

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 April 15, 2014, 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, 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; Amy Martin, 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 legal counsel: Existing Litigation - Government Code §54956.9(a) – Three Cases
 - a. Christine Smith v. City of Redlands, et al, San Bernardino Superior Court Case No. CIVDS 1311312
 - b. Tovar Law v. Superior Med Surgical, Inc., et al, San Bernardino Superior Court Case No. CIVDS 1403224
 - c. Plains West Coast Terminals LLC v. California State Board of Equalization, et al, Los Angeles Superior Court Case No. BC 532872

The meeting reconvened at 6:06 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. Mayor Aguilar and Mayor Pro Tem Foster recused themselves from discussions on litigation involving Tovar Law v. Superior Med Surgical, Inc., et al.

PRESENTATIONS:

Redlands Animal Shelter – Animal Control Officer Bill Miller, introduced “Peep”, a two month old male Chihuahua, who is available for adoption along with sixty-three other dogs and twenty-five cats at the Redlands Animal Shelter. Officer Miller informed the Council seventeen dogs, ten cats, four chickens and a snake have been adopted since the last City Council meeting.

PUBLIC COMMENT:

None forthcoming.

CONSENT CALENDAR:

Minutes - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the minutes of the joint meeting on March 25, 2014, the regular meeting of April 1, 2014, and the special meeting of April 7, 2014 as submitted.

Proclamation – On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved a proclamation declaring the week of April 13 thru 19, 2014 as *National Public Safety Telecommunicators’ Week*.

Proclamation – On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved a proclamation declaring the week of May 11 thru 17, 2014 as *Blue Ribbon Week*.

Commission Appointment - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the following appointment to the Parks and Recreation Advisory Commission: Cathyeen Nece to an unexpired term ending March 1, 2015.

Commission Appointments - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the following appointments to the Human Relations Commission: Don Singer to another term ending February 3, 2017, and Ronald T. Venegas II to another term ending September 14, 2017.

Settlement Agreement - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the public disclosure of details of a settlement agreement and limited patent license between the City of Redlands and Geomembrane Technologies, Inc. resulting from a patent infringement lawsuit filed by Geomembrane against R.P.S. Engineering Corporation, URS Corporation, the City of Redlands, and Doty Brothers Equipment Company in connection with the installation of new sedimentation basin covers at the Horace P. Hinckley Water Treatment Plant.

Facility Use Agreement - On motion of Councilmember Gilbreath, seconded by Mayor Pro Tem Foster, the City Council unanimously approved facility use

agreement between the City of Redlands and Redlands Meals on Wheels for the use of the kitchen at the Joslyn Senior Center.

Cemetery Wireless Facility - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously agreed to authorize processing of a conditional use permit application for a wireless facility to be located at Hillside Memorial Park.

Ordinance No. 2805 – Ordinance Text Amendment – On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the adoption of Ordinance No. 2805 deleting Chapter 2.26 relating to the Housing Authority, deleting Chapter 2.44 relating to the former Redevelopment Agency, deleting Chapter 2.46 relating to the Relocation Appeals Board, and amending Chapter 18.156.370(A) relating to the site area requirement for Drive-Through Restaurants and Services.

Neighboring Jurisdiction Project – On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously agreed to receive and file a report of a Draft Environmental Impact Report (EIR) for the Harmony Specific Plan located on 1,657 acres at the eastern edge of Highland within the Greenspot area. The Harmony Specific Plan proposes a master-planned residential community consisting of a maximum of 3,632 residential units of varying housing types on 658 acres, and approximately 21.6 acres that could be potentially developed for neighborhood commercial uses. The Plan provides approximately 535 acres of the total 1,657 acres to remain as natural open space, and approximately 110.7 acres for neighborhood and community-level parks, and 111.8 acres of greenways. An 8-acre site is planned for a new elementary school and a 1.5-acre site is planned for a new fire station. As public comment, Albert Kelley took issue with the significant environmental impacts identified in the EIR and suggested fire and water should be included. Staff has received a copy of the Draft EIR on a CD and will review the document and provide a letter to the City of Highland regarding potential adverse impacts to the City of Redlands.

