

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 November 5, 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; Phil Gairson, Fire Marshal; 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

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: A portion of APN 0300-012-11 commonly known as “Crystal Springs Ranch”
Agency negotiators: N. Enrique Martinez, Oscar Orci
Negotiating party: J.A.W. Land and Trading LLC
Under negotiation: Terms and price for a proposal to transfer property to the City of Redlands
2. Conference with legal counsel: Existing Litigation – Government Code §54956.9(d)(1) – Two Cases
 - a. Geomembrane Technologies, Inc. v. R.P.S. Engineering Corp, et al., United States District Court Case No. EDCV 13-01307 RGK(SP)
 - b. City of Redlands v. Redlands Alternative Care, San Bernardino Superior Court Case No. CIVDS 1306014

The meeting reconvened at 6:06 P.M. with an invocation by Councilmember Gilbreath followed by the pledge of allegiance to the American flag led by the Boy Scouts of America, Redlands Troop 4.

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 Officer Bill Miller introduced “Iris”, a one-year old female Jack Russell/Chihuahua mix, who is available for adoption, with seventy other dogs and eighty-four cats, at the Redlands Animal Shelter. Officer Miller informed the Council that twenty-eight dogs and twenty-six cats have been adopted since the last City Council meeting.

PUBLIC COMMENT:

Redlands Poetry – Former City Councilmember Mick Gallagher introduced Jean Harp, who has written a poem in recognition of the 125th Anniversary of the incorporation of the City of Redlands. Former A.K. Smiley Library Director Larry Burgess eloquently read the poem, “Redlands, A Golden Heritage”, and Mr. Gallagher presented a plaque of the verse to be displayed in an appropriate place in City Hall.

Crosswalk Safety – Andrew Hoder read aloud from a letter he had received from the Municipal Utilities and Engineering Department with reference to his concerns about the need for crosswalk markings at the easterly side of the intersection of Michigan Street and Olive Avenue. He expressed dissatisfaction with the letter and restated his request for the markings.

Business Corridors – Mario Saucedo identified an area along Colton Avenue, from 6th Street to University Street, for which the street lights have been inoperative for a prolonged period of time, and requested repairs for that area. He also requested consideration for changing zoning requirements for the area on Colton Ave and Lawton Street to reduce or eliminate the number of massage parlors and smoke shops.

Lines of Communication - Steve Rogers read from a letter he sent to the Mayor about his public comments in previous City Council meetings and requested more access to Councilmembers external to the written comment, public comment, agenda and Council meeting proceedings. Mayor Aguilar apologized for an administrative oversight, at a previous Council meeting, which resulted in Mr. Roger’s inability to make public comment on one agenda.

CONSENT CALENDAR:

Minutes - On motion of Councilmember Gilbreath, seconded by Mayor Pro Tem Foster, the minutes of the regular meeting of October 15, 2013 were unanimously approved as submitted.

Settlement Disclosure - On motion of Councilmember Gilbreath, seconded by Mayor Pro Tem Foster, the City Council unanimously approved the public disclosure of details of a settlement and general release agreement between the City of Redlands and Shelley Rodriguez. Under the terms of the settlement, the City of Redlands will pay Ms. Rodriguez \$5,000.00 for the general release from all claims associated with a civil action lawsuit pending in the San Bernardino County Superior Court.

Fee Waiver - On motion of Mayor Pro Tem Foster, seconded by Councilmember Harrison, the City Council unanimously approved a request from the Redlands Chamber of Commerce to waive all fees associated with the Night Light Run event to be held on December 14, 2013. As a public comment, Andrew Hoder expressed disappointment in the lack of information about this item available in the City Council meeting agenda package. Daney Bashiu, President of the Redlands Chamber of Commerce, provided a summary of planned events and goals of the Night Light Run. Staff was directed to provide information subsequent to events to reflect any benefits achieved for the community by waiving the fees.

License Agreement Amendment - On motion of Councilmember Gilbreath, seconded by Mayor Pro Tem Foster, the City Council unanimously approved an amendment to an agreement between the City of Redlands and San Bernardino Associated Governments for the purpose of constructing the Orange Blossom Trail.

