

MINUTES: of a regular meeting of the City Council of the City of Redlands held on October 21, 2014, at 5:00 P.M. at Council Chambers, Civic Center, 35 Cajon Street, Suite 2, Redlands, California

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 Innovation Officer; Chris Diggs, Interim 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:

Process Question – Steve Rogers questioned the credentials of the labor contract negotiator and suggested negotiations should be performed by the City Manager and the Director of Human Resources.

CLOSED SESSION:

1. Conference with labor negotiator – Government Code §54957.6
Agency Negotiator: Oliver Yee
Employee Organizations: Redlands Police Officers Association
Redlands Association of Safety Management
2. Conference with legal counsel: Existing Litigation – Government Code §54956.9(a) - Two Cases
 - a. Christine Smith v. City of Redlands, et al. – San Bernardino County Superior Court Case No. CIVDS 1311312
 - b. Damion Pelonis v. City of Redlands, et al. – San Bernardino County Superior Court Case No. CIVDS 1413167
3. Conference with legal counsel: Anticipated Litigation – Government Code §54956.9(d)(2)(e)(3) - One Case
 - a. Consideration of threat of litigation from Dennis Sattler

4. Public Employee Dismissal/Release – Government Code §54957
 - a. Consideration of industrial disability retirement applications of four public safety employees

The meeting reconvened at 6:00 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 that the City Council disapproved, by unanimous vote, industrial disability retirement applications of four public safety employees

PRESENTATIONS:

Redlands Animal Shelter – Janice McConnell, Executive Assistant to the City Manager, and Animal Control Officer Ruben Yzcierdo introduced “Poncho”, a seven year old male Chihuahua mix, who is available for adoption at the Redlands Animal Shelter along with forty-four other dogs and seventy-four cats. Thirty-one dogs and eleven cats have been adopted since the last City Council meeting.

Smoke Out – Mayor Aguilar and Councilmember Gilbreath presented a proclamation to Mr. Paul Stumpe, District Manager, CVS Health, for their efforts to help our community members on the path to better health by removing the sale of tobacco products at their stores.

PUBLIC COMMENT:

Code Review – Ruth Gray thanked the City Council for the ongoing program of *Coffee with the Council* and then called for an update of the Redlands Municipal Code. She asked that the update process include public input on suggested changes to the code and that the new code include procedures for a formal complaint process.

Politics – Sam Wong reviewed statements made by Mayor Aguilar as candidate for the U.S. Congress, in a debate on October 20, 2014, and took issue with the positions reflected therein.

Street Paving – Adrian Aseneio took issue with the data and methodology used to support the funding sources for the Redlands Pavement Accelerated Repair Implementation Strategy.

Hillside Cemetery – Jack Wilshire, member of the Redlands Area Historical Society and Friends of Hillside Memorial Park, pointed out the need for more security and better maintenance at the cemetery and invited all present to attend a tour at the cemetery Saturday, October 25, 2014 at 4:00 P.M.

More Politics – Ken Hunter expressed his opinion of Neil Derry as a candidate for Member of the City Council of the City of Redlands and suggested an ordinance be written to prohibit the posting of politicians’ names on signs advertising City projects.

Transportation Planning – Steve Rogers expressed his concerns as to the quality of area transportation planning being performed by San Bernardino Associated Governments.

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 October 7, 2014 as submitted.

Proclamation – On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved a proclamation commending Timothy and Richard Green for their contribution to the arts in Redlands.

Proclamation – On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved a proclamation commending CVS Health for their efforts to support the healthy living of Redlands residents.

Commission Appointments – On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the reappointment of Judith Ashton and Edward P. Gomez to each serve an additional term on the Human Relations Commission ending October 5, 2018. The motion also approved the appointment of Gretchen Andrews to serve a four-year term on the Human Relations Commission ending October 21, 2018.

Settlement Agreement – On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the disclosure of details of a settlement and general release agreement between the City of Redlands and Rebecca Reyes. Under the terms of the agreement, Ms. Reyes receives \$10,000.00 from the City of Redlands to settle and dispose of all claims associated with a claim alleging a sewer lateral, located at 1216 Ohio Street, failed as a result of the City’s April 3, 2014 resurfacing project.

Resolution No. 7459 – Court Representation – On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved Resolution No. 7459 appointing Amy Martin, City Human Resources Director; Tommi Ng, Human Resources Manager; Jacki Mortenson, Risk/Safety Analyst; Elizabeth Marin, Volunteer Resources Coordinator; Tina Kundig, City Finance Director; Tom Steele, Assistant Finance Director; and Karin Grance, Revenue Manager; are hereby designated and authorized to represent and appear

on behalf of the City of Redlands in the lawful process of any and all small claims actions filed for, or against, the City of Redlands in Small Claims Court.

