; approved the Mitigated Negative Declaration and the accompanying mitigation monitoring and reporting program for the Redlands Fulfillment Center project; adopted Resolution No. 7313 approving the Socio-Economic Cost/Benefit Study for the project; adopted Resolution No. 7316 approving Parcel Map No. 19461 to revert to acreage six (6) contiguous lots into one (1) parcel, which delineates dedications that will and will not be vacated and dedications required in connection with the reversion to acreage, with an area of
50.66 acres located north of the Interstate 10 Freeway, along the south side of Lugonia Avenue, and the east side of Bryn Mawr Avenue within Concept Plan No. 3 of the East Valley Corridor Specific Plan; adopted Resolution No. 7315 rescinding Concept Plan No. 3 for the East Valley Corridor Specific Plan and approving Planned Development No. 2 for East Valley Corridor Specific Plan to facilitate the development of the project; and directed staff to post a Notice of Determination in accordance with the state CEQA guidelines. Councilmember Harrison voted No on all of the motions involved, stating his opposition to the fulfillment center project.

Resolution No. 7298 – Municipal Services Delinquency Report – Mayor Aguilar opened the hearing and called upon Finance Director Tina Kundig to provide background on a request for lien action against properties listed as delinquent for overdue payment of municipal services fees. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved Resolution No. 7298 approving the Delinquent Municipal Service Account Report and subsequent submittal of this report to the Auditor of San Bernardino County for recordation of a Special Assessment on the 2013-2014 tax roll against property resulting from non-payment of a City of Redlands municipal services account.

Resolution No. 7300 – Public Park Abandonment – Councilmember Harrison recused himself from discussion and voting on this item due to his source of income relationship with the prospective buyer of the subject property. Mayor Aguilar opened the hearing and called upon Development Services Director Oscar Orci to provide background on a request to abandon a 1.37 acre parcel which was created when Highway 99 was built, bisecting Jennie Davis Park. As a public comment, Steve Rogers asked for more detail on the transaction. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council approved Resolution No. 7300 authorizing the abandonment of the property acquired by the City of Redlands for use as a public park.

COMMUNICATIONS:

Fee Waiver Policy – Mayor Aguilar provided an update on the City Council and Staff efforts to address the policy to be used for the waiving of fees associated with events held within the City of Redlands. At the request of staff, further discussion and decisions on this subject will be deferred to next spring. Until then, the current policy will be used.

Healthy Redlands – Councilmember Gilbreath reviewed the success of the summer camp and highlighted upcoming events during Fire Prevention Week and the holiday season. Recognition of contributors to the Healthy Redlands effort is on the agenda for the next regular City Council meeting.

General Plan Update – Councilmember Harrison introduced the idea of applying for a Strategic Growth Council (SGC) Planning Grant, either as the City alone, or
jointly with Southern California Associated Governments (SCAG), for the purpose of funding a General Plan update. Staff was tasked with providing an assessment of the feasibility of a successful grant under the SGC focus area of innovative incentives for sustainable development implementation. As a public comment, Steve Rogers took credit for keeping City Council’s attention on the need for a General Plan update.

NEW BUSINESS:

Grove Sales Proceeds – To accommodate scheduling conflicts, this item was moved within the agenda and addressed out of the sequence published. Roy Cencirulo, Chairman of the Parks and Recreation Commission, presented a list of priorities categorized as health and safety, facility upgrades, and amenities and recommended by the Commission for use in allocating funds from the proceeds of the sale of the Nevada Palmetto Groves. As a public comment, Susan Broderick thanked Dr. Cencirulo and the commission for including a skate park as one of the priorities and said she is busy with many people trying to find money to support building a facility for skaters and skateboarders. Steve Rogers expressed his support for a skate park. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously agreed to receive and file the list of priorities and directed staff to cost out the top five priorities in each category for use by the Council subcommittee for Public Benefit Resources in their overall recommendation for use of the Nevada Palmetto Groves proceeds.

Residential Development Allocation – Tabitha Kevari, of the Development Services Department, summarized development proposals from JEC Enterprise, Inc. and Brush Creek Ranch Company, Inc. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved Residential Development Allocation 2013-III-01 allocating six units to JEC Enterprise, Inc., Tract No. 12382. Councilmember Gardner recused himself from discussion and voting on Residential Development Allocation 2013-III-02 which involved development of an area close to his residence. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gilbreath, the remaining members of the City Council approved allocating twenty-six units to Brush Creek Ranch Company, Inc., Tentative Tract Map No. 18882.

Ordinance No. 2796 – Animal Control – Police Chief Mark Garcia presented background on a problem with the process used to determine if a dog is potentially dangerous or vicious. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the introduction of Ordinance No. 2796 amending Chapter 6.05 of the Redlands Municipal Code relating to potentially dangerous or vicious dogs. Adoption of the ordinance establishes a more efficient and less expensive process for dog owners and the City.

Resolution No. 7318 – Enterprise Fund Policy – Emad Gewaily, of the Finance Department provided the rationale for requesting the establishment of guidelines
for the use of enterprise fund monies. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved Resolution No. 7318 establishing an enterprise fund policy.

Resolution No. 7319 – Lien Notification Policy – Cindy Tryon, of the Finance Department, summarized issues leading to a request for the establishment of guidelines for a lien notification process. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved Resolution No. 7319 establishing a lien notification process policy.

Fingerprint Services - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the annual payment of $72,972.90 to the San Bernardino County Sheriff's Department for providing fingerprint identification services.

