

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 July 7, 2015, at 5:00 P.M.

PRESENT: Paul Foster, Mayor
Jon Harrison, Mayor Pro Tem
Pat Gilbreath, Councilmember
Paul Barich, Councilmember
John James, 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; Shawn Ryan, Police Commander; Danielle Garcia, Chief Innovation Officer; Chris Diggs, Municipal Utilities and Engineering Director; Fred Cardenas, Quality of Life Director; Tom Steele, Assistant Finance Director; Oscar Orci, Development Services Director; Amy Martin, Human Resources Director

Mayor Foster 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(d)(1) Three Cases:
 - a. Jiang Zhong Bin, et al v. City of Redlands, et al, San Bernardino Superior Court Case No. CIVDS 1313057
 - b. Govany Garcia v. City of Redlands, et al, San Bernardino Superior Court Case No. CIVDS 1402812
 - c. Santa Ana Regional Water Quality Control Board Administrative Proceeding Proposed Enforcement Action
2. Conference with legal counsel: Anticipated Litigation - Government Code §54956.9(e)(3) One Case:
 - a. Claim – State Farm Mutual Automobile Insurance Company and Richard Wayne Wilson
3. Conference with real property negotiator – Government Code §54956.8
 - Property: APN 0168-121-03
 - Agency negotiators: N. Enrique Martinez, Fred Cardenas
 - Negotiating party: Phillip Burum, Diversified Pacific
 - Under negotiation: Terms and price for the purchase of City property

4. Conference with real property negotiator – Government Code §54956.8
Property: APN 0168-121-13
Agency negotiators: N. Enrique Martinez, Oscar Orci
Negotiating party: Phillip Burum, Diversified Pacific
Under negotiation: Terms and price for the purchase of City property

5. Conference with real property negotiator – Government Code §54956.8
Property: APNs 0292-064-03, -04 & -05
Agency negotiators: N. Enrique Martinez, Oscar Orci
Negotiating party: Tyra Family Trust
Under negotiation: Terms and price for the purchase of property by City

6. Conference with real property negotiator – Government Code §54956.8
Property: APNs 0169-156-19 & -20
Agency negotiators: N. Enrique Martinez, Oscar Orci
Negotiating party: Judson and Brown LLC
Under negotiation: Terms and price for the purchase of City property

7. Conference with real property negotiator – Government Code §54956.8
Property: APNs 0171-053-03, -04 & -06, and 0171-251-06, -07, -08, -09 & -10
Agency negotiators: N. Enrique Martinez, Oscar Orci
Negotiating party: Travis King, Brixton Redlands LLC
Under negotiation: Terms and price for the purchase of City property

The meeting reconvened at 6:05 P.M. with an invocation by Mayor Pro Tem Harrison followed by the pledge of allegiance to the American flag.

CLOSED SESSION REPORT:

City Attorney McHugh announced that no reportable action was taken by the City Council during the closed session. Mayor Pro Tem Harrison recused himself from discussion on Item No. 6 due to his source of income relationship with the owner of Judson and Brown LLC.

PRESENTATIONS:

Redlands Animal Shelter – Animal Control Volunteer Carly Carlstrom introduced “Winnie”, a three year old female Chihuahua mix, who is available for adoption along with forty-nine other dogs, a hundred and one cats and one rabbit at the Redlands Animal Shelter. Officer Miller informed the Council twenty-nine dogs, twenty-three cats and two rabbits have been adopted since the last City Council meeting.

Special Olympics Host – Mayor Foster presented a proclamation to Jeffrey Martinez, Director of Athletics and Physical Education at the University of Redlands and representing the Redlands Host Town Organizing Committee, declaring July 2015 to be *Special Olympics Month*.

Hometown Heroes Recognition – In recognition of their participation in the Redlands Hometown Heroes Program, Mayor Foster and City Clerk Irwin, assisted by Liz Marin, City of Redlands Volunteer Coordinator, presented certificates of appreciation to family members of twenty-three Redlands residents who have recently served or are serving in the armed forces. Banners, bearing the name and likeness of each military member, which had flown over the streets of Redlands for the past two years, were also presented to the families.

PUBLIC COMMENT:

Parklets – Several speakers expressed dissatisfaction with the new “parklet” in front of A La Minute Ice Cream Parlor. Complaints emanated from the lack of communication on parklet program, concerns about aesthetics, safety, liability and the negative impact the program might have on the availability of parking.

Redlands Passenger Rail – Greg Brittain and Carolyn Hays spoke in opposition to the proposed San Bernardino Associated Governments project to provide mass transit from the City of Redlands to San Bernardino.

Skate Park – Susan Broderick suggested the City of Redlands has adequate reserve funds to pay for a skate park for local youth and asked that a requirement for a matching funds donation campaign be waived.