Resolution No. 7464 – Traffic Regulation – On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved Resolution No. 7464 establishing no parking zones along Pennsylvania Avenue at Judson Street.

Resolution No. 7465 – Traffic Regulation – On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved Resolution No. 7465 removing an existing passenger loading zone on the north side of Cypress Avenue east of Cope Middle School and rescinding Resolution No. 5195.

Bid Rejection – As a public comment, Steve Rogers discussed reasons for a disparity between the amount of the engineer’s estimate and a bid received for a project to turn a city alley into a park area. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the rejection of all bids received for the Orange Street Alley Pedestrian Enhancement Project No. 41208.

Fee Waiver – On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved a request from Building a Generation for a waiver of all fees associated with the use of Clement Softball fields for a charity softball tournament to be held on November 8, 2014.

COMMUNICATIONS:

Development Project – Pat Meyer, representing Diversified Pacific, presented details concerning a proposed 55-lot residential subdivision on approximately 32.28 acres located on the north side of San Bernardino Avenue, approximately 600 feet east of Judson Street.

Water Conservation Priorities – Quality of Life Director Fred Cardenas discussed the apparent conflict between the residential landscape requirements of the Redlands Municipal Code and guidance for water conservation efforts in the current drought situation. As a public comment, Tamara Madai articulated the conflicting guidance from a resident’s perspective and asked for a change to the Redlands Municipal Code (RMC) relating to landscaping requirements. Councilmember Harrison suggested, with the concurrence of the rest of the Council, staff be directed to perform a review, with input from the public, and update the RMC to reflect more current methods and sustainability practices with respect to landscaping.

City Project Funding – Tabitha Kevari, of the Quality of Life Department, articulated the need for a direct mechanism to provide improvements or funds to privately-owned properties immediately adjacent to City projects. This need has come to light during the development of the Orange Street Alley Project. As a

public comment, Steve Rogers criticized the alley project and suggested the money would be better spent for a skate park. He introduced a paper for the record which discussed the Friendly Communities Program, a public-private partnership arrangement. Consensus of discussion by the Council agreed public-private partnerships are a good idea and encouraged staff to pursue the establishment of a legal mechanism to address the financial aspects of such partnerships.

Airport Issues – Quality of Life Director Fred Cardenas introduced Patrick Miles, California State Transportation Agency Aviation Safety Officer who presented a sequence of events involving his efforts to address issues involving the California Department of Water Resources (DWR) stockpiling of earth from a pipeline project within the final approach flight path of Runway 26 at Redlands Municipal Airport. While Mr. Miles said there was a period in which the stockpile was not in compliance, but it is currently being monitored and kept in compliance with Federal Aviation Regulations. As public comment, former Airport Advisory Boardmember Bob Pearce, Redlands Airport Association President Ted Gablin, and other airport patrons restated their requests for removal of the stockpile for reasons of flight safety. Steve Rogers observed that, in his opinion, these issues are the result of the lack of government oversight and inadequate coordination with interested parties during the planning phase of the water project. Chris Boatman also updated the City Council on the status of hangar leases at the airport. As a public comment, Eric Paul said he has been waiting for someone from the City of Redlands to present a lease for his signature in accordance with a settlement agreement signed December 20, 2005 between the City of Redlands and Aerodynamics, Inc. Further discussion involved other security and safety issues at the airport and focused on what actions the City Council might take to address the present situation. Staff was tasked to draft a letter to San Bernardino County to express the City of Redlands position that, due to reasons of safety and liability, the stockpile has to be removed at the earliest possible date. Consensus agreed that the role of the City Council as the Airport Commission and responsibilities in the area of flight safety need to be more clearly defined.

PUBLIC HEARINGS:

Resolutions No. 7460 and 7463, Ordinance No. 2808 – Alley Vacation – Mayor Aguilar opened the hearing and called upon Patricia Benes, of the Development Services Department, to provide background on a request to vacate an alley between Orange and Fifth Streets. As a public comment, Steve Rogers expressed his opposition to the alley vacation and restated his suggestion that funds for this project be used to build a skate park. On motions of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the adoption of a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for Street Vacation No. 161, General Plan Amendment No. 132, Zone Change No. 444 and directed staff to file and post a Notice of Determination in accordance with City guidelines; approved Resolution No. 7460 vacating an approximately 2,800 square foot segment of dedicated alley located

east of Orange Street, west of Fifth Street, north of Citrus Avenue, and south of State Street; approved Resolution No. 7463 amending the General Plan land use designation of the 2,800 square foot segment of dedicated alley located east of Orange Street, west of Fifth Street, north of Citrus Avenue, and south of State Street from Commercial to Parks/Golf Courses, and amending the Open Space and Conservation Element to include the subject segment of the alley as a public park; and approved the introduction of Ordinance No. 2808 changing the zoning designation of the 2,800 square foot segment of the alley from C-3 (General Commercial) District to O (Open Land) District to repurpose the subject area to a public park located east of Orange Street, west of Fifth Street, north of Citrus Avenue, and south of State Street.

