

MINUTES

Regular meeting of the City Council of the City of Redlands held in the Council Chambers, Civic Center, 35 Cajon Street, on February 20, 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, Jr., 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: Existing Litigation - Government Code §54956.9(d)(1)
(City Attorney Garcia)

Two Cases:

1. Salcido v. City of Redlands, et al., San Bernardino Superior Court, Case No. CIVSB2218452
2. Holzer v. City of Redlands, San Bernardino Superior Court, Case No. CIVSB2322787

RECONVENE CITY COUNCIL MEETING

The meeting reconvened at 6:00 P.M. with an invocation by Council Member Saucedo followed by the pledge of allegiance to the American flag.

CLOSED SESSION REPORT

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

PUBLIC COMMENT

Traffic Congestion - Susan Leonard complained about the City's increase in traffic congestion, which she claimed has become tortuous and has caused the quality of life to be downgraded. She reminded everyone that the voters clearly denied Measure G and yet, she said Council continues to ignore the will of the people.

Consideration of Allowing Cannabis Dispensaries - Dennis Bell thought allowing dispensaries in Redlands would be a bad idea, one that would likely cause staff nightmares with implementation and enforcement. Joshua Hall was glad the item was pulled from the agenda, and he said there was no need for dispensaries in town. Dan Jimenez thanked staff for a very thorough report, adding that he was convinced there were more drawbacks than benefits to allowing dispensaries within the community.

CONSENT CALENDAR

Minutes

On motion of Mayor Pro Tempore Paul Barich, seconded by Council Member Denise Davis, the City Council unanimously approved, by roll call vote, the regular meeting minutes of February 6, 2024, and the special meeting minutes of January 31, 2024.

Vote: 5 - 0 Passed

Settlement Agreement

On motion of Mayor Pro Tempore Paul Barich, seconded by Council Member Denise Davis, the City Council unanimously approved, by roll call vote, the public disclosure of details of an Agreement of Settlement and General Release between the City of Redlands and Julie Scates. Under the terms of the agreement, the City agrees to pay Ms. Scates \$92,500 to settle and dispose of disputes and controversies associated with a civil action pending in the San Bernardino Superior Court and entitled Julie Scates v. City of Redlands, et al., Case No. CIVSB 2127794.

Vote: 5 - 0 Passed

Mission Creek Zanja Storm Drain Channel Staff requested this item be pulled from the agenda and it will be presented to the Council for consideration at a future meeting.

Market Match Program

On motion of Mayor Pro Tempore Paul Barich, seconded by Council Member Denise Davis, the City Council unanimously approved, by roll call vote, the Agreement for Services with the Ecology Center to participate in their Market Match program to distribute nutrition incentives in the amount of \$7,000; approved an additional appropriation of \$8,500; and approved an in-kind services grant match of \$11,966.51.

Vote: 5 - 0 Passed

In-kind Support The Run Through Redlands Event

On motion of Mayor Pro Tempore Paul Barich, seconded by Council Member Denise Davis, the City Council unanimously determined, by roll call vote, that authorization for the items associated with the Run Through Redlands, hosted by the Kiwanis Club, on March 3, 2024, are categorically exempt from environmental review pursuant to Section 15061 (b)(3) of the State's Guidelines for Implementing the California Environmental Quality Act; and authorized and approved the expenditure of city resources and in-kind support in the amount of \$29,738; approved the temporary street closures, and the sale and consumption of alcoholic beverages all associated with the Run Through Redlands event scheduled for March 3, 2024.

Vote: 5 - 0 Passed

Art-On-State-Street Event

Facilities and Community Services Department Director Crocker introduced the request from the Redlands Art Association for commercial vendors and the temporary closure of State Street for the Art-On-State-Street event on March 24, 2024. As public comment, Joshua Hall was concerned this event was not hosted by the Redlands Art Association, as stated in the report, but instead by Stronger Together Now, and he said this creates a traffic boondoggle when streets are closed.

On motion of Council Member Jenna Guzman-Lowery, seconded by Council Member Denise Davis, 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 Art-On-State-Street event, authorizing the request for commercial vendors and the temporary street closure of State Street on March 24, 2024.