Resolution No. 7373 – Tax Revenue Exchange - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved Resolution No. 7373 determining the amount of property tax revenues to be exchanged between the City of Redlands and the County of San Bernardino as a result of the jurisdictional change described in LAFCO No. 3178.

Police WAN Services - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved a contract between City of Redlands and the County of San Bernardino, in an amount not to exceed \$19,400, for wide area network (WAN) services for the Redlands Police Department.

Resolution No. 7375 – Destruction of Records - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously

approved Resolution No. 7375 approving the destruction of certain public records in the Finance Department.

COMMUNICATIONS:

Resolution No. 7376 – Healthy Redlands – Councilmember Gilbreath introduced a resolution intended to encapsulate the determination of City Council to ensure that health concerns are incorporated into planning processes, programs and community interventions where people live, work, play and learn. On motion of Councilmember Gilbreath, seconded by Mayor Pro Tem Foster, the City Council unanimously approved Resolution No. 7376 supporting a Healthy Active Living Community.

Municipal Code Update – Councilmember Harrison introduced a proposal for a review of the Redlands Municipal Code (RMC) with a focus on updates that will bring the Code into compliance with new requirements that have been brought about by new state legislation related to economic development and green building. The City Council unanimously agreed to task the City Attorney to perform a review of the RMC and report back to the City Council regarding his findings and recommendations by the second meeting in May 2014.

Polling Agreement Amendment – Mayor Aguilar explained the need to amend an agreement for polling services to determine the best course of action for the Flood Control, ADA ramps, Sidewalks, Trees and parks (FAST) program. On motion of Councilmember Gardner, seconded by Mayor Pro Tem Foster, the City Council unanimously approved an amendment to the agreement between the City of Redlands and Passantino Anderson for polling services to increase the agreement amount to \$31,900.00 for additional services and authorized an additional appropriation of \$2,900.00.

PUBLIC HEARING:

Resolution No. 7371 – Designation of Historic Property – Mayor Aguilar opened the hearing and called upon Tabitha Kevari, of the Development Services Department, for background on a request to designate historic property within the City of Redlands. As the nominator/owner of the property, Kathy Behrens thanked several people and organizations for their assistance with the historic designation process. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved Resolution No. 7371 designating a single family dwelling located at 1240 West Olive Avenue as Historic and Scenic Resource No. 116.

Action Plan Amendment – Mayor Aguilar opened the hearing and called upon Janet Miller, of the Development Services Department, for a review of recommended changes to the Redlands 2013-2014 One-Year Action Plan. On motions of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the Substantial Amendment to the City's 2013-2014 One-Year Action Plan to include a New Sidewalks and ADA Ramps Infill Project in the amount of \$570,000 and to terminate the Economic

Development Loan Program; approved a Request for an Additional Appropriation from currently unprogrammed or budgeted funds in the amount of \$3,760 for the New Sidewalks and ADA Ramps Infill Project; and approved the First Amendment to the Agreement for the Provision of Professional Consulting Services with LDM Associates, Inc. in the amount of \$13,896.

NEW BUSINESS:

Fee Waiver – Mayor Aguilar introduced an application to serve alcohol on Airport property and a request for a waiver of fees associated with the 2014 Hangar 24 Air Fest and informed the audience that more time is required for discussions to reduce the amount of fees to be waived. As public comment, several speakers requested varying levels of disapproval. Some wanted disapproval of the fee waiver. Others wanted the application to serve alcohol denied. Still others cited reasons for cancellation of the Air Fest altogether. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously agreed to continue, to the May 6, 2014 regular meeting of the City Council, consideration of an application to serve alcohol on Airport property and a request from Hangar 24 Charities for a waiver of fees associated with the 2014 Hangar 24 Air Fest event to be held on May 16 and 17, 2014.

Library HVAC – Quality of Life Director Fred Cardenas presented an overview of the library HVAC upgrade project. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved an agreement between the City of Redlands and Design West Engineering for design, construction management (optional) and architectural historian services (optional) associated with the upgrade of the HVAC System at the A.K. Smiley Public Library in an amount not to exceed \$52,350.00.