CONSENT CALENDAR:

Minutes – On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously approved the minutes of the regular meeting of June 16, 2015 and the special meeting of June 25, 2015 as submitted.

Proclamation – On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously approved a proclamation declaring the month of July 2015 as *Special Olympics Month*.

Proclamation – On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously approved a proclamation in support of the City of Grand Terrace Veterans Wall of Freedom. As a public comment, Jim McNaboe, of the Veterans Wall of Freedom Committee, provided an overview of the project. And thanked the City Council for their support.

Settlement Agreement - On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously approved the public disclosure of details of a settlement and release agreement between the City of Redlands and Govany Garcia. Under the terms of the agreement, the City will pay the sum of \$2,500.00 to Govany Garcia and each party releases, remises and forever discharges each other party from any and all claims, demands and cause or causes of action associated with a lawsuit filed in the San Bernardino County Superior Court as Case No. CIVDS 1402812.

Resolutions No. 7541 and 7542 – CFD Tax Levies – On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously approved Resolution No. 7542 levying special taxes within the City of Redlands Community Facilities District (CFD) No. 2001-1 (Northwest Development Project) and Resolution No. 7541 levying special taxes within the City of Redlands CFD No. 2003-1 (Redlands Business Center).

Sale Agreement Amendment – On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously approved a second amendment to a Purchase and Sale Agreement between the City of Redlands and Diversified Pacific Opportunity Fund I, LLC. The amendment extends, by ten more days, the period required to allow the buyer to comply with due diligence requirements.

Resolution No. 7534 – Insurance Requirements – On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously approved Resolution No. 7534 establishing the City of Redlands insurance requirements and procedures for granting exemption from coverage requirements.

Fee Waiver – On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously approved a request from State Senator Mike Morrell for the waiver of \$380.00 in fees associated with the *Military Family Pancake Breakfast* event to be held at Sylvan Park, 6:30 A.M. to 10:30 A.M., on July 18, 2015.

Fee Waiver – On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously approved a request from the David Baer for the waiver of \$4,840.00 in fees associated with the *Cajon Street Halloween Celebration* event to be held on October 31, 2015. As a public comment, Andy Hoder suggested the City institutionalize and sponsor the event to eliminate the need to request a waiver. Mayor Pro Tem Harrison voted No on the motion.

Fee Waiver – On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously approved a request from Stater Bros. Charities for the waiver of \$15,558.29 in fees associated with the *8th Annual Believe Walk* event to be held October 2-4, 2015. As a public comment, Andy Hoder suggested a corporate sponsor should pay at least a portion of the fees. Councilmember Barich voted No on the motion.

Rental Agreement – On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously approved a Rental Agreement between the City of Redlands and Redlands Baseball for Youth for the use of the fields at Community Park.

Resolution No. 7543 – Traffic Regulation – On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously approved Resolution No. 7543 installing two additional stop signs at the intersection of Citrus Avenue and Iowa Street to achieve a four-way stop intersection.

Resolution No. 7544 – Traffic Regulation – On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously approved Resolution No. 7544 removing signs and curb markings to eliminate a loading zone restriction on Center Street at McKinley Elementary School.

Resolution No. 7546 – CFD Tax Levy – On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously approved Resolution No. 7546 levying special taxes within the City of Redlands Community Facilities District (CFD) No. 2004-1.

Bid Rejection – On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously approved the rejection of all bids received for the replacement of the Redlands TV Broadcast System and authorized staff to solicit new bids.

COMMUNICATIONS:

Drought Grant Program – Mayor Pro Tem Harrison introduced Mark Norton, from the Santa Ana Watershed Project Authority (SAWPA) and Tom Ash, from the Inland Empire Utilities Agency, who presented an executive summary of the \$11.8 million SAWPA Emergency Drought Grant Program to assist water retailers in examining conservation based rate structures to encourage curtailing water consumption. On motion of Mayor Pro Tem Harrison, seconded by Councilmember James, the City Council voted direct staff to participate in the SAWPA Emergency Drought Grant Program to develop tools for, and obtain support to implement, a conservation based rate structure and provide an update within ninety days. Staff will develop a plan for the scope, budget and work plan for the project. Councilmember Gilbreath voted No on the motion stating her opposition to any program which involves allocating water.

IT Master Plan – Chief Innovation Officer Danielle Garcia presented an update on the City's progress with respect to the Information Technology (IT) Master Plan. On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council agreed to receive and file the update.

Downtown Revitalization – Chris Boatman, of the Quality of Life Department, and Olivia Crowley, of the Municipal Utilities and Engineering Department, presented an update on the City of Redlands downtown revitalization efforts. The presentation included efforts toward infrastructure improvements, aesthetic enhancements, community events and promotional efforts. A renewed vibrancy is visible.

Councilmember Barich left the meeting at this point in the proceedings to attend to duties at the Redlands Bowl program.

