

MINUTES

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

Present: **Eddie Tejeda, Mayor**
 Paul Barich, Mayor Pro Tempore
 Denise Davis, Council Member
 Jenna Guzman-Lowery, Council Member
 Mario Saucedo, 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; Brian Desatnik, Development Services 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 announced there were no closed session matters scheduled for the City Council to consider. The meeting recessed at 5:00 P.M.

RECONVENE CITY COUNCIL MEETING

The meeting reconvened at 6:00 P.M. with an invocation by Council Member Davis. The pledge of allegiance to the American flag was conducted by RUSD eAcademy, ASB students.

PRESENTATIONS

Redlands Pet Adoption

Animal Services Supervisor Jodi Kroeger and Kennel Attendant Hailey Stuck introduced "Ryder", a one-year-old male Siberian with three legs, who is available for adoption, along with thirty-five other dogs and one cat at the Redlands Animal Shelter. Ms. Kroeger informed the Council there had been forty-five dogs and seventeen cats adopted in January 2024 and thirty-six dogs and four cats adopted in February 2024.

PUBLIC COMMENT

Mayor Tejeda announced that comments could be presented in-person, via Zoom, via cell phone or landline.

Magic Show Invitation - Bruce Laycook invited everyone to attend a magic show on April 7, 2024, hosted by the Royal Family KIDS Camp, in support of their mission to help children who have experienced relational trauma.

CONSENT CALENDAR

Minutes

On motion of Council Member Denise Davis, seconded by Mayor Pro Tempore Paul Barich, the City Council unanimously approved, by roll call vote, the regular meeting minutes of February 20, 2024 and the special meeting minutes of February 21, 2024.

Vote: 5 - 0 Passed

Human Relations Commission Appointment

On motion of Council Member Denise Davis, seconded by Mayor Pro Tempore Paul Barich, the City Council unanimously appointed, by roll call vote, Roop Kishor Goyal to serve the remainder of a four-year term on the Human Relations Commission ending July 18, 2025.

Vote: 5 - 0 Passed

Resolution No. 8558 Delegating Investment Authority

On motion of Council Member Denise Davis, seconded by Mayor Pro Tempore Paul Barich, the City Council unanimously approved, by roll call vote, Resolution No. 8558 Delegating Investment Authority to the City Treasurer pursuant to Government Code Section 53607.

Vote: 5 - 0 Passed

MOU City of Victorville Fire Tiller Truck Loan

On motion of Council Member Denise Davis, seconded by Mayor Pro Tempore Paul Barich, the City Council unanimously approved, by roll call vote, the Memorandum of Understanding between the City of Redlands and the City of Victorville for the loan of a Fire Tiller Truck to Victorville Fire Department.

Vote: 5 - 0 Passed

MOU SBC Public Health Services Edible Food Recovery Inspection and Enforcement

On motion of Council Member Denise Davis, seconded by Mayor Pro Tempore Paul Barich, the City Council unanimously approved, by roll call vote, the Memorandum of Understanding with the San Bernardino County Department of Public Health Environmental Health Services to provide Edible Food Recovery Inspection and Enforcement per Senate Bill 1383.

Vote: 5 - 0 Passed

In-Kind Request Stronger Together Now Giving Sunday Event

Facilities and Community Services Director Crocker introduced the request for in-kind support in the amount of \$1,969, and additionally the request for commercial vendors and the temporary closure of a portion of 5th Street for the Stronger Together Now (STN) Giving Sunday event

within Ed Hales Park on Sunday, March 31, 2024. As public comment, Joshua Hall said he thought STN should not receive any in-kind support, and in his opinion, the Council was focusing too much on DEI (diversity, equity and inclusion) and not enough on the real problems of the City, such as homelessness. Michael Paisner voiced his support of the group's efforts to be a positive force, and he expressed frustration that STN faced criticism every time the requests were considered by the Council. Janelle Guerrero and Kai King, STN organizers, stated the group and most of its vendors are from Redlands, are in compliance with permitting and licensing requirements, and provide resources and assistance to the underserved community.

Council Member Saucedo suggested the group consider holding the Giving Sundays at a different site in Redlands, where the underserved population might have more accessibility, and he wondered whether the downtown businesses supported such events. Council Members Davis and Guzman-Lowery were in full support of STN's request and added the events are free, bring vitality to the downtown area and the goals were in alignment with the City's Strategic Plan of DEI. Mayor Tejeda reiterated his concerns about the frequency of requests submitted by any one particular group and wondered if the City should consider capping the number of times one non-profit organization requested in-kind support. Staff responded to questions, adding that there had been no complaints related to traffic and parking issues associated with the events.