Resolution No. 7372 – PARIS Refinancing – Ross Wittman, of the Municipal Utilities and Engineering Department, presented the rationale for a proposed change in the financing plan for the Pavement Accelerated Repair Implementation Strategy (PARIS) Program. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved Resolution No. 7372 authorizing the submittal of a loan application to the California Infrastructure and Economic Development Bank for \$5 million to help fund the PARIS Program and rescinding Resolution No. 7263.

Orange Blossom Trail – Ross Wittman, of the Municipal Utilities and Engineering Department, provided an overview of the Orange Blossom Trail, Phase I, Project No. 47015. On motions of Councilmember Harrison, seconded by Councilmember Gilbreath, the City Council unanimously agreed that approval of an agreement and construction for the Project is categorically exempt from further environmental review in accordance with Section 15162 of the California Environmental Quality Act guidelines, and awarded a contract to KAD Paving Company, in the amount of \$763,913.90, for the work.

Pipeline Rehabilitation – Risa Jones, of the Municipal Utilities and Engineering Department, provided an overview of the “B” Contract Iowa Street to Nevada Street Pipeline Rehabilitation, Project No. 71250. On motions of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council agreed that approval of an agreement and construction for the Project is categorically exempt from further environmental review in accordance with Section 15302 of the California Environmental Quality Act guidelines, and awarded a contract to TBU, Inc. in the amount of \$68,845.00 for the work.

Pipeline Replacement – Greg Brooks, of the Municipal Utilities and Engineering Department, presented an overview of the Fern Avenue and San Timoteo Canyon Road Water Pipeline Replacement, Project No. 71253. On motions of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously agreed that approval of an agreement and construction for Project No. 71251 is categorically exempt from further environmental review in accordance with Section 15302 of the California Environmental Quality Act guidelines, and awarded a contract to Pacific Utility Installation, Inc. in the amount of \$364,000.00 for the work.

Enterprise License Agreement – Chief Information Officer Danielle Garcia articulated the advantages associated with an Enterprise License Agreement (ELA) relationship with Esri. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council approved the ELA between the City of Redlands and Esri for a period of 3 years at a cost not to exceed \$90,000.00. Councilmember Harrison recused himself from discussion and voting on this item due to his source of income relationship with Esri.

Economic Action Plan – Economic Development Manager Mike Nelson summarized the FY 2014-2015 Economic Development Action Plan. On motion of Councilmember Gardner, seconded by Councilmember Gilbreath, the City Council approved the Plan. Mayor Aguilar and Councilmember Harrison recused themselves from discussion and voting on this item due to their source of income relationship with organizations mentioned in the Plan.

COUNCILMEMBER ANNOUNCEMENTS AND ACTIVITIES:

Healthy Redlands – Councilmember Gilbreath announced the next priority for the Healthy Redlands Committee will be preparation for the summer camp. She attended a Cross Fit presentation for the Redlands Police Officer Association workout gymnasium and complimented the Police Department for the program.

Beer at the Bike Races – Councilmember Gilbreath observed the success of the Redlands Classic Bike Races. Sunrise Rotary sold more beer than ever before in the history of the event.

Trails at 10 – Councilmember Harrison attended the Redlands Conservancy *Trails at 10* event which highlighted the trails to be developed throughout the Redlands area.

Anti-Lawn Parties – Councilmember Harrison hosted one of the anti-lawn parties held over the previous weekend to showcase water conservation efforts.

Day of Service – Mayor Aguilar reminded everyone of the Redlands Service Club Council work day scheduled for Saturday, April 26, 2014, with projects at Heritage Park, Israel Beal Park and on the median along Redlands Boulevard between Ford Street and Fern Avenue.

Coffee – Coffee with the Council will be held at the Olive Avenue Market on Saturday, April 19, 2014, from 9:00 A.M. and 11:00 A.M. Councilmembers Harrison and Gardner will be in attendance.

ADJOURNMENT:

There being no further action required, Mayor Aguilar adjourned the meeting at 7:29 P.M. The next regular meeting of the City of Redlands City Council will be held on May 6, 2014.