NEW BUSINESS:

Resolution No. 7540 – Appropriation Limit – Assistant Finance Director Tom Steele provided background on the requirement and derivation of this year’s appropriation limit. On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council approved Resolution No. 7540 establishing a \$104,654,783.00 appropriations limit for Fiscal Year 2015-2016 pursuant to Article XIII B of the California Constitution.

Commission Responsibilities – Development Services Director Oscar Orci presented a proposal of the Historic and Scenic Preservation Commission to redefine the Commission’s duties and areas of responsibility. On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council approved a request to have the Historic and Scenic Commission review and propose amendments to Chapters 2.24 and 2.62 of the Redlands Municipal Code.

Development Incentive – Development Services Director Oscar Orci introduced a plan to establish a framework whereby the City of Redlands provides financial incentives to encourage improvements to the Redlands Auto Plaza auto sales facility. On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council agreed to direct staff to negotiate and commence preparation of a Development Incentive and Operating Covenant Agreement between the City of Redlands and Redlands Auto Plaza.

Office Improvements – Development Services Director Oscar Orci summarized renovations planned to accommodate the Planning and Economic Development Divisions’ office requirements. On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council approved an agreement between the City of Redlands and G/M Business Interiors, in the amount of \$101,605.85, for Development Services Department office improvements.

Informational Plaques – Sean Kelleher, of the Development Services Department, introduced a program to identify significant properties within the City. On motions of Councilmember Gilbreath, seconded by Councilmember James, the City Council agreed the City of Redlands Informational Plaque Program is exempt from environmental review in accordance with Section 15061(b)(3) of the California Environmental Quality Act guidelines and approved Resolution No. 7526 adopting the Program which allows property owners of designated historic properties and historic landmarks within the City to purchase and install plaques on their property. The consensus of the City Council was to recommend to the Historic and Scenic Preservation Commission that the plaques be made of a material other than bronze.

Aircraft Maintenance – Commander Shawn Ryan, of the Redlands Police Department, provided background on the need for a services agreement for aircraft maintenance. As a public comment, James Hoyt thanked the staff and City Council for hiring a local vendor to provide the aircraft maintenance services. On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council approved an agreement between the City of Redlands and Helidoc, Inc., in the amount not to exceed \$50,000.00, to provide mechanical repairs, inspection and maintenance for the Police Department fixed wing aircraft.

Police Uniforms – Commander Shawn Ryan, of the Redlands Police Department, provided background on the need for a Purchase Request for uniforms. On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council approved a Purchase Request with P&P Uniforms, in an amount not-to-exceed \$45,000.00, for FY 2015-2016.

Resolution No. 7535 – Landfill Heavy Equipment – At the request of staff, this item was removed from the agenda to be addressed at the July 21, 2015 City Council meeting.

Ordinance No. 2820 – Measure U Requirements – Municipal Utilities and Engineering Director Chris Diggs explained a request for additional language in the Redlands Municipal Code (RMC). On motion of Mayor Pro Tem Harrison, seconded by Councilmember James, the City Council approved the introduction of Ordinance No. 2820 modifying Chapter 13.60 of the Redlands Municipal Code to include Measure U requirements that all capital improvement and other developer fees associated with the extension of utility service to property outside the City of Redlands should be paid at a rate applicable to the property had it been located within the City. Councilmember Gilbreath voted No on the motion stating the change in the RMC would result in a doubling of fees for people the City ultimately wants to annex.

Disaster Assistance Funding – Emergency Operations Manager Fay Glass summarized the California Disaster Assistance Act (CDAA). On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council approved the authorization to accept CDAA funding from the State of California Governor’s Office of Emergency Services in the amount of \$128,412.00.

PUBLIC HEARINGS:

Resolutions No. 7496, 7497, 7498, 7499 and 7509, and Ordinance No. 2815 – Newland Homes, Applicant – Mayor Foster opened the hearing and called upon Municipal Utilities and Engineering Director Chris Diggs to present details on a proposal to address traffic congestion problems on Pioneer Avenue from Texas Street to Furlow Drive and Lorelee Farris, of the Development Services Department, to provide background on a development application from Newland Homes. Bryan Avilla, of Newland Homes, thanked staff for their assistance with the application process and said his company is satisfied with the conditions for approval. On motions of Councilmember Gilbreath, seconded by Councilmember

