

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 20, 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: Anticipated Litigation - Government Code §54956.9(d)(2) – Two Cases
 - a. Facts and circumstances – Consideration of a claim of Southern California Gas Company
 - b. Facts and circumstances – Consideration of a claim of Dennis Sattler
2. Conference with real property negotiator – Government Code §54956.8
 - Property: APNs 0292-157-05, -06 and 0292-157-31
 - Agency negotiators: N. Enrique Martinez, Fred Mousavipour
 - Negotiating party: Redlands 7/11 Associates
 - Under negotiation: Terms and price for City purchase of easement
3. Conference with real property negotiator – Government Code §54956.8
 - Property: APNs 0300-241-17, -18, -19 and -20
 - Agency negotiators: N. Enrique Martinez, Oscar Orci
 - Negotiating party: Frank Mistretta Jr. representing the Frank J. Mistretta Family Trust and Mistretta Family Trust and Mistretta Family properties; and Sherli Leonard of the Redlands Conservancy
 - Under negotiation: Terms and price for City purchase of property

The meeting reconvened at 6:02 P.M. with an invocation by Councilmember Gardner 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 Officer Bill Miller, introduced “Scamp”, a one year old male Jack Russell mix, who is available for adoption along with forty-three other dogs and seventy-nine cats at the Redlands Animal Shelter. Officer Miller informed the Council twenty-five dogs and fourteen cats have been adopted since the last City Council meeting.

Donor Recognition – Mayor Aguilar, assisted by Police Chief Mark Garcia and Animal Control Officer Bill Miller, presented certificates and plaques to several residents in recognition of their support for the Redlands Animal Shelter. Plaques for donors of more than \$1,000 were presented to William Buster, Lorin Grow, Susan Parti, Lorrie Poyzer, Claire Reid, in Memory of Susan Taelour, Animal Medical Center of Redlands, East Valley Pet Hospital and Redlands Animal Hospital. Certificates of Appreciation were presented to Kathleen Bertrand, Michael and Jennifer Downey, Agnes Farrara, James Frazier, Bettina Pyatt and Kelly Withrow.

Fair Housing Advocacy Services - Development Services Director Oscar Orci introduced Amber Sommerville, from the Inland Fair Housing and Mediation Board, who presented a review of her agency’s activities and services. She thanked the City Council for their support through the Community Development Block Grant Program.

PUBLIC COMMENT:

Trees – An individual, who chose to identify himself only as Ken, pointed out that the City of Redlands has procedures and ordinances dealing with the protection and management of street trees, but no accommodation for privately owned trees. He asked for some consideration and perhaps intervention to deal with disputes over the destruction of older trees on private property.

CONSENT CALENDAR:

Minutes - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the minutes of the regular meeting of May 6, 2014 as submitted.

Proclamation – On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved a proclamation in recognition of the 65th Anniversary of American Legion Post 650.

Commission Appointments - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the following appointment and reappointment to the Airport Advisory Board: John M. Oros to serve a term ending May 1, 2018, and Roy Klinkebiel to serve an additional term ending May 1, 2018.

Grant Distribution Agreement – On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved an Interlocal Agreement between the City of Redlands and the Town of Apple Valley, the Cities of Adelanto, Barstow, Chino, Colton, Fontana, Hesperia, Highland, Montclair, Ontario, Rancho Cucamonga, Rialto, San Bernardino, Upland, Victorville, and Yucaipa and the County of San Bernardino concerning distribution of the 2014 Justice Assistance Grant Award; and authorized an additional appropriation of \$17,157.00 to the Police Department.

Access Agreement – 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 San Bernardino County Sheriff's Department for access to the Sheriff's Department automated systems for a three-year term from July 1, 2014 to June 30, 2017.

Data Service Transfer – On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved authorization for the Verizon Wireless business point of contact for the City of Redlands to sign the assumption of liability authorization to transfer data services of five cellular modems from the San Bernardino Associated Government's account to the City of Redlands account.

Escrow Agreement – On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved an escrow agreement between the City of Redlands and MCC Equipment Rentals, Inc. for security deposits in lieu of retention for the 2013 Capital Improvement Project Phase 2, a pipeline replacement project.

Resolutions No. 7386, 7387, 7390 and 7391 – Engineer's Reports and Intent to Levy Assessments - On motion of Councilmember Gilbreath, seconded by Mayor Pro Tem Foster, the City Council approved Resolutions No. 7386 and 7390 giving preliminary approval for the Engineer's Reports for Landscape Maintenance District (LMD) No. 1 and Street Lighting District (SLD) No. 1; approved Resolutions No. 7387 and 7391 declaring the City Council intention to levy and collect assessments for FY 2014-2015 for LMD No.1 and SLD No. 1; and established the public hearing date for these matters as June 17, 2014. Councilmember Gardner recused himself from discussions and voting on this item due to his ownership of property located within the Districts.

Facility Use Agreement - On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved a facility use agreement between the City of Redlands and the Center for Educational Leadership for use of Community Center facilities for the Inland Child and Adult Nutritional Live Healthy Program.

