

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 September 1, 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; Mark Garcia, Police Chief; Danielle Garcia, Chief Innovation Officer; Chris Diggs, Municipal Utilities and Engineering Director; Chris Boatman, Quality of Life Director; Tina Kundig, 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:

Legal Services – Steve Rogers inquired as to who is providing legal services for the items listed in the closed session agenda.

CLOSED SESSION:

The meeting recessed to a closed session to discuss the following:

1. Conference with legal counsel: Existing Litigation - Government Code §54956.9(d)(1) - Four Cases
  - a. Christine Smith v. City of Redlands et al, San Bernardino Superior Court Case No. CIVDS 1311312
  - b. Heldon Alechman v. City of Redlands et al, San Bernardino Superior Court Case No. CIVDS 1210203
  - c. Joshua Egan v. City of Redlands et al, San Bernardino Superior Court Case No. CIVDS 1509814
  - d. Administrative proceedings before the Fair Political Practices Commission
2. Conference with legal counsel: Anticipated Litigation - Government Code §54956.9(d)(2) and (e)(1) - One Case
3. Conference with real property negotiator – Government Code §54956.8
  - Property: APN 0168-121-03
  - Agency negotiators: N. Enrique Martinez, Chris Boatman
  - Negotiating party: Phillip Buru, Diversified Pacific
  - Under negotiation: Terms and price for the purchase of City property

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

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, by unanimous vote, the City Council approved a Settlement and Release Agreement between the City of Redlands and Fred Cardenas during the closed session.

#### PRESENTATIONS:

Redlands Animal Shelter – Animal Control Volunteer Ruben Yzquierdo introduced “Cletis”, a five year old male Jack Russell/Chihuahua mix, who is available for adoption at the Redlands Animal Shelter.

#### PUBLIC COMMENTS:

Grove Funds – Peter Lenker inquired as to how funds were expended from the sale of the Palmetto Grove.

Redlands Train – Greg Brittain and Sam Wong presented statistics to support their opposition to the proposed Redlands Passenger Rail Project.

Sidewalks and Computers – Mario Saucedo expressed concerns that development in the northwest portion of the City is not adequately addressing pedestrian needs. He also pointed out that the computers at the Redlands Community Center do not have any software programs to make them useful to the public.

General Plan – Bill Miller offered some constructive criticism and proposed some alternative methods of developing the City of Redlands General Plan.

Veteran Observances – Len Tavernetti, of the Military Order of the Purple Heart, thanked the City Council for their support given to focus on the sacrifices and needs of the veterans of the military. He reminded everyone that September 2, 2015 is *Purple Heart Day* in the City of Redlands and the *National POW/MIA Recognition Day* is September 18, 2015.

#### CONSENT CALENDAR:

Minutes – On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously approved the minutes of the regular meeting of July 21, 2015 and the special meeting of July 31, 2015.

Proclamation – On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously approved a proclamation declaring September 19, 2015 as the Boys and Girls Club of Redlands *a Day for Kids*.

Proclamation – On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously approved a proclamation declaring September 2015 as *Childhood Cancer Awareness Month*.

Settlement Agreement – As a public comment, Dennis Bell asked for more details on the incident causing the need for this agreement. On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously approved the disclosure of details of a settlement agreement and stipulations between the City of Redlands and the California Regional Water Quality Control Board. Under the terms of the settlement, the City will pay \$252,684 to the Cleanup and Abatement Account as final and complete payment of all monies due for a violation alleged when 625,000 gallons of partially treated sewage was discharged into Reach 5 of the Santa Ana River.

Ordinance No. 2821 – Sign Code Change – On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously approved the adoption of Ordinance No. 2821 for Ordinance Text Amendment No. 343 to amend Section 18.82.190 (Administrative-Professional-Commercial) District of the Redlands Municipal Code to allow the sign code standard of the C-3 (General Commercial) District in the A-P-C (Administrative-Professional-Commercial) District.

