

MINUTES

Regular meeting of the City Council of the City of Redlands held in the Council Chambers, Civic Center, 35 Cajon Street, on April 16, 2024 at 5:00 P.M.

Present: **Eddie Tejeda, Mayor**
 Paul Barich, Mayor Pro Tempore
 Jenna Guzman-Lowery, Council Member
 Mario Saucedo, Council Member

Absent: **Denise Davis, Council Member**

Staff: **Charles M. Duggan, Jr., City Manager; Yvette M. Abich Garcia, City Attorney; Jeanne Donaldson, City Clerk; Phillip Doolittle, City Treasurer; Janice McConnell, Assistant City Manager; Chris Boatman, Assistant City Manager; Carl Baker, Public Information Officer; Danielle Garcia, Management Services/Finance Director; John Harris, Municipal Utilities and Engineering Director; Rich Sessler, Fire Chief; Rachel Tolber, Police Chief; Tabitha Crocker, Facilities and Community Services Director; Robert Meteau, HR/Risk Management Director**

Mayor Tejeda called the meeting to order and explained that comments could be presented in-person, via Zoom, via cell phone or landline. He offered the public an opportunity to provide comment on any item on the agenda for the closed session.

PUBLIC COMMENT

None forthcoming

CLOSED SESSION

Conference with legal counsel: Initiation of Litigation – Government Code §54956.9(d)(4)
One (1) Case.

Conference with legal counsel: Existing Litigation - Government Code §54956.9(d)(1)
(City Attorney Garcia)
One (1) Case.

- a. California Department of Housing and Community Development v. Shangri-la Industries, LLC, et al., Los Angeles Superior Court, Case No. 24STCV00629

RECONVENE CITY COUNCIL MEETING

The meeting reconvened at 6:00 P.M. with an invocation by Council Member Guzman-Lowery. The Pledge of Allegiance was conducted by the Student Council Leaders of Highland Grove Elementary School.

CLOSED SESSION REPORT

City Attorney Garcia announced that no reportable action was taken during the closed session.

PRESENTATIONS

Annual Day of Prayer Proclamation

Mayor Tejeda presented a Proclamation to Carolyn Preschern in celebration of the Annual Day of Prayer scheduled for May 2, 2024.

National Library Week Proclamation

Mayor Tejeda presented a Proclamation to Library Director, Don McCue, William Hatfield, Board President, and Rosa Gomez, Board Vice President, in honor of National Library Week from April 7-13, 2024.

Arts, Culture, and Creativity Month Proclamation

Council Member Guzman-Lowery presented a Proclamation to LaTia Youngblood of Music Changing Lives, declaring the month of April 2024 as Arts, Culture, and Creativity Month.

PUBLIC COMMENT

Property Receivership - Ken Patchett complained that the City was acting unfairly by considering taking action and possible receivership of his property. He was unhappy with what he claimed was a lack of communication on the City's part, and the notice he received did not accurately reflect the complex situation.

Various Musings - Dennis Bell enjoyed the History Day event held at San Bernardino's Santa Fe Depot as various organizations celebrated Inland Empire history. He weighed in on the attendance numbers as projected for the Bicycle Classic and said after taking his own head count over the weekend, he determined the numbers were inflated. Due to the City's in-kind support, he urged the Council to request an auditing of the Committee's books.

Internet Broadband Services - Raquel Brac voiced her frustration with the internet broadband services provided to the residents of Redlands, stating the services were too slow, too expensive, and she said the problem was rooted in private monopoly providers. She added there was a better way and the alternative solution may be in the hands of the City Council.

CONSENT CALENDAR

Minutes

On motion of Mayor Pro Tempore Paul Barich, seconded by Council Member Jenna Guzman-Lowery, the City Council unanimously approved, by roll call vote, the regular meeting minutes April 2, 2024.

Vote: 4 - 0 Passed

Proclamation National Library Week

On motion of Mayor Pro Tempore Paul Barich, seconded by Council Member Jenna Guzman-Lowery, the City Council unanimously authorized, by roll call vote, the issuance of a proclamation declaring the week, April 7-13, 2024, as National Library Week.