COMMUNICATIONS:

Flood Control – Municipal Utilities and Engineering Director Fred Mousavipour introduced Tom Ryan and John McCarty, from RBF Consultants, who presented an executive summary of the City of Redlands Flood Control Master Plan. The Plan details a blue print of missing infrastructure needed to protect the city from consequences of severe storm event or what is referred to as 100 year frequency storm event. The main objectives of the Plan are to consolidate all previous studies from multiple local and regional agencies that were prepared in last few decades and incorporate the relevant information into a new and updated flood master plan using the latest available data and technology; identify missing infrastructure necessary that will best complement the existing flood control infrastructure for the purpose of protecting the city against major storm events in a most cost effective manner; provide comprehensive, long range planning for implementation and development of citywide drainage facility improvement in the area; determine the cost of implementing the facilities; discuss and establish implementation priorities in the order of their criticality, effectiveness and cost to establish a blueprint of orderly program roll out when any fund becomes available; identify and recommend major water quality or green infrastructure opportunities aimed at capturing and maximizing surface runoff infiltration into the aquifer; and finally, using the latest state of the art computer modeling to show realistic visual representation of flood run off movement throughout the city during severe storm event. After further review and input from Councilmembers, the Plan will return to the City Council agenda for approval on June 3, 2014.

Parklet Pilot Project – Councilmember Harrison introduced Kathy Behrens and Ryan Berk, representing a group of business and community members who have been meeting to establish a parklet program within the City of Redlands. Their presentation provided an update on the group's progress and included a draft of guidelines and policies for the program, polling of businesses regarding their interest in and concerns about parklets, a questionnaire proposed for gathering shopping pattern information before and after installation of the pilot parklets, and preliminary sketches of three proposed parklets. As a public comment, Andrew Hoder reiterated his concerns about the loss of parking spaces, costs to taxpayers and the need for further detailed program definition to accommodate the parklets. This item will be returning to the City Council meeting agenda for approval on July 2, 2014.

Grove Sale Funds – Mayor Pro Tem Foster introduced a list of recommendations of the Ad Hoc Committee regarding use of the funds derived from the sale of the Palmetto Grove designated for use within the Trails and Agricultural Open Space categories. As a public comment, Bill Cunningham expressed his opposition to

the replanting of the Prospect Park citrus groves and the installation of security fencing around City groves. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the allocation of \$500,000 as matching funds towards construction of the Orange Blossom Trail and associated greenway improvements; \$120,000 as matching funds towards natural trail development and/or stabilization within the City's open space lands in Live Oak Canyon (Oakmont Park, Thompson Property, future acquisitions); \$70,000 as matching funds towards natural trail development and/or stabilization and trailhead facility development within the San Timoteo Nature Sanctuary; and \$223,646 as matching funds towards other trail development projects (e.g., Santa Ana River Trail, Zanja Trail and Greenway, other community trails) to the Trails category. The City Council also approved the allocation to the Agriculture Open Space category of \$201,352 to repay the loan from the General Fund to the Orange Grove Fund; \$150,000 towards improvements to the City groves located within the lower portion of Prospect Park based upon further discussion with the community; \$200,000 to establish a contingency reserve; and \$1,732,764, plus current and future accrued interest, toward acquisitions or conservation easements upon land currently in agricultural use or land that is suitable for agricultural use.

PUBLIC HEARINGS:

Resolution No. 7374 – Historic Property Designation – Mayor Aguilar opened the hearing and called upon Sean Kelleher, of the Development Services Department, for an overview of a request for an Historic and Scenic Resource designation for property at 255 East Olive Avenue. As a public comment, Andrew Hoder inquired as to the advantages of receiving an Historic and Scenic Resource designation for a property. On motions of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously agreed the designation of the property is exempt from the requirements of the California Environmental Quality Act and approved Resolution No. 7374 designating Heritage Hall at 255 East Olive Avenue as an historic property, Historic Resource No. 117.

Resolutions No. 7382, 7383 and 7384 – Drive-Through Request - Mayor Aguilar opened the hearing and called upon Lorelee Farris, of the Development Services Department, for background on a request to add drive-through capability to the Panera Bread restaurant at the corner of Redlands Boulevard and Cypress Avenue. Speaking for the applicant, Core States Group, Steve Reiner thanked staff for their support during the planning for this request. As a public comment, Andrew Hoder asked for assurance that landscape planning included drought tolerant planting. One resident identified a problem with deliveries being made to the Panera Bread restaurant outside the hours prescribed by their Conditional Use Permit. The applicant assured the City Council that future deliveries will be between the hours of 6:00 A.M. and 6:00 P.M. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously agreed that the information contained in the whole record justifies the adoption of a Mitigated Negative Declaration for the Core States Group Project; approved the Mitigated Negative Declaration and the accompanying mitigation monitoring and

reporting program for the project; and directed staff to post a Notice of Determination in accordance with the state California Environmental Quality Act guidelines. The City Council further unanimously approved Resolution No. 7382 approving the Socio-Economic Cost/Benefit Study for the development of a 142-square foot building addition and related site improvements to add drive-through service to an existing 4,856 square foot restaurant; Resolution No. 7383 approving Amendment No. 5 to Specific Plan No. 41 relating to property located at the southwest corner of Redlands Boulevard and Cypress Avenue; and Resolution No. 7384 approving Conditional Use Permit No. 1011 to construct a 142-square foot building addition and related site improvements to add drive-through service to an existing 4,856 square foot restaurant located at the southwest corner of Redlands Boulevard and Cypress Avenue in Specific Plan No. 41, APNs 0173-181-19 and 0173-181-20.