Ordinance No. 2822 – Zone Change – On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously approved the adoption of Ordinance No. 2822 for Zone Change No. 449 to rezone approximately 2.84 acres from the A-P (Administrative and Professional Office) District to the A-P-C (Administrative-Professional-Commercial) District located at 1447 Ford Street, on the northeast corner of Ford Street and Reservoir Road.

Donation Acceptance – On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously approved the acceptance of a donation of \$2,500.00 from Hanger 24 Charities for the purchase of fire safety equipment for the Redlands Municipal Airport and authorized an additional appropriation to the Fire Department in that amount.

Fee Waiver – On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously approved a request from Visiting Nurses Association of California Hospice – Redlands for the waiver, in the amount of \$140.00, for fees associated with their Wings of Hope event to be held at Sylvan Park on October 9, 2015.

Utility Easement – On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously approved an electrical infrastructure easement to Southern California Edison Company through APN 1212-451-63.

Traffic Calming – On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously approved the installation of raised pavement markers and white edge striping on Sunset Drive South from Mariposa Drive to Elder Road for traffic calming.

Resolution No. 7460 – CFD Annexation – On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously approved Resolution No. 7460 declaring the intention to annex territory into Community Facilities District (CFD) No. 2004-1.

### COMMUNICATIONS:

Skatepark – Mayor Pro Tem Harrison introduced discussion on efforts to breathe new life into the development of a park for skateboarding in the City of Redlands. Maureen Perez, of the Friends of Redlands Skatepark (FORS), presented sketches of a proposed facility to be located in Sylvan Park and a financial plan to fund the project. As public comment, seventeen speakers, representing children, parents and other adults from FORS and SK8PARK, another group of advocates, expressed support for a skatepark. On motion of Mayor Pro Tem Harrison, seconded by Councilmember James, the City Council unanimously agreed to pursue development of a skatepark for Redlands in Sylvan Park and directed the City Manager to assign appropriate staff to work with community volunteers to undertake and manage this project.

Tourism – Councilmember Barich listed several statistics demonstrating the significant value of tourism to the economic well-being of a community. He discussed steps being taken to enhance tourism as a source of revenue for the City of Redlands and announced his intention to develop a business plan on tourism by the end of the calendar year.

Prospect Park Grove – Mayor Foster opened discussion with a review of events leading to the reconsideration of a previous decision made by the City Council on July 21, 2015 to replant the lower eleven acres of the Prospect Park Citrus Grove. As public comment, eighteen speakers presented their views and gave advice on their likes and dislikes of the replanting project. During public comment, a letter was introduced from Dr. Peggy Mauk, Director of Agricultural Operations, University of California Riverside, with several observations about the grove which were submitted for consideration. To thoroughly examine the observations in the letter, and on motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously agreed to continue further consideration and discussion on the replanting project until the regular meeting of the City Council scheduled for November 3, 2015.

## PUBLIC HEARING:

Resolution No. 7561 – CFD No. 2004-1 Annexation No. 14 - Mayor Foster opened the hearing and called upon Development Services Director Oscar Orci for details on a request to implement assessments and add territory to Community Facilities District (CFD) No. 2004-1. On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council approved Resolution No. 7561 calling a special election and submitting to the qualified electors of territory proposed to be annexed to CFD No. 2004-1 of the City of Redlands the question of levying special taxes within that territory – Annexation No. 14.

Ordinance 2824 – Massage Establishment Regulation – Mayor Foster opened the hearing and called upon Development Services Director Oscar Orci for background on the need to amend city code with reference to massage establishments. On motions of Councilmember James, seconded by Mayor Pro Tem Harrison, the City Council unanimously agreed that Ordinance No. 2824 is exempt from review under Section 15061(b)(3) of the California Environmental Quality Act guidelines and approved the introduction of Ordinance No. 2824 amending Chapters 5.28, 18.82 and 18.96 of the Redlands Municipal Code relating to massage establishments within the City of Redlands and permitted and conditionally permitted uses within the A-P-C and C-4 zoning districts.