Bid Rejection - On motion of Councilmember Gilbreath, seconded by Mayor Pro Tem Foster, the City Council unanimously approved the rejection of all bids received in response to Request for Bids S-2013-001: Skid Steer Loader with planer and breaker attachments.

Tree Guidance – On motion of Councilmember Gilbreath, seconded by Mayor Pro Tem Foster, the City Council unanimously approved a door hanger recommended by the Street Tree Committee to be used as an Oak Tree Guide to residents.

Gasoline Vendor - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the purchase of 87 octane gasoline from Poma Distributing Co. in the amount of \$9,259.49 to comply with purchasing rules prescribed by the Redlands Municipal Code. As a public comment, Andrew Hoder requested more information be included in the agenda package to explain the need for this item on the agenda.

Ordinance No. 2799 – Administrative Citations – On motion of Councilmember Gilbreath, seconded by Mayor Pro Tem Foster, the City Council unanimously approved the adoption of Ordinance No. 2799 amending Chapters 1.22 and 6.02

of the RMC relating respectively to administrative citations and the keeping of bees.

Security Deposit Management - On motion of Councilmember Gilbreath, seconded by Mayor Pro Tem Foster, the City Council unanimously approved an escrow agreement between the City of Redlands and Davis Electric, Inc. to substitute security deposits in lieu of retention for the water distribution Supervisory Control and Data Acquisition (SCADA) System Upgrade Project.

HIPAA Protection Agreement - On motion of Councilmember Gilbreath, seconded by Mayor Pro Tem Foster, the City Council unanimously approved a business associate agreement between the City of Redlands and USI of Southern California to comply with federal and state regulatory changes regarding use of protected health information.

Commission Appointments - On motion of Councilmember Gilbreath, seconded by Mayor Pro Tem Foster, the City Council unanimously approved the appointments to the Cultural Arts Commission of Priya Jha to fill an unexpired term ending January 6, 2015 and Brenda Spoelstra to a four-year term ending January 6, 2018.

COMMUNICATIONS:

Code Enforcement Action – Chris Boatman, of the Quality of Life Department, provided a report of events leading to a code enforcement action and liens against property at 1323 West Colton Avenue. As a public comment, Simon Khinda, attorney for the property owner, presented mitigating circumstances for consideration. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously agreed to receive and file the report.

NEW BUSINESS:

SANBAG Agreement – Chris Diggs, from the Municipal Utilities and Engineering Department, presented details on an agreement with San Bernardino Associated Governments (SANBAG) to fund and construct modifications to the intersections of Redlands Boulevard and Alabama Street, and Redlands Boulevard and Colton Avenue. As a public comment, Steve Rogers stated this is Redlands' highest priority project and expressed concern that the project schedule is unreasonable. On motions of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously agreed a cooperative agreement between the City of Redlands and SANBAG to participate in the construction and funding of the intersections is categorically exempt from further environment review in accordance with California Environmental Quality Act guidelines, and approved the agreement.

Dearborn Reservoir Rehabilitation – Greg Brooks, from the Municipal Utilities and Engineering Department, presented details on Project No. 71207, Dearborn Reservoir Rehabilitation. 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 and awarded a contract between the City of Redlands and Toby B. Hayward, Inc., in the amount of \$1,444,405.00, for the work.

Water Pipeline Replacement – Municipal Utilities and Engineering Director Fred Mousavipour presented details on Project No. 71247, Mira Monte Drive Water Pipeline Replacement. 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 and awarded a contract between the City of Redlands and Nu-Cal Pipeline Corp., in the amount of \$144,556.00, for the work.

Resolution No. 7338 – Capital Project Needs Analysis – Ross Wittman, from the Municipal Utilities and Engineering Department, provided background on the requirement and derivation of the Five Year Capital Project Needs Analysis. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved Resolution No. 7338, the Five Year Capital Project Needs Analysis for FY2014-2015 through FY2018-2019 with a change in one project name from “Widen Redlands Boulevard at Intersections of Alabama Street and Colton Avenue” to read “Alabama Street Interchange”.