Vote: 4 - 0 Passed

Proclamation Earth Day

Mayor Tejeda was pleased to present a Proclamation declaring April 20, 2024, as Earth Day to members of Accelerate Neighborhood Climate Action (ANCA). As public comment, Gregory Brittain thought that global warming was a scam, and based on his research, there was nothing unusual about our climate. He offered data points in support of his perspective and urged everyone to conduct their own investigation into the various claims.

On motion of Mayor Pro Tempore Paul Barich, seconded by Council Member Mario Saucedo, the City Council unanimously authorized, by roll call vote, the issuance of a proclamation declaring April 20, 2024, as Earth Day.

Vote: 4 - 0 Passed

Proclamation Arbor Day

On motion of Mayor Pro Tempore Paul Barich, seconded by Council Member Jenna Guzman-Lowery, the City Council unanimously authorized, by roll call vote, the issuance of a proclamation declaring April 26, 2024, as Arbor Day in the City of Redlands.

Vote: 4 - 0 Passed

Proclamation Arts, Culture, and Creativity Month

On motion of Mayor Pro Tempore Paul Barich, seconded by Council Member Jenna Guzman-Lowery, the City Council unanimously authorized, by roll call vote, the issuance of a proclamation declaring the month of April 2024 as Arts, Culture, and Creativity Month.

Vote: 4 - 0 Passed

Proclamation May 2, 2024 National Day of Prayer

On motion of Mayor Pro Tempore Paul Barich, seconded by Council Member Jenna Guzman-Lowery, the City Council unanimously authorized, by roll call vote, the issuance of a proclamation declaring May 2, 2024, as National Day of Prayer in the City of Redlands.

Vote: 4 - 0 Passed

Sole Source PO Temporary Housing Services

On motion of Mayor Pro Tempore Paul Barich, seconded by Council Member Jenna Guzman-Lowery, the City Council unanimously approved, by roll call vote, the sole source purchase order for Temporary Housing Services on an as-needed basis with SB Express One, LLC for an amount not to exceed \$50,000.

Vote: 4 - 0 Passed

Amending Agreement for Fire Station Folding Doors

On motion of Mayor Pro Tempore Paul Barich, seconded by Council Member Jenna Guzman-Lowery, the City Council unanimously approved, by roll call vote, the First Amendment to the Non-Professional Services Agreement with J.T. Lewis, doing business as National Garage Door, for the procurement and installation of fire station folding doors, to change the door manufacturer to Door Engineering.

Vote: 4 - 0 Passed

Adopt Ordinance No. 2961 Agritourism

On motion of Mayor Pro Tempore Paul Barich, seconded by Council Member Jenna Guzman-Lowery, the City Council unanimously adopted, by roll call vote, Ordinance No. 2961, to amend Redlands Municipal Code Chapter 18.20 (A-1, Agricultural District) to permit certain types of agritourism and related uses as ancillary land uses within the A-1, Agricultural zone, as well as adopt development standards and sign standards for agritourism uses.

Vote: 4 - 0 Passed

Resolution No. 8572 Extending CUP No. 1107 Expiration Date

On motion of Mayor Pro Tempore Paul Barich, seconded by Council Member Jenna Guzman-Lowery, the City Council unanimously adopted, by roll call vote, Resolution No. 8572 to authorize a one-year time extension to the expiration date of Conditional Use Permit No. 1107 and associated entitlements for the adaptive reuse of a historic single-family residence as a medical clinic and pediatrician's office. The project site is located at 1605 Calvary Circle (APN: 0293-133-13-0000).

Vote: 4 - 0 Passed

Amending Webb Municipal Finance, LLC Agreement

On motion of Mayor Pro Tempore Paul Barich, seconded by Council Member Jenna Guzman-Lowery, the City Council unanimously determined, by roll call vote, that approval of this contract amendment is exempt from environmental review pursuant to Section 15061(b)(3) of the State's guidelines implementing the California Environmental Quality Act; and approved the Fourth Amendment to the Agreement with Webb Municipal Finance, LLC, increasing the total agreement amount to \$136,500, and approved an additional appropriation of \$50,000, to allow for the continued

performance of professional services for the annual levy administration and annexations for Community Facilities District No. 2004-1.

