

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 15, 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

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 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

The meeting reconvened at 6:01 P.M. with an invocation by Mayor Aguilar 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 discussion and voting on the conference with real property negotiator due to his employment relationship with the owner of Property One, LLC.

PRESENTATIONS:

Redlands Animal Shelter – No report.

RESA Donation – Mayor Aguilar and both Commander Catren and Chief Frazier expressed jointly their appreciation to Ken Ramirez, Tribal Council Secretary of the San Manuel Band of Mission Indians, for their donation in support of the Redlands Emergency Services Academy (RESA).

PUBLIC COMMENT:

Street Maintenance – Andrew Hoder highlighted the need for pavement repairs on Michigan Street between Clark Street and Olive Avenue.

Altering Projects – Al Kelley asked for clarification on aspects of the Redlands Municipal Code dealing with the altering of projects.

Administrative Citation – Harmin Chera asked for relief with a citation he has pending on his property at 1323 West Colton Ave.

Transgender Use of Bathrooms – Sam Wong expressed concern about AD1266, a law of the State of California which would allow discretionary use of either gender lavatory facilities by transgender students.

Roof Leak – Dennis Bell noted that the recently repaired roof of the A.K. Smiley Library showed signs of a leak during our recent rain storm.

Use of Funds – Steve Rogers read from a letter he wrote to the Deputy District Attorney in an effort to keep alive an investigation into the collection and expenditure of development impact fees in the City of Redlands.

CONSENT CALENDAR:

Minutes - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the minutes of the regular meeting of October 1, 2013 were unanimously approved as submitted.

Resolution No. 7332 – Bank Signators - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved Resolution No. 7332 designating the authorized signers on all City of Redlands accounts held with Union Bank, N.A.

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.

DUI Checkpoints - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved an Office of Traffic Safety Avoid the 25 Grant and a Memorandum of Understanding between

the City of Redlands and the City of Ontario to conduct regional Driving Under the Influence (DUI) enforcement for local law enforcement agencies.

Joslyn Center Use – On motion of Mayor Pro Tem Foster, seconded by Councilmember Gilbreath, the City Council unanimously approved a facility use agreement between the City of Redlands and the Redlands Community Music Association (RCMA) for the use of the Joslyn Senior Center for the purpose of rehearsals by performers contracted with the RCMA. As a public comment, Dennis Bell asked why the previous agreement with the RCMA, for the same purpose, had been allowed to lapse.

Fee Waiver - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved a request from the Cystic Fibrosis Foundation to waive all fees associated with the use of Brookside Park for the Redlands Great Strides event to be held on April 26, 2014.

Security Deposit Management - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved two escrow agreements between the City of Redlands and MCC Equipment Rentals, Inc. to substitute security deposits in lieu of retention for two pipeline replacement projects.

Ordinance No. 2800 – Utility Due Dates - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the adoption 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.

Ordinance No. 2744 – Various Code Changes - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the adoption 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.

Agreement Review Notice - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously agreed to receive and file a notice to conduct an annual review of approved Development Agreements between the City of Redlands and Mountainview Power Company, Robertson Ready Mix, Ltd., Cemex Construction Materials, LP, Cal-Red Facility, LLC, and Redlands Health Services and AV Associates.

Commission Appointments - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the appointments to the Parks and Recreation Advisory Commission of Glenn Brooks to fill an unexpired term ending March 1, 2015 and Kimberly Collins to fill an unexpired term ending March 1, 2017, and the reappointment of Patrick Hafley to an additional term ending March 1, 2017.

Agreement Review Notice - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously agreed to receive and file a notice to conduct an annual review of approved Development Agreement between the City of Redlands and Redlands Community Hospital.

COMMUNICATIONS:

Water Policy Representation - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously confirmed the appointments of Councilmember Pat Gilbreath as primary representative and Mayor Pete Aguilar as the alternate to the Advisory Commission on Water Policy to the Board of Directors of the San Bernardino Valley Municipal Water District.

League of Cities Delegate - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously confirmed Councilmember Jon Harrison to serve as the official voting delegate for the National League of Cities' Congress Annual Business Meeting to be held on November 16, 2013.

Treasurer's Update – City Treasurer Robert Dawes provided an overview of the investment funds held by the City of Redlands. He organized his presentation to answer four questions: (1) How much do we have? – The City of Redlands has \$112,560,375.00 in investments. (2) What can do with our investments? – There are numerous restrictions placed on a city government by law which limit the options available for investments. (3) What are we doing with our investments? – The overall return for the investment portfolio of the City of Redlands is .99% per year, compared to an average inflation rate of 1.8%. (4)How are we doing? – We're doing well for the restrictions we have, but we are losing value in the portfolio due to inflation. Mr. Dawes informed the City Council he would be making some changes in the near future to try to improve the return, but given the current economic conditions, the loss of value due to inflation will continue.