Resolution No. 7536 – Fees Schedule – Mayor Foster opened the hearing and called upon Finance Director Tina Kundig for a report of proposed fee schedule changes. On motion of Councilmember Barich, seconded by Councilmember James, the City Council unanimously agreed to continue this item to the next regular City Council meeting to allow more time to appropriately consider the fee schedule changes.

## NEW BUSINESS:

Bid Rejection – Quality of Life Director Chris Boatman explained the rationale for rejecting the single bid received for the cemetery improvement project. The bid amount exceeded the funds allocated for the project. As public comment, Andy Hoder suggested the pricing structure and other aspects of the Cemetery Business Plan be held in abeyance while the newly hired Cemetery Manager has an opportunity to examine and endorse the Plan. On motion of Councilmember James, seconded by Councilmember Barich, the City Council approved the rejection of all bids received for Hillside Memorial Park Cemetery Various Upgrades and Improvements Project Number QOL03102015KG. Mayor Foster and Councilmember Gilbreath recused themselves from discussion and voting on this item due to their ownership of property in the cemetery.

Property Sale – Quality of Life Director Chris Boatman provided details on a proposal to sell City property. On motions of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously agreed that the proposed purchase and sale agreement is exempt from review under Section 15061(b)(3) of the California Environmental Quality Act guidelines and approved

a Purchase and Sale Agreement and Escrow Instruction between the City of Redlands and Redlands Pennsylvania, LLC for APN 0168-121-03, approximately 4.7 acres of vacant land located on the south side of San Bernardino Avenue, between Judson and Dearborn Streets.

Ordinance No. 2823 and Resolution No. 7559 – Permitted Uses within City Parks – Kelsey Gormley, of the Quality of Life Department, provided background on a request to change permitted uses of City parks to allow the consumption of alcohol and commercial sales within parks and other City-owned facilities. On motions of Councilmember James, seconded by Mayor Pro Tem Harrison, the City Council unanimously approved the introduction of Ordinance No. 2823 amending Chapter 12.44 of the Redlands Municipal Code relating to municipal parks, and approved Resolution No. 7559 defining enclosed public areas in public parks.

Employee Dental Services – Human Resources Director Amy Martin introduced a proposal to renew dental service contracts. On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously approved a two year renewal for each of two agreements, one between the City of Redlands and Principal Insurance for life insurance and one between the City of Redlands and California Dental Network, for employee dental insurance coverage. Both agreements are for the period from January 1, 2016 to December 31, 2017.

Intern Wages – Human Resources Director Amy Martin presented an agreement to raise the stipulated wage for University of Redlands student interns working for the City. As public comment, Andy Hoder asked for more details on the funding arrangements for interns working for the City. On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously approved an amended Letter of Agreement between the City of Redlands and the University of Redlands to raise the stipulated wage for interns from \$9.75 to \$10.75.

Water Rebates – Cecilia Griego, of the Municipal Utilities and Engineering Department, presented the need to increase funding for the City's water conservation efforts. On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously approved an additional appropriation in the amount of \$200,000 to the Redlands Water Efficiency Rebate Program for FY2015-2016.

Water Rate Study - Municipal Utilities and Engineering Director Chris Diggs presented the need a water rate study. As public comment, Andy Hoder and Donna Carlson questioned the selection process for the consultant proposed for the study and asked why the study can't be done in house by staff. On motion of Councilmember James, seconded by Mayor Pro Tem Harrison, the City Council approved an agreement between the City of Redlands and Raftelis Financial Consultants, Inc. to complete a budget based water rate study and authorized an additional appropriation in the amount of \$53,894.00. Councilmember Gilbreath

voted No on the motions due to her opposition to water allocation as a method of conservation.