Resolution No. 7461- Sign CUP – Mayor Aguilar opened the hearing and called upon Lorelee Farris, of the Development Services Department, to provide background on a request for a Sign Conditional Use Permit (CUP) for property located at 2125 San Bernardino Avenue. On motions of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously agreed approval of the Sign CUP No. 18 is categorically exempt from the California Environmental Quality Act (CEQA) in accordance with Section 15311(a) of the CEQA guidelines, and approved Resolution No. 7461 approving Sign CUO No. 18 for the installation of two 190.18 square foot wall signs for a an existing 704,115 square foot warehouse/distribution center, on 33.5 acres located at 2125 San Bernardino Avenue, in Concept Plan No. 1 of the East Valley Corridor Specific Plan.

NEW BUSINESS:

Pavement Repair – Interim Municipal Utilities and Engineering Director Chris Diggs presented an overview of the City Wide Pavement Repair for Water Projects. On motions of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously agreed approval of an agreement for and construction of the City Wide Pavement Repairs is categorically exempt from further environmental review in accordance with Section 15301 of the California Environmental Quality Act guidelines, and awarded a contract to KAD Paving, in the amount of \$411,000.00, for the work.

Resolution No. 7466 – Water Usage Rebates – Cecilia Griego, of the Municipal Utilities and Engineering Department, provided an executive summary of the City of Redlands Water Efficiency Rebate Program. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved Resolution No. 7466 establishing Program to include an increase in rebate incentives during times of state mandated water restrictions and authorized an additional appropriation in the of \$75,000.00 from the Water Fund 501403.

Laboratory Services – Interim Municipal Utilities and Engineering Director Chris Diggs presented the rationale for not accepting a bid for laboratory services and a proposal to utilize a purchase order to provide the necessary services. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City

Council unanimously approved the rejection of a bid from Weck Laboratories as non-responsive and authorized the execution of a purchase order with Eurofins Eaton Analytical, Inc. for laboratory services in the amount of \$150,000.00.

Utility Billing Software – Chief Innovation Officer Danielle Garcia presented details on a request for approval of a purchase order for software maintenance and support related to the operation of the utility database and customer service software. On motion of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously approved the purchase order with Systems and Software, Inc., in the amount of \$137,879.00, for annual software maintenance and support for calendar year 2015.

Library HVAC – Quality of Life Director Fred Cardenas presented an overview of the project to upgrade the heating, ventilation and air conditioning (HVAC) at the A.K. Smiley Library. On motions of Mayor Pro Tem Foster, seconded by Councilmember Gardner, the City Council unanimously agreed approval of an agreement for and construction of the A.K. Smiley Library HVAC Upgrade Project is categorically exempt from further environmental review in accordance with Section 15301 of the California Environmental Quality Act guidelines, and awarded a contract to Allison Mechanical, Inc., in the amount of \$91,453.00, for the work.

COUNCILMEMBER ANNOUNCEMENTS AND ACTIVITIES:

Coffee – Councilmembers Gilbreath and Harrison attended the *Coffee with the Council* at Augie’s on Saturday, October 18, 2014 “a well-attended good discussion”.

Fire Prevention – Councilmember Gilbreath observed that the Fire Prevention Week and Healthy Fair open house was “the best ever” and thanked the Fire Department for the Fire Prevention Workshop programs Saturday, October 11, 2014.

Healthy Hearts – Councilmember Gilbreath attended a Heart Healthy Program at Loma Linda University on behalf of the City.

Busy, Busy, Busy – Mayor Pro Tem Foster and Councilmembers Gilbreath and Harrison kept occupied with recognition events and fundraisers such as the Northside Impact Committee Scholarship Dinner and the Citrograph Love of Food and Wine.

ADJOURNMENT:

There being no further action required, Mayor Aguilar adjourned the meeting at 7:57 P.M. The next regular meeting of the City of Redlands City Council will be held on November 4, 2014.