Redlands/Alabama/Colton Update – Ross Wittman, of the Municipal Utilities and Engineering Department, presented an update on the project to improve traffic flow through the intersection at Redlands Boulevard, Alabama Street and Colton Avenue. He announced the project was advertised for bid the first week in October this year. Completion of the work involved is scheduled by November 2014.

NEW BUSINESS:

Stormwater Grant – Ross Wittman, from the Municipal Utilities and Engineering Department, presented a conceptual proposal for submission to the California State Water Resources Control Board (CSWRCB) for a Proposition 84 Stormwater Grant to fund construction and rehabilitation of three City park parking lots. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously authorized staff to submit the proposal to the CSWRCB and allocated a 30% grant match if the City of Redlands is chosen to submit a full application.

Resolution No. 7333 - Measure I CIP – Ross Wittman, from the Municipal Utilities and Engineering Department, provided background on the requirement and derivation of the Five Year Measure I Capital Improvement Plan (CIP). On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved Resolution No. 7333, the CIP for FY2013-2014 through FY2017-2018.

Arroyo Reservoir Improvements – Greg Brooks, from the Municipal Utilities and Engineering Department, presented details on Project No. 71245, Arroyo Reservoir Recoating and Improvements. On motions of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously agreed the Project is categorically exempt from further environment review in accordance with California Environmental Quality Act guidelines, rejected a bid submitted by Crosno Construction, Inc. pursuant to California Public Contract Code Section 5103, and awarded a contract between the City of Redlands and Pacific Titan, Inc., in the amount of \$403,015.00, for the work.

Computer Replacement – Interim Chief Information Officer Danielle Garcia presented a proposal to upgrade the City of Redlands desktop computers. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously authorized the purchase of ninety replacement personal computers and forty-nine monitors for a cost not-to-exceed \$63,835 from Technology Innovation Group.

Network Upgrade - Interim Chief Information Officer Danielle Garcia presented a proposal to upgrade the Police Department's mobile private network used to connect mobile computers to existing secure servers. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the cooperative purchase of mobile private network services for the Police Department's mobile data computers via the State of California's contract with Verizon for the provision of such services for a period of up to three years for a cost not-to-exceed \$12,700 per twelve-month period.

Auditing 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 Lance, Stroll & Lunghard for professional auditing services to include a revised scope of work for the audit of FY2012-2013 and to include the addition of audit years 2013-2014 and 2014-2015.

Ordinance No. 2799 – Administrative Citations – Chris Boatman, of the Quality of Life Department introduced a request for changes in the administrative citation program and the deletion of sections of the Redlands Municipal Code (RMC) related to bee keeping within the City. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the introduction of Ordinance No. 2799 amending Chapters 1.22 and 6.02 of the RMC relating respectively to administrative citations and the keeping of bees.

Refuse Containers - Quality of Life Director Fred Cardenas introduced a request for authorization to purchase replacement automated refuse containers for existing and new solid waste customers. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved an annual purchase order with Otto Environmental Services for the amount of \$220,000.00.

Landfill Gas Engineering and Reporting - Quality of Life Director Fred Cardenas provided background on the requirement for landfill gas engineering support and reporting. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved an agreement between the City of Redlands and GC Environmental, Inc. to provide consulting services for landfill gas engineering support and reporting for the California Street Landfill.

CDBG Program Future – Janet Miller, of the Development Services Department, provided an update of the City of Redlands Community Development Block Grant (CDBG) Program and listed options for guidance to proceed. As a public comment, Cheryl Heesen, of Redlands Family Service Association, pointed out other HUD funds available to her programs if the City enters into a Cooperation Agreement with San Bernardino County. Steve Rogers suggested any Capital Improvement funds which become available should be used to install lighting for public safety. Consensus of the discussion on this item agreed to continue to move forward as previously determined and enter into a Cooperation Agreement with the County.

Resolution No. 7330 – Parcel Map No. 19496 – Development Services Director Oscar Orci introduced a request to revert to acreage five contiguous lots into one parcel which delineates dedications which will and will not be vacated and dedications required in connection with the reversion to acreage, with an area of 35.59 acres located on the north side of Lugonia Avenue, the south side of Almond Avenue, and the east side of California Street in the EV/SD (Special Development) District of the East Valley Corridor Specific Plan. As a public

comment, Steve Rogers suggested the actions proposed are “technically inappropriate”. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved Resolution No. 7330 initiating proceedings to revert property to acreage.