Tree Trimming – Quality of Life Director Fred Cardenas introduce a plan to utilize funds from a settlement with the Seventh-Day Adventist Church to increase efforts in the area of tree trimming and removal. As a public comment, Steve Rogers suggested the excess funds from the settlement should be returned to the church. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the plan and authorized an increase of $73,889 in the annual purchase order with West Coast Arborists.

Green Waste Diversion - Quality of Life Director Fred Cardenas summarized the need for amendments to the City’s green waste diversion program. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved a four year agreement, with one additional option year, between the City of Redlands and One Stop Landscape Supply to provide processing services for the diversion of green waste and wood waste, and authorized the amendment of the current annual purchase order to include processing activities from July 16, 2013 through June 30, 2014 in the amount of $427,910.

Fleet Maintenance - Quality of Life Director Fred Cardenas summarized the need for amendments to the City’s fleet maintenance program. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved amendments to agreements between the City of Redlands and Johnson Machinery for an additional $110,000 and Crest Chevrolet for an additional $80,000 for equipment maintenance and repair, Parkhouse Tire for an additional $110,000 per year for two years for tires and tire services, and Southern California Fleet Services for an additional $110,000 for heavy duty on-road equipment maintenance and repair service.

Park Restroom Rehabilitation – Quality of Life Director Fred Cardenas reviewed plans to renovate the bathroom facilities in the City’s parks. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council
unanimously approved an additional appropriation of $386,000 from the Nevada Palmetto Grove sale proceeds designated under the Parks and Recreation category for the rehabilitation of nine city park restroom facilities including the installation of automatic door locking devices.

River Wash Planning – Bob Dalquest, of the Development Services Department, provided details on a request to amend documents which define and fund planning efforts for the Santa Ana River wash. Daniel Cozad, General Manager for the San Bernardino Valley Water Conservation District, provided a brief overview of planning efforts to date. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved an amendment to the agreement forming the Upper Santa Ana River Wash Land Management and Habitat Conservation Task Force and the appropriation of $18,638 in the General Fund to the Development Services Department for Other Professional Services.

Resolution No. 7320 - Land Detachment – Development Services Director Oscar Orci presented a summary of events leading to a recommendation to support a request 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, the County Service Area 70 and its Zone EV-1. As a public comment, Bill Cunningham cautioned against relinquishing planning control of the northern entry to the City of Redlands. Steve Rogers expressed his disapproval of the process used for this decision. Tom Robinson, of Treh Partners, stated assurance that the City’s interests would be observed. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved Resolution No. 7320 approving Local Agency Formation Commission No. 3171A; the reorganization and detachment of approximately 13.26 acres of property located on the north side of San Bernardino Avenue, adjacent to the west side of the 210 freeway, APNs 0292-072-07 and -12. The City Council also approved a detachment agreement between the City of Redlands and Treh Partners, LLC.

Resolution No. 7317 – Payment of Obligations – At the request of staff, this item was removed from the agenda for consideration at a later date.

Orange Blossom Trail – Ross Wittman, of the Municipal Utilities and Engineering Department, summarized progress on the Orange Blossom Trail Phase II planning. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved a funding agreement between the City of Redlands and the California Natural Resources Agency for the purposes of designing and constructing the Orange Blossom Trail Phase II.

Resolution No. 7263 - PARIS Loan – Chris Diggs, of the Municipal Utilities and Engineering Department, provided a review of the financing plan for the
Pavement Accelerated Repair Implementation Strategy (PARIS). On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved Resolution No. 7263 authorizing the submittal of a loan application to the California Infrastructure & Economic Development Bank for $2,000,000 to fund PARIS.

**University Interchange** - Ross Wittman, of the Municipal Utilities and Engineering Department, provided details on an agreement to define responsibilities and procedures for pursuing the reconstruction of the Interstate 10 interchange at University Street. As a public comment, Steve Rogers observed that other interchanges along Interstate 10 should be addressed before the one at University Street. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved a Memorandum of Understanding between the City of Redlands and San Bernardino Associated Governments for the purpose of widening and reconstructing the University Street interchange on Interstate 10.

**MUED Vehicle Replacements** - Chris Diggs, of the Municipal Utilities and Engineering Department (MUED), presented details on a request for the purchase of seven replacement vehicles. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the purchase request for $115,417.64 to Redlands Ford for four light duty pickup trucks, $60,495.34 to Sunrise Ford for two mid-size sport utility vehicles, and $158,770.50 to Sunrise Ford for one medium duty service truck.

**GEAR MOU** – Mayor Aguilar summarized efforts to present details of labor agreements to the public as they are signed. He assured those present that these efforts will continue in the future as agreements with the remaining bargaining units are ratified. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved a Memorandum of Understanding (MOU) between the City of Redlands and the General Employees Association of Redlands (GEAR).

**U of R Work-Study Program** - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council approved an agreement between the City of Redlands and the University of Redlands (U of R) to participate in the 2013-2014 Work-Study Program. Mayor Aguilar recused himself from discussion and voting on this item due to his source of income relationship with the University.

**COUNCILMEMBER ANNOUNCEMENTS AND ACTIVITIES:**

**Bike Alliance** – Councilmember Gilbreath described details of a program beginning in Redlands by which numbers of school students are congregating at various locations within the City to ride bicycles as a group, safely to school. They are also providing tips on rider safety practices and bicycle maintenance.
Fighting Crime – Mayor Pro Tem Foster met with small business owners recently to explore alternatives to prevent crime in the downtown business district.

ADJOURNMENT:

There being no further action required, Mayor Aguilar adjourned the meeting at 9:00 P.M. The next regular meeting of the City of Redlands City Council will be held on September 17, 2013.