MUED Purchase Orders – Municipal Utilities and Engineering Director Chris Diggs summarized the Municipal Utilities and Engineering Department (MUED) procedures for purchase of various supplies, materials and services to operate and maintain the water and wastewater systems. On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously approved annual purchase orders to Brenntag, in the amount of \$100,000.00, for aluminum chlorohydrate 50% solution; JCI Jones, in the amount of \$20,000.00, for sodium hydroxide 50%; Eurofins Eaton Analytical, Inc., in the amount of \$200,000.00, for laboratory services to analyze constituents; and Consolidated Electrical Distributors, in the amount of \$100,000.00, for water & wastewater electrical parts, supplies, and other related items. The motion also approved sole/single source purchase orders to Full Spectrum, in the amount of \$9,513.00, for laboratory instrument services, parts and preventive maintenance; and Thermo Electron North America LLC, in the amount of \$10,697.00, for preventative maintenance for ICS 50000 instrumentation.

Sidewalk Repair – Mike Pool, of the Municipal Utilities and Engineering Department, explained the methodology to derive the City of Redlands Sidewalk Repair Matrix. On motion of Councilmember James, seconded by Mayor Pro Tem Harrison, the City Council unanimously agreed approval of an agreement and construction of this sidewalk repair project is exempt from review under Section 15301 of the California Environmental Quality Act guidelines, approved the 2015 Sidewalk Repair Project, Project No. 40088 specifications, and awarded a construction between the City of Redlands and Kalban, Inc. in an amount not to exceed \$901,000.00.

Fingerprint Services – Chief Innovation Officer Danielle Garcia summarized services provided to the Police Department by the County Sheriff's Department. On motion of Councilmember Gilbreath, seconded by Councilmember Barich, the City Council unanimously authorized payment of \$77,569.02 to the San Bernardino County Sheriff's Department for the annual maintenance invoice for Fingerprint Identification Services.

Mailing Services – Finance Director Tina Kundig introduced a proposal to renew a contract for mailing services. On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously approved an agreement between the City of Redlands and Inland Presort and Mailing Services for mailing/courier, folding, inserting and postage services.

FPPC Agreement – Municipal Utilities and Engineering Director Chris Diggs explained a series of events which caused an inadvertent violation of Fair Political Practices Commission (FPPC) regulations prohibiting mass mailings, from elected officials and paid for by public funds. The subsequent identification of this violation and appeal to the FPPC from staff resulted in a reduced penalty payment agreement. On motion of Councilmember Gilbreath, seconded by

Councilmember James, the City Council unanimously approved a stipulation and agreement between the City of Redlands and the FPPC and authorized an administrative penalty payment in the amount of \$2,000.00.

Police Vehicle Purchase – Police Chief Mark Garcia defined the requirement to replace two unmarked police vehicles. On motion of Councilmember Gilbreath, seconded by Councilmember James, the City Council unanimously approved the authorization to purchase two 2015 Ford Sedan Police Interceptors All Wheel Drive, in the amount of \$47,712.70, from Folsom Lake Ford.

#### COUNCILMEMBER ANNOUNCEMENTS AND ACTIVITIES:

Councilmember Gilbreath – Surveying the City of Redlands for possible locations for nonpotable water access to provide for community gardens in various locations throughout the City.

Councilmember Barich – Attended a pet adoption fair sponsored by State Assemblyman Marc Steinorth and assisted in the adoptions of over a hundred dogs and cats.

Mayor Pro Tem Harrison – Busy coordinating the rejuvenation of the skatepark project plans. Attended the kickoff meeting and workshops for the City of Redlands General Plan with Councilmember James. Announced the funding decision by the San Bernardino County Board of Supervisors for the next phase of the Santa Ana River Trail, work to begin on the section from Waterman Avenue to California Street. Will attend a San Bernardino Associated Governments meeting on September 2, 2015 where funding decisions will be made on the Redlands Passenger Rail Project.

Councilmember James – Attended the ribbon cutting ceremony for Dhat Island Restaurant. Rode his bicycle from Wabash Avenue to Grove Street on the Orange Blossom Trail. Attended the meet and greet event sponsored by American Youth Soccer Organization to host the team visiting from Germany.

Mayor Foster – Thanked staff for keeping the City running smoothly during the summer break. He is glad to be back from vacation and already busy.

#### ADJOURNMENT:

There being no further business to address, this meeting was adjourned at 9:47 P.M. The next regular meeting of the Redlands City Council is scheduled on September 15, 2015.