On motion of Council Member Denise Davis, seconded by Mayor Pro Tempore Paul Barich, the City Council determined, by roll call vote, that this event is categorically exempt from environmental review pursuant to Section 15311 of the State's guidelines implementing the California Environmental Quality Act; authorized and approved the request for commercial vendors and the temporary closure of a portion of 5th Street on March 31, 2024; and approved the in-kind support of \$1,969.00 related to the Stronger Together Now Giving Sunday event.

Vote: 4 - 1 Passed

In-Kind Request Redlands Bicycle Classic Event

Facilities and Community Services Director Crocker introduced a request for in-kind support in the amount of \$112,769.88 related to the Redlands Bicycle Classic event hosted by the Redlands Bicycle Classic Inc. to be held on April 12, 2024, through April 14, 2024. As public comment, Dennis Bell stated this in-kind request should not be on the Consent Calendar, thought the attendance numbers in the staff report were inflated, and the approval process lacked transparency. Mayor Pro Tem Barich pointed out that the event brings tremendous value to the City by drawing large crowds, filling hotels and restaurants throughout the town and the City benefits from the collection of the Transient Occupancy Tax as a source of revenue, as well.

On motion of Mayor Eddie Tejeda, seconded by Council Member Jenna Guzman-Lowery, the City Council unanimously determined, by roll call vote, the authorization for the sale and consumption of alcoholic beverages during the Redlands Bicycle Classic to be held April 12 through April 14, 2024, is categorically exempt from environmental review pursuant to Section 15061 (b)(3) of the State's guidelines implementing the California Environmental Quality Act; authorized and approved a request for in-kind support in the amount of \$112,769.88 related to the Redlands Bicycle Classic event, the temporary street closures related to the event; and approved the sale and consumption of alcoholic beverages during the event.

Vote: 5 - 0 Passed

COMMUNICATIONS

Cultural Arts Commission Annual Report

Chair Daniel Gohman provided the Annual Report of the Cultural Arts Commission, introducing Commission members and reviewing the Commission's Mission and Initiatives, which included efforts to promote public interest in the Arts, recommending new art programs, recommending policies to encourage, develop, and support the Arts in Redlands. Furthermore, the Commission advises and updates the Council on the City's Art in Public Places program. Art initiatives and special projects, such as the Art on Loan program, art pieces funded by private developers, "project space moving" to Sylvan Park, and an art garden project. He was pleased to report that three public art pieces were funded and installed by developers over the last year in various locations in the City. Council Members expressed their appreciation for the Commission's work.

Municipal Utilities/Public Works Commission Annual Report

Commissioner Adekunle Ojo presented the Annual Report of the Municipal Utilities/Public Works Commission, listing numerous accomplishments that included, project review of Pavement Management Program, Groundwater Well and Booster Pump Rehabilitation, Waterline Replacement, Wastewater Pipeline replacement, Water System SCADA expansion and the Citywide Water Meter replacement project, WWTP Improvement – Phase 2. He also reviewed several goals for 2024. Council Member Saucedo thanked the Commission for their service, and added that as a former streets employee, he recognized how vital the Commission's work was to the City.

Mid-Year General Fund Budget Review for Fiscal Year 2023-24

Management Services/Finance Director Garcia gave a broad overview of the Mid-Year budget and explained the review provided an opportunity to assess the City's budget progression in the current fiscal year as compared to the Fiscal Year (FY) 2024 Mid-Biennium budget based on actual performance during the first seven months of FY 2024. Based on this analysis, no budget revisions are currently recommended. She examined results from FY 2023, reviewed the financial status of the current fiscal year, and reviewed the current economic climate as well as other important factors that impacted the General Fund moving forward.

FY 2023 - When comparing the audited results of Fiscal Year 2023 to the 2023 Mid-Biennium Budget Update, total revenues in the General Fund performed as expected, with a negative variance of roughly \$1,320,480 (1.4%). In terms of expenditures, FY 2023 saw a budget savings of roughly \$4.8 million compared to the mid-biennium budget update. This variance is a result of a large unspent portion of the appropriations budget for each department, meaning that there were savings realized both from unspent projects and staffing vacancies. In addition to these savings, \$16.9 million in unspent funding has been added to a reserve for encumbrances to carry that spending forward into the current fiscal year.