Vote: 4 - 0 Passed

Resolution No. 8562 New Water Service Connection Outside City of Redlands

On motion of Mayor Pro Tempore Paul Barich, seconded by Council Member Jenna Guzman-Lowery, the City Council unanimously adopted, by roll call vote, Resolution No. 8562 for new water service connection to the City of Redlands water distribution system at 31455 E. Citrus Avenue (APN: 0299-141-11-0000) in the unincorporated community of Mentone; and adopted Resolution No. 8563 relating to Pre-Annexation Agreement No. 24-01.

Vote: 4 - 0 Passed

Resolution No. 8565 New Water Service Connection Outside City of Redlands

On motion of Mayor Pro Tempore Paul Barich, seconded by Council Member Jenna Guzman-Lowery, the City Council unanimously approved, by roll call vote, Resolution No. 8565 for a new water service connection to the City of Redlands water distribution system at 31565 E. Highland Avenue (APN: 0299-152-04-0000) in the unincorporated community of Mentone; and approved Resolution No. 8566 relating to Pre-Annexation Agreement No. 24-02.

Vote: 4 - 0 Passed

Reject Bids 2023 CIP Sewer Pipeline Replacement Project

On motion of Mayor Pro Tempore Paul Barich, seconded by Council Member Jenna Guzman-Lowery, the City Council unanimously approved, by roll call vote, to reject all bids for the 2023 CIP Sewer Pipeline Replacement Project, Project No. 521030; and directed staff to solicit new bids for the project. All bids significantly exceeded the \$2,500,000 construction cost estimate and available Project funding. Staff will re-advertise the Project in late-April 2024.

Vote: 4 - 0 Passed

Agreement On-Call Fence Gate Repair & Installation Services

On motion of Mayor Pro Tempore Paul Barich, seconded by Council Member Jenna Guzman-Lowery, the City Council unanimously determined, by roll call vote, that approval of a Non-Professional Services Agreement with Valley Cities Gonzales Fence, Inc. is exempt from environmental review pursuant to section 15301(l)(4) of the State's guidelines implementing the California Environmental Quality Act; and approved the Non-Professional Services Agreement with Valley Cities Gonzales Fence, Inc. for on-call fence and/or gate repair and installation services for an amount not-to-exceed \$180,000.

Vote: 4 - 0 Passed

Cooperative Agreement to Rehabilitate Portions of Live Oak Canyon Road

On motion of Mayor Pro Tempore Paul Barich, seconded by Council Member Jenna Guzman-Lowery, the City Council unanimously determined, by roll call vote, that approval of the Cooperative Agreement with the County of Riverside to rehabilitate portions of Live Oak Canyon Road is exempt from environmental review pursuant to Section 15061(b)(3) of the State's guidelines implementing the California Environmental Quality Act; and approved the Cooperative Agreement with the County of Riverside to rehabilitate portions of Live Oak Canyon Road for an amount not-to-exceed \$39,780.

Vote: 4 - 0 Passed

CalRecycle Grant Award

On motion of Mayor Pro Tempore Paul Barich, seconded by Council Member Jenna Guzman-Lowery, the City Council unanimously accepted, by roll call vote, the grant award from the Department of Resources Recycling and Recovery (CalRecycle); and approved an additional appropriation of \$94,312.

Vote: 4 - 0 Passed

U of R Commencement Temporary Street Closure

On motion of Mayor Pro Tempore Paul Barich, seconded by Council Member Jenna Guzman-Lowery, the City Council unanimously determined, by roll call vote, that approval of the event is exempt from environmental review pursuant to Section 15311(c) of the State's guidelines implementing the California Environmental Quality Act; and approved the temporary closure of Brockton Avenue from University Street to Grove Street on April 25 and April 26, 2024, for the University of Redlands commencement ceremony.