James, the City Council determined, based on the whole of the administrative record to date, that the information contained in the whole record justifies the adoption of a Mitigated Negative Declaration for General Plan Amendment No. 133 and the Newland Homes Project; approved the Mitigated Negative Declaration and the accompanying mitigation monitoring and reporting program; directed staff to file and post a Notice of Determination in accordance with the State California Environmental Quality Act guidelines; approved Resolution No. 7496 adopting General Plan Amendment No. 133 to amend Section 5.0 (Circulation Element) of the Redlands General Plan by adding a new roadway cross-section entitled "Special Collector", for a segment of Pioneer Avenue, approximately 1,100 linear feet in length, from Texas Street to Furlow Drive; approved Resolution No. 7509 approving the Socio-Economic Cost/Benefit Study; approved Resolution No. 7497 (Agricultural Preserve Removal No. 120) to remove 30.51 acres from a City-designated agricultural preserve located on the north side of Pioneer Avenue, east of Texas Street; approved the introduction of Ordinance No. 2815 (Zone Change No. 442) to change the zoning designation of approximately 30.51 acres from A-1 (Agricultural) District to PRD/R-E (Planned Residential Development/Residential Estate) District; approved Resolution No. 7498 (Conditional Use Permit No. 1028) for a Planned Residential Development (PRD) on the 30.51 acres consisting of eight-two (82) single-family residential lots and seven (7) lettered lots; and approved Resolution No. 7499 (Tentative Tract Map No. 18988) to subdivide the 30.51 acres into eighty-two (82) single-family residential lots and seven (7) lettered lots.

Councilmember Barich returned to the meeting at this point in the proceedings having completed his duties at the Redlands Bowl program.

Resolutions No. 7537, 7538, 7539, and Ordinance No. 2819 – Diversified Pacific, Applicant – Mayor Foster opened the hearing and called upon Sean Kelleher, of the Development Services Department, to provide background on a development application from Newland Homes to remove a portion of an approximately 32.28 acre site from a City Agricultural Preserve located on the north side of San Bernardino Avenue, approximately 600 feet east of Judson Street in the A-1 (Agricultural) District (Proposed change to R-E (Residential Estate) District; rezone the 32.28 acres from A-1 (Agricultural) District to R-E (Residential Estate) District; and subdivide the property into fifty-five (55) lots for single family residential use and one (1) lettered lot for open space purposes. Public comment from numerous members of the Redlands Municipal Airport community highlighted concerns associated with building residences in close proximity to the flight pattern at an airport. Representing the applicant, Pat Meyer assured the Council that the proposed development was in full compliance with all noise abatement and safety restrictions invoked as a consequence of the airport location. On motion of Councilmember Gilbreath, seconded by Mayor Pro Tem Harrison, the City Council unanimously agreed to continue the hearing to the July 21, 2015 City Council meeting to appropriately address the concerns expressed during public comment.

Resolution No. 7517 – Landscape Maintenance District Assessments - Mayor Foster opened the public hearing and called upon Municipal Utilities and Engineering Director Chris Diggs for details on a request to implement assessments for Landscape Maintenance District No. 1. On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously approved Resolution No. 7517 approving the Engineer’s Report for Landscape Maintenance District No.1 and confirming the assessments for FY 2015-2016.

Resolution No. 7520 – Street Lighting Maintenance District Assessments - Mayor Foster opened the public hearing and called upon Municipal Utilities and Engineering Director Chris Diggs for details on a request to implement assessments for Street Lighting Maintenance District No. 1. On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously approved Resolution No. 7520 approving the Engineer’s Report for Street Lighting Maintenance District No. 1 and confirming the assessments for FY 2015-2016.

Resolution No. 7536 – Fees Schedule – Mayor Foster opened the hearing and called upon Assistant Finance Director Tom Steele for a report of proposed fee schedule changes. As public comment, Pat Meyer asked if the encroachment permit fees are affected by these changes and expressed opposition to Consumer Price Index increases to fees he said are already too high. On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously agreed to continue the hearing to the September 1, 2015 City Council meeting.

COUNCILMEMBER ANNOUNCEMENTS AND ACTIVITIES:

Fishing Derby – Mayor Foster and Councilmembers Barich and Gilbreath thanked the Rotary Clubs for their efforts at restoring the ponds at Ford Park and all agreed the Fish Derby on June 27, 2015 was a successful event providing great family fun to everyone who attended.

Fourth of July – Mayor Foster and Councilmembers Barich, Gilbreath and James had fun participating in all the events in and around Sylvan Park and the University of Redlands football stadium all day long.

Soroptimists – Councilmember Gilbreath observed with regret the final meeting of the Redlands Chapter of the Soroptimists.

State of the City – Mayor Foster thanked everyone for their attendance at the Chamber of Commerce meeting on the State of the City, probably the largest number of attendees ever at that event.

General Plan Steering Committee – Mayor Foster explained the importance of having adequate representation from all interest groups when developing an update of the City of Redlands General Plan and announced an extension of the deadline for receiving applications for membership on the General Plan Steering Committee to close of business on Friday, July 24, 2015 at the City Clerk’s Office.

ADJOURNMENT:

There being no further action required, the meeting adjourned at 9:00 P.M. The next regular meeting of the City of Redlands City Council will be held on July 21, 2015.