Vote: 5 - 0 Passed

Kid's Cures Foundation Downtown Redlands Artwalk In-kind Support

Facilities and Community Services Department Crocker introduced the in-kind support request of \$5,734.00 from Kid's Cures Foundation, for the Downtown Redlands Artwalk to be held on March 17, 2024 and a request to close East State and 5th Street and authorizing the request for the sale and consumption of alcoholic beverages in Ed Hales Park. As public comment, Dennis Bell pointed out the event host was an out-of-town organization, and he questioned why the group was using the nonprofit status documentation of Youth Hope. He asked why this art walk event needed to close off so many downtown streets, whereas the Redlands Art Association event only requested the closure of one street. Director Crocker clarified that the group did provide evidence of their nonprofit status.

On motion of Council Member Jenna Guzman-Lowery, seconded by Council Member Denise Davis, 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; approved a request for in-kind support of \$5,734.00 for this event; authorized the temporary street closures on March 17, 2024; and approved the request for the sale and consumption of alcoholic beverages in Ed Hales Park.

Vote: 5 - 0 Passed

Zanja Trail Parking Lot Grant Agreement

On motion of Mayor Pro Tempore Paul Barich, seconded by Council Member Denise Davis, the City Council unanimously approved, by roll call vote, an additional appropriation in the amount of \$200,000 from the Downtown Parking Reserve; determined that the granting of funds to Larry Jacinto Construction, Inc. for the construction of the Zanja Trail parking lot and street improvements serves a public purpose; and approved a Grant Agreement with Larry Jacinto Construction, Inc. in the amount of \$200,000 for the construction of a parking lot and street improvements to serve the Zanja Trail.

Vote: 5 - 0 Passed

Resolution No. 8561 Resources Recycling and Recovery Grant Program

On motion of Mayor Pro Tempore Paul Barich, seconded by Council Member Denise Davis, the City Council unanimously adopted, by roll call vote, Resolution No. 8561 designating an authorized representative to apply for the Department of Resources Recycling and Recovery grant program in furtherance of the State of California's efforts to reduce, recycle, and reuse solid waste generated in the state.

Vote: 5 - 0 Passed

COMMUNICATIONS

2022-23 ACFR & Audit Results

Management Services/Finance Director Garcia introduced Andrew Roth of The Pun Group, who provided a detailed analysis of the City's Annual Comprehensive Financial Report (ACAFR) and the Independent Accountants' Report on Applying Agreed-Upon Procedures related to the Article XIII-B Appropriations Limit Calculation for the fiscal year ending June 30, 2023. State statute and federal funding requirements stipulate the need for an annual audit to be conducted by independent certified public accountants. The ACFR presents the City's financial condition and activity in a transparent and structured manner and provides historical and comparative information. Topic areas included: Scope of Work and Timing, Required Communications, Overview of Financial Statements, Key Financial Indicators and Pension and OPEB Information and Audit Results. Auditors are required to review and approve the appropriations calculation as part of their audit, and they found no exceptions to the City's calculation of the appropriations limit.

Financial Statements were fairly presented in all material respect. Accounting policies were consistently applied. Estimates were reasonable and disclosures were properly reflected in the financial statements. Other results included: No disagreement with Management, No material weaknesses and/or significant deficiencies were identified in internal control over financial reporting; No accounting issues; No inappropriate activities were noted. There were no material weaknesses and/or significant deficiencies reported.

As public comment, Dennis Bell was unhappy that such a lengthy report had been released to the public late last week, giving very little opportunity to review it thoroughly, and he questioned how he could be certain the numbers were accurate. Bruce Laycook found the report too dense to fully understand, and he requested that in the future, the City provide an executive summary to better help the Council and the public understand the document. City Manager Duggan agreed that the document was lengthy but that the practice of an audit was complex. He suggested the budget document was a more easily understandable report and one that was more informative to the public. He said to look for the proposed budget in the next few months. Council Members thanked Director Garcia and her staff for all their work towards developing the ACAFR.