Vote: 4 - 0 Passed

COMMUNICATIONS

Measure T Citizens' Oversight Committee Annual Report

Management Services/Finance Director Garcia introduced Chairperson Toni Momberger to present the annual report of the Measure T Citizens' Oversight Committee. The Committee provides oversight of Measure T sales tax revenue, and the Report covered the fiscal year beginning July 1, 2022 through June 30, 2023. The total General Fund Revenue for fiscal year (FY) 2023 was approximately \$118.9 million, with Measure T sales tax revenue representing 17% of these funds, or \$20.4. FY 2023 saw Measure T contribute significantly to ongoing efforts to ensure sufficient staffing in the areas of public safety, animal services, fire prevention, library services, and code enforcement, among others. The City has made progress towards long-term goals of shortening the tree-trimming cycle for its roughly 43,000 trees, replacement of sidewalks, installation of ADA ramps, and the enhancement of parks maintenance services. These areas

translate into better public infrastructure and better service to the community.

Actual Measure T revenues exceeded budget. The passage of Measure T has continued to stabilize the City budget and allowed the City to deliver on the expectations and desires of our community. This includes efforts towards enhanced services in public safety and infrastructure maintenance, as well as bringing back the Library hours to pre-COVID levels and restoring general maintenance contracts for park and street upkeep. Measure T has allowed for significant investments in park improvements, fleet and heavy equipment replacement, and the addition of staff to enhance service delivery.

As public comment, Dennis Bell thanked staff and the Oversight Committee members who have shown diligence and commitment in their work, but he thought the City was burning a hole in the City's pocket because of the large amount of revenue generated by the tax. He said this was not an independent committee and Measure T funds should be audited twice a year. Council Members each voiced their appreciation of the Committee's continued dedication and service to the City.

On motion of Council Member Mario Saucedo, seconded by Council Member Jenna Guzman-Lowery, the City Council unanimously agreed, by roll call vote, to receive and file the Annual Report from the Measure T Citizens' Oversight Committee for FY 2023.

Vote: 4 - 0 Passed

Affordability Programs Research Project

Assistant City Manager McConnell opened the discussion related to the Council Member Priority Research Project regarding Affordability Programs. Council Member Guzman-Lowery recommended the City find and source funding to continue providing affordability programs due to the success of the Grocery Gift Card Program and the positive impact it has had specifically on households that are on fixed incomes, such as seniors. Ms. McConnell highlighted the success of the Program and pointed out it is currently funded by the City's allocation of State and Local Fiscal Recovery Funds of the American Rescue Plan Act.

Grants Coordinator Selina Sanchez reviewed the research conducted to find additional funding sources for these types of affordability programs, adding that unfortunately, staff was unable to find grant opportunities that could fund a program of this magnitude. While certain low-income food assistance programs are available, supported by federal or state grants, most are administered by other agencies. She pointed out the Redlands Senior Center plays a vital role in supporting the well-being of the senior population by offering a range of services and activities. These services and activities provided by the Senior Center contribute significantly to enhancing the quality of life for senior residents, while promoting socialization, health, and overall well-being. Although staff did not identify funding sources that are available at this time for the continuation of a Resident Grocery Gift Card program, staff will continue to monitor grant funding opportunities that become available.

PUBLIC HEARINGS

Resolution No. 8571 & Ordinance No. 2962 DIF - Continued to a Future Date

Municipal Utilities and Engineering Director Harris announced this public hearing to consider Resolution No. 8571 and Ordinance No. 2962 pertaining to Development Impact Fees was continued to a future date.

On motion of Council Member Jenna Guzman-Lowery, seconded by Council Member Mario Saucedo, the City Council unanimously agreed, by roll call vote, to continue the public hearing to consider Resolution No. 8571 and Ordinance No. 2962 pertaining to Development Impact Fees to a future date.

Vote: 4 - 0 Passed

NEW BUSINESS

City's EOC Roof and HVAC Repair & Replacement

Fire Chief Sessler reviewed the Public Works Contract with AME Builders, Inc. for the repair and replacement of the City's Emergency Operations Center roof and rooftop HVAC units, for an amount not-to-exceed \$425,706. He added that the apparent lower bid from Best Contracting Services was unresponsive and therefore, staff recommended the bid be rejected.