Intersection Facilities Modification – Municipal Utilities and Engineering Director Fred Mousavipour presented the need for a payment to Southern California Edison (SCE) as part of the Alabama Intersection Improvement Project. As a public comment, Steve Rogers said he has lost two vehicles to accidents caused by inadequate street lighting in the City of Redlands. On motions of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved authorization to pay SCE for modification of distribution facilities located at the Redlands Boulevard and Alabama Street intersection in the amount of \$66,000.00

Park Maintenance Assistance – Quality of Life Director Fred Cardenas introduced a proposal from the Friends of Prospect Park to assist with the maintenance of the park. 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 Friends of Prospect Park to provide funding of a part time City employee for the purpose of supplementing the maintenance and beautification tasks at Prospect Park.

Landfill Operations - Quality of Life Director Fred Cardenas provided background on the need for consulting services for operation of the California Street Landfill. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved an agreement between the City of Redlands and Geo-Logic Associates to provide consulting services for general operations support for the California Street Landfill.

University Donation – Finance Director Tina Kundig provided an overview of allocations defined in a donation letter from the University of Redlands. On motions of Councilmember Gilbreath, seconded by Councilmember Gardner, the City Council voted to accept the voluntary contribution of \$40,000 from the University of Redlands and authorize expenditure of these funds on behalf of the City Council of the City of Redlands and the A.K. Smiley Public Library Board as designated by the University of Redlands: For the A.K. Smiley Public Library, as determined by the Library Board, in the amount of \$11,500. For the City of Redlands Human Resources Department to permit the City to fund its 30% share of University of Redlands student employee/internship positions in the police, library, recreation and/or other City departments in the amount of \$10,000. For the City of Redlands Police Department to fund the 125th Anniversary History Books of the Redlands Police Department in the amount of \$6,000. For the City of Redlands Fire Department Emergency Services Fund to purchase two Propac LT patient monitors and two Physio-Control LifePak 1000 Automated External Defibrillators, in the amount of \$12,500. Appropriations were authorized in the amounts of \$27,500 in the General Fund, with \$11,500 in the Library, \$10,000 in Human Resources and \$6,000 in the Police Department; and \$12,500 in the Fire Department Emergency Services Fund. Mayor Aguilar recused himself from discussion and voting on this item due to his source of income relationship with the university.

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 19, 2013 City Council meeting.

Resolution No. 7339 - CUP No. 905 – Extension of Time – Mayor Aguilar opened the hearing and called upon Development Services Director Oscar Orci to provide background on a request from Howard Hughes Corporation (HHC) for an extension in time for Conditional Use Permit (CUP) No. 905 and conditions for approval. Representing HHC, Greg Fitchitt presented details of their proposal for an entry sign. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved Resolution No. 7339 concerning Revision No. 1 to CUP No. 905 to amend the conditions of approval to require the placement of a City entry sign, and approving a one year extension of time for CUP No. 905 for an approved 149,800 square foot commercial center

containing retail, restaurant, and office uses, and including a health club and a bank with drive through facilities on approximately 13.20 acres located south of the Interstate 10 Freeway and west of Eureka Street in the Town Center District of the Downtown Specific Plan No. 45.

COUNCILMEMBER ANNOUNCEMENTS AND ACTIVITIES:

HR Director – Mayor Aguilar introduced Amy Martin as the new Director of Human Resources (HR) for the City of Redlands and welcomed her to her new position.

125th Anniversary Celebration – Mayor Pro Tem Foster reviewed the success of the November 2nd, will be the all-day Extravaganza Celebration and congratulated the event committee for a job well done. The next events scheduled to celebrate the *quasiquicentennial* anniversary of the incorporation of the City of Redlands will be the Veterans’ Day Parade and Picnic on Monday, November 11th, an original music production, “Redlands, My Redlands” will be held on Friday and Saturday, November 15th and 16th. Finally, the City of Redlands will celebrate its birthday at the Esri/University of Redlands Forum on November 26th and 27th

River Wash Planning – Councilmember Harrison announced the Water District Task Force for the Santa Ana River Wash Plan will be bringing recommendations to the Council at the second meeting in November or the first meeting in December.

Healthy Redlands – Councilmember Gilbreath announced that the Healthy Redlands – Fire Prevention Week collaboration was a great success and she and Chief Frazier have agreed to continue such efforts in the future.

ADJOURNMENT:

There being no further action required, Mayor Aguilar adjourned the meeting at 7:22 P.M. The next regular meeting of the City of Redlands City Council will be held on November 19, 2013.