On motion of Council Member Jenna Guzman-Lowery, seconded by Council Member Mario Saucedo, the City Council unanimously accepted, by roll call vote, the City of Redlands Comprehensive Annual Financial Report and the Independent Accountants' Report on Applying Agreed-Upon Procedures Related to the Article XIII-B Appropriations Limit Calculation for the fiscal year ending June 30, 2023.

Vote: 5 - 0 Passed

Human Relations Commission Annual Report

Commission Chair Ken Ford offered the Annual Report of the Human Relations Commission, listing activities and accomplishments for 2023 that included, support of the Salvation Army's Annual Thanksgiving Dinner for homeless and low-income residents, affirmation of the City's support for National Coming Out Day, hosting the first Annual Health and Wellness Fair, and assisting the Church of Jesus Christ of Latter-day Saints and the Family Service Association in their Annual Food Drive. With new members and a new student member, the Commission was off to a great start for 2024. The annual planning meeting was held on January 27 and Commissioners look forward to implementing new programs and projects.

Traffic and Parking Commission Annual Report

Traffic and Parking Commissioner Eric Shamp provided the annual report and review of the Commission's accomplishments over the past year. He highlighted the Commission's purpose and mission was to promote safety, improve traffic conditions and the enforcement of traffic regulations. He described projects the Commission had reviewed and recommended for City Council's consideration, with the recent downtown parking study review consuming several commission meetings. Mr. Shamp put forward a number of suggestions to make the TPC a more effective body, one that addresses all the public's concerns and all modes of transportation, such as cyclists. He was looking forward to discussing these recommendations with Council Members.

Cannabis Regulatory and Taxation Options Council Member Guzman-Lowery requested this item be removed from the agenda.

PUBLIC HEARINGS

Resolution Nos. 8548 and 8549 CFD Annexation No. 29

Mayor Tejeda opened the hearing and called on Development Services Director Desatnik for a report on Resolution Nos. 8548 and 8549 and a request from Meritage Homes of California, Inc. to annex territory to Community Facilities District No. 2004-1 for the purposes of performing maintenance of parks, infiltration basins, catch basin inlets, fossil filters, landscaping, and street

trees within letter lot “A” and street right-of-way adjacent to Tract Map No 20336, and any other public services authorized by the act. City Clerk Donaldson agreed to hold the special election within the annexing territory on February 20, 2024. With no further comments, Mayor Tejeda closed the public hearing. City Clerk Donaldson conducted the special election and announced the results, which determined the required two-thirds of the votes cast (59-0) were in favor of levying the tax.

On motion of Council Member Jenna Guzman-Lowery, seconded by Mayor Eddie Tejeda, the City Council unanimously determined, by roll call vote, that adoption of Resolution Nos. 8548 and 8549 are not subject to environmental review pursuant to Section 15061 (b)(3) of the California Environmental Quality Act, as the adoption of these Resolutions does not have the potential to cause a significant effect on the environment; and approved Resolution No. 8548 calling a special election of the question of levying special taxes within the territory to be annexed to CFD No. 2004-1 and; On motion of Mayor Eddie Tejeda, seconded by Mayor Pro Tem Paul Barich, the City Council unanimously approved Resolution No. 8549 declaring the voting results of the special election of Annexation No. 29 to Community Facilities District No. 2004-1 were in favor of levying the tax, and therefore, the territory will be annexed to the CFD No. 2004-1.

Vote: 5 - 0 Passed

NEW BUSINESS

Contract Award 2023 Citywide Sidewalk and ADA Ramp Replacement Project

Municipal Utilities and Engineering Director Harris reviewed a Public Works Construction Contract with Tryco General Engineering for the 2023 Citywide Sidewalk and ADA Ramp Replacement Project for an amount not-to-exceed \$1,000,000. He added that a bid protest, submitted by TTS Engineering, was filed. After carefully reviewing the protest and consulting with the City Attorney's office, staff determined that Tryco General Engineering's bid was responsive with only minor, inconsequential bid irregularities and therefore, recommended the City Council reject the bid protest. The 2023 Citywide Sidewalk and ADA Ramp Replacement Project (Project) will replace approximately five miles of lifted and broken sidewalks and forty-seven ADA curb ramps in various locations throughout the City. As public comment, Bruce Laycock asked how residents could report their concerns about specific sidewalks that may need repair. Director Harris said that the public was encouraged to contact his department about any concerns they had, and he added that staff will be updating the current sidewalk survey.