Fiscal Year 2024 Review - As adopted by the City Council on November 7, 2023, the FY 2024 General Fund budget included the use of roughly \$9.5 million in unassigned fund balance to cover certain modifications that were made as a result of labor negotiations, additional staffing to

enhance service levels, additional capital projects, and increases in operating expenditures. The use of unassigned fund balance was recommended in order to invest the growing unassigned fund balance levels into services that would benefit the community.

Economic & Budgetary Outlook - At the end of 2023, the economy remained resilient despite still-tight financial conditions, alleviating concerns about a near-term recession. With price pressures receding and the labor market gradually cooling, prospects for the Federal Reserve's goal of slowing inflation without an associated recession have improved. With inflation improving, it is likely that the Federal Reserve may begin cutting rates in 2024. Despite slowing job growth and high interest rates, US real GDP growth averaged 3.1% over the first three quarters of 2023, held up by strong consumption and business investment.

Biennial Budget Planning Schedule

March - Departments develop their budget requests and Capital Improvement Plans

April - Management & Departments meet to finalize City Manager's Proposed Budget

May 17 - Proposed Budget Distributed

May 20 - Special Council Budget Workshop

June 4 - Council Meeting Budget Presented to Council

June 18 - 2nd Council Meeting for Possible Budget Adoption

The City Council agreed to receive and file the report of the Mid-Year General Fund Budget Review for Fiscal Year 2023-24.

Ban of Gas-Powered Leaf Blowers

Facilities and Community Services Senior Manager Don Crow announced that at the direction of the City Council, staff conducted research regarding a potential ban on gas-powered leaf blowers. Areas of research included: current ordinances in other cities, potential legal issues, implementation and enforcement, and supportive funding. Research indicated that no cities in San Bernardino County have enacted an ordinance to ban gas-powered leaf blowers, but several in Riverside and Orange Counties have, and more than a dozen cities in LA County have current bans, with at least three that have banned leaf blowers entirely. The justification for these ordinances was found to be based on several lines of reasoning: air pollution from the 2-stroke engines that typically power leaf blowers; noise associated with leaf blowers; and dust and debris being spread across property lines and into the air. In 2021, the Governor of California signed into law AB 1346 banning the sale of gas-powered leaf blowers and string trimmers (weed whackers) starting July 1, 2024. The law also establishes emissions reductions for existing gas-powered leaf blowers as of July 1, 2022.

Mr. Crow reviewed the cities of Palm Spring and Newport Beach, detailing their methods of implementation and enforcement. It was noted that they have continued to struggle to enforce the ordinance, citing several factors including insufficient staffing to monitor and ensure compliance. The majority of other bans on gas-powered leaf blowers in Southern California were enacted in the 1990s, and cities such as Claremont, whose ban was put in place in 1991, still struggle with enforcement and cite the same issues of staffing availability as well as gardeners reverting to gas-powered units, even at the risk of fines, due to the limits of electric powered alternatives.

As public comment, Dennis Bell said that laws are only as good as their enforcement, and he questioned whether the City would be able to react to complaints in a timely manner. Joshua Hall

thought the City couldn't respond quickly enough to criminal complaints currently, so he was skeptical that response times for civil complaints would be more appropriate. Michael Paisner admitted there were challenges to instituting a ban, but he thought the City should pursue ways to mitigate the negative impacts of gas-powered leaf blowers. James Fallows provided insight into a program used in Washington DC and said it was a good example to show that these types of bans can be successfully instituted. The city uses a low cost, low overhead, and simple enforcement model.

Mr. Craw listed four options for the Council to consider, as shown in the staff report. Council Members offered their thoughts and perspectives. They agreed there were challenges to instituting a ban but felt compelled the City should do something. Their discussions centered on the following topics: AB 1346; compliance and enforcement methods; the financial burden that would be placed on those that can least afford it; and defining the offender, would it be the property owner or the landscaper.

On motion of Council Member Jenna Guzman-Lowery, seconded by Mayor Pro Tempore Paul Barich, the City Council agreed, by roll call vote, to direct staff to pursue Option Nos. 2 and 3, as identified in the staff report. Option No. 2: Promote subsidies from existing programs by other agencies in official communications (including newsletters), at community events, and in any other manner deemed appropriate by City Staff. Option No. 3) Direct staff to research the feasibility of converting gas-powered leaf blowers used by city staff and city landscaping contractors to 100% electric by July 1, 2025, by leveraging eligible funds from the South Coast AQMDs Commercial Electric Lawn and Garden Equipment Incentive & Exchange Program.

