

MINUTES

Regular meetings of the City Council and the Redlands Financing Authority of the City of Redlands held in the Council Chambers, Civic Center, 35 Cajon Street, on September 19, 2023 at 5:00 P.M.

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

Absent: **Mario Saucedo, Council Member**

Staff: **Janice McConnell, Assistant City Manager; Chris Boatman, Assistant City Manager; Yvette M. Abich Garcia, City Attorney; Jeanne Donaldson, City Clerk; Phillip Doolittle, City Treasurer; 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**

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

Coyote Aviation - Ten people, including Gil and Carol Brown, Bill Cheesman, Brad Evans, Barry Neumayer, Martha Wethey, Joel Rothschild, Dr. Pamela Miller, David Vannix, and Keith Kasin voiced their displeasure with the City's treatment of Coyote Aviation, stating it seemed the City was determined to shutter the local business not because they were a danger or nuisance to the community, but because of an administrative error. They questioned the City's method for calculating fair market pricing for a ground-only lease and thought it was not fair or ethical to take away private property. Many speakers praised the honesty, character and integrity of Gil and Carol Brown.

CLOSED SESSION

Conference with legal counsel: Existing Litigation - Government Code §54956.9(d)(1)
(City Attorney Garcia)
Four Cases:

- a. Harper v. City of Redlands, et al., U.S. District Court, Central District, Case No. 5:23-cv-00695-SSS-KKx
- b. Sedlick, et al. v. City of Redlands, et al., U.S. District Court, Central District, Case No. 5:23-cv-00457-JGB-KKx
- c. Scates v. City of Redlands, San Bernardino Superior Court, Case No. CIVSB2127794
- d. City of Redlands v. Coyote Aviation, Inc., San Bernardino Superior Court, Case No. LLTVA2200544

RECONVENE CITY COUNCIL MEETING

The meeting reconvened at 6:21 P.M. with an invocation by Council Member Davis. The Pledge of Allegiance was conducted by Mariposa Elementary School 5th Grade Leaders.

CLOSED SESSION REPORT

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

PRESENTATIONS

Proclamation September 24, 2023 as Adult Literacy Day

Mayor Tejeda and Mayor Pro Tem Barich presented a Proclamation declaring September 24, 2023 as Adult Literacy Day in the City of Redlands to Nathan Gonzales, A.K. Smiley Public Library Archivist/Curator; Diane Shimota, Adult Literacy Coordinator; Raul Becerra, Program Participant; and Susan Hodges, Volunteer.

Proclamation The Unforgettables 25 Year Anniversary

Mayor Pro Tem Barich presented a Proclamation celebrating The Unforgettables 25 Year Anniversary to Tim Evans.

Sickle Cell Disease Program Recognition

Mayor Tejeda presented a Certificate of Recognition to Dr. Akshat Jain for his extraordinary commitment and valued contribution to the Sickle Cell Disease Program at Loma Linda University Children's Hospital.

PUBLIC COMMENT

Government Waste - Dennis Bell briefly complained about government waste including inflated salaries and mismanagement of CalPers.

Concerned Citizens - Ediberto Flores II, Ryes Quezada, Linda Macleod, Gilberto Gil and Rudy Lozano raised several concerns about recent allegations regarding actions of the Council Members, the City Manager and the Police Department. Issues were related to what was considered discrimination towards a police officer requesting bilingual pay and the poor treatment of the City's workforce, institutional racism, the possible cover-up of a high-ranking police officer's alleged sexual misconduct and the possible cover-up surrounding safety factors in connection to the fatal train accident. They insisted council members must show integrity, act swiftly and stand up for what was right.

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 of September 5, 2023.

Vote: 4 - 0 Passed

Proclamation September 24, 2023 as Adult Literacy 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 September 24, 2023 as Adult Literacy Day in the City of Redlands.

Vote: 4 - 0 Passed

Proclamation The Unforgettables 25 Year Anniversary

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 celebrating the The Unforgettables 25 Year Anniversary.