On motion of Council Member Mario Saucedo, seconded by Mayor Pro Tempore Paul Barich, the City Council unanimously determined, by roll call vote, that approval of the 2023 Citywide Sidewalk and ADA Ramp Replacement Project is exempt from environmental review in accordance with Section 15301(c) of the State's Guidelines implementing the California Environmental Quality Act; approved the 2023 Citywide Sidewalk and ADA Ramp Replacement Project plans and specifications; rejected a bid protest; and approved the Public Works Construction Contract to Tryco General Engineering for an amount not-to-exceed \$1,000,000.

Vote: 5 - 0 Passed

Wastewater Treatment Plant On-call Engineering & Support Services

Municipal Utilities and Engineering Director Harris described a Professional Services Agreement and Sole Source Request for Landfill Gas Engineering Inc. for on-call engineering and support services for the wastewater treatment plant with an initial one-year term value not-to-exceed \$215,000 with options to extend for two additional years for a total amount not-to-exceed \$645,000.

On motion of Council Member Jenna Guzman-Lowery, seconded by Council Member Mario Saucedo, the City Council unanimously determined, by roll call vote, that approval of a Professional Services Agreement with Landfill Gas Engineering Inc. is exempt from environmental review pursuant to Section 15061(b)(3) of the State's guidelines implementing the California Environmental Quality Act; and approved a Professional Services Agreement and Sole Source Request with Landfill Gas Engineering Inc. for on-call engineering and support services for the wastewater treatment plant with an initial one (1) year term value not-to-exceed \$215,000 with options to extend for two (2) additional years.

Vote: 5 - 0 Passed

Sale of South Mountain Water Company Shares

Municipal Utilities and Engineering Director Harris provided background of the Agreement to sell 646 South Mountain Water Company shares to Yucaipa Valley Water District (YVWD) for \$323,000. Staff received an unsolicited proposal from YVWD to purchase the City's remaining South Mountain Water Company (SMWC) shares. On January 16, 2024, the City Council approved a Stock Sale Agreement to sell fifteen SMWC shares to YVWD for \$500 per share, for a total of \$7,500, to allow YVWD to attend the 2024 SMWC Annual Stockholders Meeting while they finalize their due diligence effort. YVWD recently completed their due diligence effort and is now prepared to execute a Stock Sale Agreement for the City's remaining 646 SMWC shares for \$500 per share, for a total of \$323,000. The Stock Sale Agreement with YVWD formalizes the transaction terms and also requires YVWD to continue SMWC non-potable water service to Crafton Hills Community College until their landscape irrigation system is connected to the YVWD recycled water distribution system. The transaction will generate \$323,000 in un-budgeted revenue for the Water Fund. As public comment, Bruce Laycook questioned if the funds were restricted for a certain purpose. Director Harris clarified that the funds could only be used for water projects and that at this time, the funds had not been earmarked for a specific project.

On motion of Council Member Jenna Guzman-Lowery, seconded by Mayor Pro Tempore Paul Barich, the City Council unanimously determined, by roll call vote, that approval of the Stock Sale Agreement to sell 646 South Mountain Water Company shares to Yucaipa Valley Water District is exempt from environmental review pursuant to Section 15061(b)(3) of the State's guidelines implementing the California Environmental Quality Act; and approved a Stock Sale Agreement to sell 646 South Mountain Water Company shares to Yucaipa Valley Water District for a total sale price of \$323,000.