Vote: 4 - 1 Passed

Redlands Historical Museum Association Construction Loan

City Manager Duggan opened the discussion concerning a loan to the Redlands Historical Museum Association (RHMA) for the construction of the Museum of Redlands (MOR). He provided context and background, explaining that on January 21, 2022, the City received a grant proposal from the President of the RHMA requesting a financial contribution from the City to be used to complete the construction of the Museum. At the time, the total cost of the project was estimated to be approximately \$26 million, creating a shortfall of \$8 million from received fundraising contributions. At the April 19, 2022 meeting, City Council approved a grant agreement with RHMA for \$1 million toward the construction of the museum.

Since then, the State of California approved a \$2 million grant for MOR's use. The initial budget appropriation was promoted by Assemblywoman Eloise Gomez Reyes, advocated for by A.K. Smiley Public Library Board Vice President Rosa Gomez and eventually signed by Governor Newsom. However, the funds have yet to be distributed. RHMA also secured a \$1 million loan from the A.K. Smiley Public Library Endowment fund. A fundraising campaign brought in an additional \$3.3 million from donors. These combined efforts brought the RHMA to within \$730,000 of the \$27 million revised total cost of the project.

Recently, Kasey Haws, representative of MOR, presented a proposal for a loan of \$1 million by the City to RHMA with interest at 4% to be repaid in 2 years (maturity date). The proposed loan agreement requires that the money be used for the Museum project, RHMA would be responsible for complying with prevailing wage laws. Per the stipulations, RHMA may, but is not required to,

make payments over the two-year period and may pre-pay the loan prior to the maturity date. A late fee of \$5,000 could be assessed if principal and interest are not paid by the maturity date and interest continues to accrue until principal and interest is paid in full.

As public comment, Steve Stockton and Tim Rochford, of MOR, described how rising costs have impacted the museum's construction, they highlighted the future value MOR will bring to the City and pointed out the fundraising efforts of RHMA have been very effective. Dennis Bell thought the loan was not good for taxpayers and called it a bailout. Brian Seghers stated he supported museums in general and looks forward to the opening of MOR but added that charging only 4% interest on the loan, with no accountability, seemed low. City Manager Duggan added that the City has the funds and can afford \$1 million. Council Members offered their thoughts, raising questions of staff and Mr. Stockton, and they expressed their support of MOR.

On motion of Council Member Mario Saucedo, seconded by Mayor Eddie Tejeda, the City Council unanimously approved, by roll call vote, the loan agreement with the Redlands Historical Museum Association for the construction of the Museum of Redlands.

Vote: 5 - 0 Passed

PUBLIC HEARINGS

Lugonia Village Residential Project

Mayor Tejeda opened the public hearing and called on Development Services Senior Planner, Ryan Murphy, who summarized the applications for the Lugonia Village residential project located within the Specific Development (EV/SD) District of the East Valley Corridor Specific Plan. The Applicant, Redlands Summit, LLC, proposes to develop the 24.4-gross acre project site with 541 residential units, comprised of three distinct neighborhoods created through three separate subdivisions: a 451-unit multiple family apartment community, a 72-unit townhouse community, and 18 single-family homes along Karon Street. The project site is located on the north side of West Lugonia Avenue, south side of a proposed extension of Pennsylvania Avenue, and the west side of Karon Street. A key element of the proposed plan includes the extension of Pennsylvania Avenue from Karon Street to Tennessee Street to provide vehicle and pedestrian access to the townhome development, and it will allow for adequate drainage, water, and sewer services to be provided for the townhomes. The applicant intends to fulfill the inclusionary housing obligations by providing 28 Very-Low Income apartment units and has requested a density bonus in accordance with California State law. Representing the applicant, Project Architect Serafin Maranan, of Architects Orange, presented a "flyover" video of the project, listing the overall benefits to the City.

As public comment, Bruce Laycook Tessa Richard and Bobby Garrity voiced strong support in favor of the development. One written comment was received from Redlands Chamber of Commerce Executive Director, Evan Sanford, who also expressed the Chamber's support of the project, stating this project represents an opportunity for growth and progress, and will be an asset to the community. Staff responded to Council Member questions and with no further comments, Mayor Tejeda closed the public hearing.