On motion of Council Member Mario Saucedo, seconded by Mayor Pro Tempore Paul Barich, the City Council unanimously determined, by roll call vote, that the Public Works Contract with AME Builders, Inc. is categorically exempt from environmental review pursuant to Section 15301(d) of the State's guidelines implementing the California Environmental Quality Act; rejected the bid from Best Contracting Services as unresponsive; and approved a Public Works Contract with AME Builders, Inc. for the repair and replacement of the City's Emergency Operations Center roof and rooftop HVAC units for an amount not-to-exceed \$425,706.

Vote: 4 - 0 Passed

Amending Third Party Liability Claims Administration Agreement

Human Resources/Risk Management Director Meteau reported on the First Amendment to the Agreement with George Hills Company, Inc. to provide third party liability claims administration on a time and expense basis for an amount not-to-exceed the amount of \$270,052 for the services provided during the term of the agreement, and he reviewed Resolution No. 8574, to grant authority at the City's request, to initiate small claims actions on behalf of the City, and rescinding Resolution No. 7830. Instead of a fixed fee compensation, this First Amendment specifies that claim administration services will be compensated on a time and expense basis, effective retroactively to July 1, 2023, and according to the amended fee schedule, include a not to exceed the annual cap of \$95,000 for the remaining duration of the agreement and the total compensation not to exceed \$270,052.

On motion of Council Member Jenna Guzman-Lowery, seconded by Council Member Mario Saucedo, the City Council unanimously approved, by roll call vote, the First Amendment to the agreement with George Hills Company, Inc. for the total compensation of the agreement not to exceed \$270,052; adopted Resolution No. 8574, granting authority at the City's request, to initiate small claims actions on behalf of the City and rescinded Resolution No. 7830.

Vote: 4 - 0 Passed

Amending Agreement General Pump Company

Municipal Utilities and Engineering Director Harris introduced the First Amendment to the Non-Professional Service Agreement with General Pump Company to revise the first Extended Term compensation to \$750,000 and extend the term to two years.

On motion of Council Member Jenna Guzman-Lowery, seconded by Council Member Mario Saucedo, the City Council unanimously approved, by roll call vote, the First Amendment to the Non-Professional Service Agreement with General Pump Company to revise the first Extended Term compensation to \$750,000 and extend the term to two (2) years, to provide groundwater well and booster pump services on an as-needed basis.

Vote: 4 - 0 Passed

Citywide Street Sweeping Services Agreement

Facilities and Community Services Director Crocker presented an agreement with SCA of CA, LLC for city-wide street sweeping services in the amount not-to-exceed \$1,334,479.32 for an initial period of three years, and with two additional one-year renewal options at \$444,826.44 for each extension for a possible agreement total amount not-to-exceed \$2,224,132.20. As public comment, Phil Courtney suggested the City consider assigning a street sweeping day so that residents know when the services will be performed. This would allow for the public to clear the streets in advance of the sweeping, making for a cleaner and more efficient outcome. Council Members were pleased the current vendor would be replaced since they each had received many resident complaints concerning their performance. Mayor Pro Tem Barich requested the City look into assigning street sweeping days. City Manager Duggan confirmed that staff will add his request to the project prioritization list.

On motion of Mayor Pro Tempore Paul Barich, seconded by Council Member Jenna Guzman-Lowery, the City Council unanimously determined, by roll call vote, that the project is categorically exempt from environmental review in accordance with Section 15301(c) of the State's guidelines implementing the California Environmental Quality Act; and approved the agreement with SCA of CA, LLC for city-wide street sweeping services in an amount not-to-exceed \$1,334,479 for a period of three years, with two additional one-year renewal options for a possible agreement total amount not-to-exceed \$2,224,132.20.