Vote: 4 - 0 Passed

Resolution No. 8515 Voting Authorization Water Company Meetings

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 adoption of Resolution No. 8515 is exempt from environmental review pursuant to Section 15061(b)(3) of the State's guidelines implementing the California Environmental Quality Act; and adopted Resolution No. 8515 authorizing City staff to vote on behalf of the City at water company meetings. Each water company holds annual Shareholders Meetings, Board of Directors Meetings, and specially called meetings from time-to-time. The City is able to participate in these companies by voting on various issues at these meetings and historically, City staff has voted on behalf of the City at these meetings. Resolution No. 8515 ratifies that practice.

Vote: 4 - 0 Passed

Joint Utilities Laboratory Equipment Purchase

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 non-competitive purchase of Joint Utilities Laboratory equipment and related services directly from IDEXX Distribution, Inc. for an amount not-to-exceed \$41,161.02.

Vote: 4 - 0 Passed

Redlands Oktoberfest In-Kind Support

On motion of Mayor Pro Tempore Paul Barich, seconded by Council Member Jenna Guzman-Lowery, the City Council unanimously determined, by roll call vote, the Redlands Oktoberfest event

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 \$14,061 related to this event; and authorized the sale and consumption of alcoholic beverages for the Redlands Optimist Club to be held on October 7, 2023, and October 8, 2023, at Sylvan Park.

Vote: 4 - 0 Passed

Joslyn Senior Center Renovation Project Third Amendment

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 approval of the agreement is exempt from an environmental review pursuant to Section 15061 of the State's CEQA guidelines; and approved the Third Amendment to the Public Works Contract with Armstrong Cal Builders, Inc. for the Joslyn Senior Center Renovation Project to extend the time for completion by ninety-two (92) calendar days.

Vote: 4 - 0 Passed

Stater Bros Charities Believe Walk In-Kind Support

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 request for in-kind support in the amount of \$38,861 related to the Stater Bros. Charities Believe Walk; and approved the temporary street closures related to the event to be held on Sunday, October 1, 2023.

Vote: 4 - 0 Passed

Public Disclosure Settlement Agreement

On motion of Mayor Pro Tempore Paul Barich, seconded by Council Member Jenna Guzman-Lowery, the City Council approved, by roll call vote, the public disclosure of details of an Agreement of Settlement and General Release between the City of Redlands and Stanley Claiborne. Under the terms of the agreement, the City agrees to pay Mr. Claiborne \$20,000.00 to settle and dispose of disputes and controversies associated with a civil action pending in the United States District Court and entitled Stanley Claiborne v. City of Redlands, et al., Case No. 5:22-cv-01287-DMG-SK.

Vote: 4 - 0 Passed

COMMUNICATIONS

Accelerate Neighborhood Climate Action

Mayor Tejeda introduced Richard Corneille and Linda Hamilton of Accelerate Neighborhood Climate Action (ANCA) who reported on the organization's first year accomplishments. They established three strong programs: Community Education, Neighborhood Action Planning and

Community Outreach and Engagement, which was supported by six teams and a coordinating council. Partnerships were developed with the University of Redlands, Inland Empire Resource Conservation District, Esri, and Inland Empire Master Gardeners.

They stated that climate change was the most serious threat facing humanity as witnessed through several local events, such as severe drought throughout the southwest, rivers and reservoirs at an all-time low, record rain and snowpack and record temperatures. Preparation was key at every level of the community, and they invited everyone to join them to strive to become a resilient community. ANCA goals for the next year include, the continuation of educational events; launch of neighborhood planning in at least 6 neighborhoods; bringing together at least 3 community networks to encourage working together on climate challenges; and leading a coalition to hold the second annual Day of Climate Action for Earth Day 2024. They thanked everyone with special thanks to Mayor Tejeda, Council Member Davis and the whole City Council for their support. As public comment, Dennis Bell pointed out inconsistencies with the City's policies and the City's actions.