On motion of Mayor Eddie Tejeda, seconded by Council Member Denise Davis, the City Council

unanimously approved, by roll call vote, Resolution Nos. 8551, Mitigated Negative Declaration and Socio-Economic Cost/Benefit Study; Resolution No. 8552, General Plan Amendment No. 143; and approved Resolution No. 8553, Specific Plan Amendment No. 40 Amendment No. 48;

On motion of Mayor Eddie Tejeda, seconded by Mayor Pro Tem Paul Barich, the City Council unanimously agreed, by roll call vote, to introduce Ordinance No. 2960, Zone Change No. 469;

On motion of Mayor Eddie Tejeda, seconded by Council Member Denise Davis, the City Council unanimously approved, by roll call vote, Resolution No 8554, Tentative Parcel Map No. 20469; Resolution No. 8555, Tentative Tract Map No. 20490; Resolution No. 8556, Tentative Tract Map No. 20491; and Resolution No. 8557, a Density Bonus and Inclusionary Housing Agreement

Vote: 5 - 0 Passed

NEW BUSINESS

Resolution No. 8550 Acceptance of SBCTA Bicycle & Pedestrian Facilities Program Grant

Municipal Utilities and Engineering Director Harris presented Resolution No. 8550, explaining it was a requirement of the San Bernardino County Transportation Authority, Transportation Development Act Article 3 Guidelines for acceptance of the \$1,282,000 Bicycle and Pedestrian Facilities Program grant; the 15% local match from Public Benefit Trails Reserve funds. As public comment, Dennis Bell thought this item was a waste of money.

On motion of Mayor Eddie Tejeda, seconded by Council Member Jenna Guzman-Lowery, the City Council unanimously determined, by roll call vote, that adoption of Resolution No. 8550 and acceptance of a Transportation Development Act, Article 3 Bicycle and Pedestrian Facilities Program grant are exempt from environmental review pursuant to Sections 15061(b)(3) and 15301(c) of the State's Guidelines implementing the California Environmental Quality Act; adopted Resolution No. 8550, accepting the Transportation Development Act Article 3 Bicycle and Pedestrian Facilities Program grant approving use of the Public Benefit Trails Reserve to match funds; and approved an additional appropriation of \$1,089,700.

Vote: 5 - 0 Passed

Resolution No. 8560 Accepting Dedication of Parkland

Assistant City Manager Boatman reviewed Resolution No. 8560, accepting the dedication of 1.66 acres of parkland from MLC Holdings, Inc. and the future reimbursement of \$463,312.98 in Park and Open Space Development Impact Fees associated with Tentative Tract Map 20528, upon successful completion of the project. On December 14, 2023 the Parks and Recreation Advisory Commission reviewed the request by MLC Holdings, Inc. and recommended that the City Council adopt Resolution No. 8560.

MLC Holdings, Inc. wishes to dedicate parkland to the City and receive credit in place of paying developmental impact fees associated with a current housing project. Development impact fees are a one-time charge to new development imposed under the Mitigation Fee Act. MLC Holdings, Inc. is currently processing plans for a 117-unit single-family development located on approximately 15 acres north of Pioneer Ave, south of Domestic Avenue and east of the 210

Freeway. MLC Holdings, Inc. representatives contacted City staff and sought input regarding the City's recreational needs in the early stages of project planning. Through several meetings, staff provided MLC Holdings, Inc. with a list of desired amenities to meet the high demand for sports fields within the city. The project proposes incorporating additional parking to support the previously approved Bergamot Park development, to support active sports fields, recreational facilities, and a passive nature area.

On motion of Mayor Eddie Tejeda, seconded by Council Member Jenna Guzman-Lowery, the City Council unanimously approved, by roll call vote, Resolution No. 8560 accepting the dedication of 1.66 acres of parkland from MLC Holdings, Inc., the future reimbursement of \$463,312.98 in Park and Open Space Development Impact Fees associated with Tentative Tract Map 20528, and determine that the project is exempt from environmental review pursuant to Section 15061(b)(3) of the State's guidelines implementing the California Environmental Quality Act.

Vote: 5 - 0 Passed

COUNCIL MEMBER ANNOUNCEMENTS AND ACTIVITIES

There were no Council Member announcements and reports presented.

ADJOURNMENT

There being no further action required the meeting adjourned at 9:09 P.M. The next regular meeting of the City of Redlands City Council will be held on March 19, 2024.

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