NEW BUSINESS:

9-1-1 Phone System Update – Shayna Walker, of the Redlands Police Department, explained a plan to fund the update of the City of Redlands 9-1-1 phone system. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously authorized the Chief of Police, or his designee, to select and sign the California Emergency Communications Branch fixed allotment fund option to obtain funding for an updated 9-1-1 phone system.

Annual Purchase Orders – Purchasing Manager Dana Abramovitz-Daniel presented an overview of existing annual purchase orders. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved existing annual purchase orders with Lowe's not to exceed \$160,000, Grainger not to exceed \$190,000, Fastenal not to exceed \$190,000, Home Depot not to exceed \$160,000, Office Depot not to exceed \$198,000, Cintas not to exceed \$90,000 and Hertz Equipment Rental not to exceed \$95,000 for the provision of miscellaneous tools, equipment and supplies on a need-by-need basis for total annual amounts

Fee Waiver – Quality of Life Director Fred Cardenas presented a reconciled listing of fees associated with the 2014 Hangar 24 Air Fest. As public comment, Glenn Dunham and Andrew Hoder expressed dissatisfaction with the financial planning of the Air Fest and suggested procedures to be used for any future events of this nature. Isaac Tate expressed concerns that remarks made during the fee waiver application discussions reflected poorly on the many well-intended, exemplary behaving tenants who do business all year long at the airport. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gilbreath, the City Council approved the waiver of reconciled fees in the amount of \$33,689.96 for the 2014 Hanger 24 Air Fest event, and a funding agreement between the City of Redlands and Hangar 24 Charities for partial fees. Councilmember Gardner voted No on the motion citing his objection to the large amount of the waiver.

Resolution No. 7399 – Bicycle Master Plan – Celina Suarez, of the Municipal Utilities and Engineering Department, provided a review of the process used to derive the City of Redlands Community Based Bicycle Master Plan and introduced Craig Williams, of Alta Planning + Design, who presented an executive summary of the proposed Plan. On motion of Councilmember Harrison, seconded by Councilmember Gilbreath, the City Council unanimously approved Resolution No. 7399 adopting the Plan as presented, however staff was directed to continue to work on an update of the Plan to be presented again at the first City Council meeting in November 2014.

Bike Lane Grant – Mike Pool, of the Municipal Utilities and Engineering Department, presented an overview of funding sources for construction of 16 miles of bike lanes within the City. As a public comment, Andrew Hoder suggested the money identified for this item would be better spent on other needs within the City. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the acceptance of grant funding in the amount of \$125,000 to construct bike lanes from the Mobile Source Air Pollution Reduction Review Committee and appropriated \$125,000 in matching funds from the Air Quality (AB2766) Fund for the installation of Class II bike lanes on Dearborn Street from Fifth Street to Lugonia Avenue, on San Bernardino Street from Texas Street to Wabash Avenue, on Alabama Street from Barton Road to Redlands Boulevard, on Barton Road from San Timoteo Canyon Road to Lake Avenue, and on Olive Avenue from Terracina Boulevard to Center Street.

Office Remodel – Municipal Utilities and Engineering Director Fred Mousavipour introduced a plan for an office reconfiguration necessitated by a relocation of the Development Services Department. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved an agreement between the City of Redlands and GM Business Interiors, in the amount of \$99,728.77, for the Municipal Utilities and Engineer Department office reconfiguration.

Easement Purchase – Municipal Utilities and Engineering Director Fred Mousavipour introduced the need for the City's purchase of an easement at the southwest corner of the Redlands Boulevard and Alabama Street intersection. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the purchase of an easement from Redlands 7/11 Associates for right-of-way for the Redlands Boulevard and Alabama Street Intersection Improvement Project.

COUNCILMEMBER ANNOUNCEMENTS AND ACTIVITIES:

Healthy Redlands – Councilmember Gilbreath announced she attended the Quarterly Healthy Communities meeting in Yucaipa on May 8, 2014 and thanked staff for their work to provide the Community Center as a facility for summer camp City youth again this year.

Coffee – Councilmembers Harrison and Gardner described a healthy exchange of ideas at *Coffee with the Council* Cuca’s on May 17, 2014.

Veterans’ Memorial – Mayor Aguilar attended a memorial ceremony for veterans at the University of Redlands also on May 17, 2014 and reminded everyone of the Memorial Day observance at Hillside Cemetery to be held at 10:45 A.M. on Monday, May 26, 2014.

ADJOURNMENT:

There being no further action required, Mayor Aguilar adjourned the meeting at 8:50 P.M. The next regular meeting of the City of Redlands City Council will be held on June 3, 2014.