Resolution No. 7317 – Agreement Enforcement – At the request of staff, this item was removed from consideration on the agenda.

Purchase and Sale - Development Services Director Oscar Orci provided background on a purchase and sale agreement associated with 1.37 acres of vacant land, triangular in shape, located north of Redlands Boulevard, west of Texas Street, south of Stuart Avenue and east of New York Street. As a public comment, Steve Rogers suggested the sale should be contingent upon a clearance letter from the Environmental Protection Agency. Assured that it is, and on motions of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council agreed the Purchase and Sale Agreement is categorically exempt from review in accordance with California Environmental Quality Act guidelines, and approved the Agreement and Escrow Instruction for Assessor’s Parcel No. 0171-022-13 by and between the City of Redlands and Property One LLC. Councilmember Harrison recused himself from discussion and voting on this item due to his employment relationship with the owner of Property One, LLC.

Agreement Review Notice - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council agreed to receive and file a notice to conduct an annual review of approved Development Agreement between the City of Redlands and Esri. Councilmember Harrison recused himself from discussion and voting on this item due to his employment relationship with Esri.

PUBLIC HEARINGS:

Ordinance No. 2798 and Resolution No. 7321 – Annexation No. 91 – At the request of staff, and on motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously agreed to continue this public hearing to the November 5, 2013 City Council meeting.

Conditional Use Permit No. 905 – Extension of Time - At the request of staff, and on motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously agreed to continue this public hearing to the November 5, 2013 City Council meeting.

Resolution No. 7331 – Historic Resource Designation - Mayor Aguilar opened the public hearing and called upon Tabitha Kevari, from the Development Services Department, to provide background on a request to designate as a Historic Resource property located at 12261 Wabash Ave, also known as Crystal Springs Ranch, within the A-1 (Agricultural) and R-A-A (Residential Estate-Animals) Districts. This is the second public hearing for this item. At the first

meeting on this subject on March 6, 2012, the item was tabled to allow parties to negotiate an agreement to accommodate both sides concerns. As the Nominator, Pamela Smyth presented her rationale and support for the designation. Representing the property owner, Pat Meyer presented a proposal to divide the property into three developable lots occupying approximately 10% of the total acreage and one parcel encompassing the remaining 90% which the owner would donate to the City of Redlands for historic preservation. Several public speakers expressed their support for the Historic Resource designation of the entire property. Tim Green spoke in opposition, expressing his concern for property owners' rights. Mayor Aguilar summarized concerns expressed in this hearing as falling into the three categories of scenic, habitat and fire safety. Further discussion made clear a lack of support for the designation at this meeting. Faced with the alternatives of tabling the issue a second time or disapproving the designation, the City Council chose to act, citing the fact that other planning and approval processes remain to control the development of the property. On motion of Councilmember Gardner, seconded by Councilmember Gilbreath, the City Council denied the request for the Historic Resource Designation of the entire property. Councilmember Harrison voted No on the motion.

COUNCILMEMBER ANNOUNCEMENTS AND ACTIVITIES:

125th Anniversary Celebration – Mayor Pro Tem Foster provided a summary of the upcoming events scheduled to celebrate the *quasiquicentennial* anniversary of the incorporation of the City of Redlands. Saturday, November 2nd, will be the all-day Extravaganza. Monday, November 11th, will be the Veterans' Day Parade and Picnic, and Friday and Saturday, November 15th and 16th will be the original music production, Redlands, My Redlands. Finally, the City of Redlands will celebrate its birthday at the Esri/University of Redlands Forum on November 26th and 27th.

Believe Walk – Councilmembers Gilbreath and Gardner participated in this very successful event and suggested next year the loud music associated with the Walk should start later. It was too loud too early this year.

Healthy Redlands – Councilmember Gilbreath announced Healthy Redlands would meet in City Council chambers at 4:00 PM on October 16, 2013.

SCAG and SANBAG – Councilmember Harrison announced his attendance at talks on the Regional Transportation Plan and Sustainable Community Strategy process held by the Southern California Associated Governments (SCAG). He also attended the San Bernardino Associated Governments (SANBAG) meeting as alternate. Discussions centered on the future of "hot lanes" concept for local interstate highways. A decision on that subject will be made in December.

ADJOURNMENT:

There being no further action required, Mayor Aguilar adjourned the meeting at 9:15 P.M. The next regular meeting of the City of Redlands City Council will be held on November 5, 2013.