Vote: 4 - 0 Passed

Homekey Grant Agreement Termination

Assistant City Manager Boatman offered background related to the termination of the Homekey Grant agreement between the City of Redlands, Shangri-La Industries, 1675 Industrial Park, LP, and Step Up on Second Street, Inc. funding the operating subsidy for the motel conversion project located at 1675 Industrial Park Avenue. To address the housing needs of individuals and families who are homeless or at risk of homelessness, the City jointly applied with Shangri-La, Industries, LLC and Step Up on Second Street, Inc. for grant funding under the Homekey Program – Round 2, administered by the California Department of Housing and Community Development

(“HCD”).

After receiving City Council approval, on May 24, 2022, the City, Shangri-La, and Step Up (together, the “HCD Grantees”) entered into a grant agreement. The HCD Agreement required the City to, as a “matching contribution,” commit \$3,573,485 in Project funding. It was anticipated that this operating subsidy, together with HCD’s award of grant money and other funding sources secured by Shangri-La, would fund the conversion and operations of Step Up Redlands for at least five years. The City Council also approved a grant agreement between the City, Shangri-La Industries, 1675 Industrial Park, L.P. (“1675 Industrial”), and Step Up on July 19, 2022 (“Grant Agreement”). Pursuant to the HCD Agreement, grant funds were distributed by HCD directly to Shangri-La Industries in the summer of 2022. The Step Up Redlands facility was operational and occupied by February of 2023.

The City discovered that Shangri-La Industries had defaulted on its obligations under the Grant Agreement. Despite demanding cure, Shangri-La Industries has not responded to the City’s demand. Unless the grant is revoked and the Grant Agreement is terminated, the City will be forced to pay \$510,497 to Shangri-La Industries this year. To ensure that the City-funded operating subsidy continues to be used to support the Project and also to guard against any misappropriation, the City is within its rights to terminate the Grant Agreement.

As public comment, Andy Hoder asked whether the City would incur any penalties if the agreement was terminated and Assistant City Manager Boatman clarified there were none. Bruce Laycook wondered what the termination would mean for the City’s relationship with Step Up Redlands. Mr. Boatman explained that the action tonight would terminate the 3-party agreement, but the City still maintained another 2-party agreement with Step Up.

On motion of Mayor Pro Tempore Paul Barich, seconded by Council Member Jenna Guzman-Lowery, the City Council unanimously agreed, by roll call vote, to terminate the Homekey Grant Agreement between the City of Redlands, Shangri-La Industries, 1675 Industrial Park, LP, and Step Up on Second Street, Inc.; authorized the City Manager to sign and submit a Notice of Termination; and authorized the City Manager to use Grant Funding as appropriate for the Step Up Redlands Facility.

Vote: 4 - 0 Passed

COUNCIL MEMBER ANNOUNCEMENTS AND ACTIVITIES

Mayor Tejeda provided a project update to the East Valley Realtors Association and Chamber of Commerce Lobby, attended the Redlands Fire Department Promotion & Award Ceremony, was invited to a Prayer Bruch event in San Bernardino on April 14, and participated in the Groundbreaking event at Fire Station #262, to kick off the new remodeling project.

Mayor Pro Tem Barich enjoyed the Redlands Bicycle Classic event, attended the Redlands Fire Department Promotion & Award Ceremony, and participated in the Groundbreaking event at Fire Station #262, to kick off the new remodeling project.

Council Member Guzman-Lowery was looking forward to Earth Day events scheduled for April 20, enjoyed the Redlands Bicycle Classic event, and attended the Redlands Fire Department

Promotion & Award Ceremony.

Council Member Saucedo spoke to Boy Scout Troop #14 and was pleased to participate alongside Congressman Pete Aguilar as he presented \$500,000 to Hannah's House and the Blessing Center in Redlands. He also lifted a shovel to kick off the new remodeling project at Fire Station #262. He proposed two items be agendized for future meetings: 1) Consideration of a letter of support of a proposal from Senator Ochoa Bogh requesting \$45 million in relief funding to assist commercial citrus and other growers across the Inland Empire; 2) Report presentation recapping the State Water Tour he attended.

ADJOURNMENT

There being no further action required the meeting adjourned at 7:44 P.M. The next regular meeting of the City of Redlands City Council will be held on May 7, 2024.

GO TO PREVIOUS PAGE

GO TO THE TOP OF THE PAGE