Council Policy to Add Items to Agenda

Council Member Davis opened the discussion to consider establishing a policy for council members to add items to future City Council meeting agendas, as a way to provide for more transparency. This has been handled informally through requests made directly to the City Manager. As the administrative head of the City government, the City Manager prepares the agenda and has the authority to schedule agenda items based on those business items requiring City Council action. Staff conducted a brief survey of cities in the surrounding area to identify what methods, formal or informal, were currently being used for agenda preparation. Council Member Davis recommended her colleagues consider the policy of the City of Corona, which she said might be a good model for Redlands to follow. Mayor Pro Tem Barich and Council Member Guzman-Lowery were not ready to make a decision tonight and asked for more time and more details related to the Corona policy. Mayor Tejeda was comfortable with the current process for agendaing items. Council Members agreed to bring the item back to a future meeting and directed staff to include additional details related to the policy of Corona.

PUBLIC HEARINGS

Appeal HSPC Certificate of Appropriateness Permit No. 665

Mayor Tejeda opened the public hearing and called on Planning Manager Brian Foote, of Development Services, for a summary of the applicant's request to appeal a decision by the Historic and Scenic Preservation Commission (HSPC) that denied Certificate of Appropriateness Permit No. 665. The appellants, Beverly and Kenneth Winchester, requested the approval of an existing 6-foot-high vinyl fence and a rolling gate within the street-side setback for the property located at 232 West Olive Avenue. The existing vinyl fence does not meet the recommended guidelines of the Secretary of the Interior's Standards because it is incompatible with historic building materials and the home's Victorian style. Over the course of four meetings, HSPC Commissioners proposed several design alternatives for the applicant to explore, such as painting the fence, installing wood slats in front of the fence and gate, but a consensus was not found.

Beverly Winchester offered background of how the fence came to be, adding that she was not aware that her contractor should have pulled a City permit, but she said that she had cooperated with the requests of the HSPC. While driving through her historic neighborhood, she cited there

were multiple examples of other vinyl fences in the district. As public comment, Bobby Garrity, of Yes In My Backyard (YIMBY), was opposed to policies limiting home ownership and burdening property owners. He added the historic preservation policies were counterproductive to those longing to purchase a home in Redlands. Andy Hoder warned the Council about setting a precedent and allowing a non-compliant fence to remain, and he pointed to other examples of homeowners who had been required to comply with the City's Municipal Code.

Council Members raised questions about the next steps for the property owners if the appeal was upheld tonight and wondered if there was a way to comply with the City's historic preservation codes while also balancing the cost of replacing the fence. With no further comment, the Mayor closed the public hearing, and it was determined the Council preferred to continue the matter.

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 continue the appeal of the HSPC denial of Minor Certificate of Appropriateness No. 665, and allow staff more time to work with the property owners for an acceptable alternative to the 6-foot high vinyl fence.

Vote: 4 - 0 Passed

Resolution No. 8513 TVSP Sign Standards

Mayor Tejeda opened the public hearing and called on Planning Manager Brian Foote, of Development Services, who through a series of slides, provided details of Resolution No. 8513 to consider Amendment No. 1 to the Transit Villages Specific Plan (Specific Plan No. 65) consisting of the following items: Wall Signs; Canopy Signs; Sign Brightness; Sign Standards for Special District 1; Standards for Emergency Shelters; General Plan Consistency; Environmental Review. With no further comment, Mayor Tejeda closed the public hearing.