Vote: 5 - 0 Passed

Contract Award Redlands Fire Station No.262 Remodel Project

Assistant City Manager Boatman presented a Public Work Contract with Elegant Construction, Inc., for the Redlands Fire Station No.262 Remodel Project, for an amount not-to-exceed \$2,160,000. The Fire Department oversees operations at four fire stations throughout the city, including Fire Station 262, located at 1690 Garden Street. This station was originally built in 1965, serving as a vital hub in ensuring the safety and well-being of the community. The scope of the project includes the construction of new spaces and the remodeling of certain areas within the existing 3,683 SF one-story building and new additions consisting of a fitness room and six crew dormitories. Site improvements consist of CMU retaining walls, tube steel fencing, a crew parking area, and landscaping. City Manager Duggan was pleased to report that this project, when completed, will accommodate multiple genders.

On motion of Council Member Jenna Guzman-Lowery, seconded by Council Member Denise Davis, the City Council unanimously determined, by roll call vote, that approval of a Public Work Contract with Elegant Construction, Inc. for the Redlands Fire Station No.262 Remodel Project is exempt from environmental review pursuant to Section 15301(d) of the State's guidelines implementing the California Environmental Quality Act; and approved an award of a Public Work Contract to Elegant Construction, Inc. in the amount of \$2,160,000 for the Redlands Fire Station No.262 Remodel Project.

Vote: 5 - 0 Passed

Tree Maintenance and Arboricultural Services

Facilities and Community Services Department Director Crocker detailed the Intergovernmental/Piggy-back Cooperative Agreement with West Coast Arborists, Inc. (WCA) and related Non-Professional Services for Improvement to Public Buildings and Grounds Agreement to provide tree maintenance and arboricultural services for a total amount not to exceed \$3,600,000. Staff was able to secure contract terms, by way of opting to "piggy-back" off an existing maintenance contract between WCA and the City of Claremont. Claremont City Council approved the contract on June 13, 2023 with an initial three-year term, with two additional one-year terms for a total of five years, with the contract including a purchasing provision that states "any other public agency shall have the option to participate in any award made as a result of this solicitation at the same prices." Staff recommended to award a piggy-back contract with WCA for an amount not to exceed \$3,600,000. This is based off \$1.2 million per year. Award of this piggy-back contract will mitigate the City from potential inflationary impacts by providing fixed operation pricing and cost certainty through February 2027. Additionally, the recommended contract terms will enable the City to maintain its current level of tree service and tree trimming scheduling.

Under the proposed extension, WCA will continue to proactively prune 7,000 to 9,000 trees per year, supporting a 5-7 year pruning cycle for street and park trees. In addition to scheduled citywide pruning activities, WCA facilitates reforestation efforts, provides as-needed support for emergencies and/or tree removals, administers field inventory for all city-owned and maintained trees, and provides the organization with a web-based system that tracks work orders, project budgets, and tree maintenance history. Council Member Saucedo applauded the use of the Intergovernmental/Piggy-back agreement since this provides cost savings for the City.

On motion of Council Member Jenna Guzman-Lowery, seconded by Council Member Denise Davis, the City Council unanimously approved, by roll call vote, the Intergovernmental/Piggy-back Cooperative Agreement with West Coast Arborists, Inc. and related Non-Professional Services for Improvement to Public Buildings and Grounds Agreement to provide tree maintenance and arboricultural services for a three-year term for an amount not to exceed \$3,600,000.

Vote: 5 - 0 Passed

COUNCIL MEMBER ANNOUNCEMENTS AND ACTIVITIES

Mayor Tejada and Mayor Pro Tem Barich enjoyed the Lincoln Dinner on February 12, 2024 and participated in the celebration of the Shrine's 90th anniversary.

Council Member Davis attended the Johnston Center for Integrative Studies reunion at the University of Redlands.

Council Member Guzman-Lowery continued to meet with several residents to discuss their pressing concerns.

Council Member Saucedo reminded everyone the Community Day of Service was scheduled for Saturday, March 9, 2024. With Black History Month in mind, he acknowledged the long-standing African American families of the Butler and Hubbard families, and he recognized Amos Issac, an educator, community leader and an alumnus of the University of Redlands. He also highlighted an upcoming event at The Village 2nd Baptist Church where the history of Stuart Avenue will be presented.

ADJOURNMENT

There being no further action required, the meeting adjourned at 7:31 P.M. The next regular meeting of the City of Redlands City Council will be held on March 5, 2024.

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