On motion of Council Member Jenna Guzman-Lowery, seconded by Mayor Pro Tempore Paul Barich, the City Council unanimously approved, by roll call vote, Resolution No. 8513 and approved Amendment No. 1 to the Transit Villages Specific Plan, and determined that adoption of Resolution No. 8513 is exempt from the California Environmental Quality Act pursuant to Section 15061(b)(3) of the CEQA Guidelines. Amendment No. 1 to the Transit Villages Specific Plan (Specific Plan No. 65) consists of the following components: 1. Amend Section 4.9 (Sign Standards) to permit internally-illuminated wall signs and canopy signs within all TVSP districts except for designated historic properties; 2. Amend Section 4.9 (Sign Standards) to add regulations pertaining to sign illumination brightness; 3. Amend Section 4.2 (Zones Established) to state that signs on properties within Special District 1 shall be subject to the sign regulations contained in Redlands Municipal Code Chapter 15.36 for C-3, General Commercial zone; 4. Amend Section 4.8 (Emergency Shelter Standards) to update the development and operating standards pertaining to emergency shelters to comply with the requirements of current State law.

Vote: 4 - 0 Passed

NEW BUSINESS

Mayor Tejeda called for a brief recess at 7:55 P.M. The meeting reconvened at 8:00 P.M.

Agreement Occupational Training for City Employees

Assistant City Manager McConnell reviewed the need for an agreement with Reliance Safety Consultants for occupational training for City employees for the period August 1, 2023 through August 1, 2026. Cal/OSHA (California Occupational Safety and Health Administration) requires employees to undergo safety training to ensure a safe working environment. These training courses cover essential topics such as hazard identification, proper equipment usage, emergency procedures, and compliance with safety regulations. By equipping staff with the knowledge and skills to identify and mitigate potential risks, these trainings uphold regulatory requirements, reduce the likelihood of accidents, injuries, and costly liabilities, while promoting the well-being of both staff and the public they serve.

On motion of Council Member Jenna Guzman-Lowery, seconded by Council Member Denise Davis, the City Council unanimously approved, by roll call vote, an agreement with Reliance Safety Consultants for occupational training for City employees for the period August 1, 2023 through August 1, 2026, with two optional one-year extensions for a total not to exceed amount of \$425,000.

Vote: 4 - 0 Passed

Design and Construction Management Agreement New City Hall Facility

Assistant City Manager Boatman introduced a Professional Services Agreement with Miller Architectural Corporation for design and construction management services in an amount not to exceed \$1,368,579, for the new City Hall Facility Project on State Street. He introduced Gary Miller who provided an overview of the project team, existing conditions, project justification, scope/vision, budgeting, and scheduling. The scope of work includes plans and specifications for the renovations, including structural retrofit of the building, and construction management. The proposal estimates the process to take approximately two years, with the design drawing completed in June 2024 and construction beginning in early 2025. Staff will provide periodic updates to the City Council throughout the entire project process, including construction cost estimates. The project budget was estimated at \$11M. As public comment, Dennis Bell was concerned about containing project costs and thought the renderings were excessive and looked like the Taj Mahal.

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 Professional Services Agreement with Miller Architectural Corporation for the design of the City Hall Facility is exempt from the California Environmental Quality Act pursuant to Section 15061(b)(3) of the CEQA Guidelines; approved the Professional Services Agreement with Miller Architectural Corporation for the design of the City Hall Facility in an amount not to exceed \$1,368,579; and approved an additional appropriation in the amount of \$1,368,579.

Vote: 4 - 0 Passed

Resolution No.8512 Five-Year Capital Project Needs Analysis

Municipal Utilities and Engineering Director Harris summarized Resolution No. 8512, adopting a Five-Year Capital Project Needs Analysis for FY 24/25 through FY 28/29 and explained this

matter was an administrative action to retain the City's eligibility for Measure I funding. He pointed out the list of projects could be revised.

On motion of Council Member Jenna Guzman-Lowery, seconded by Mayor Pro Tempore Paul Barich, the City Council unanimously approved, by roll call vote, Resolution No.8512 adopting a Five-Year Capital Project Needs Analysis for FY 24/25 through FY 28/29; and determined this action is exempt from environmental review pursuant to Section 15061(b)(3) of the State's guidelines implementing the California Environmental Quality Act.

Vote: 4 - 0 Passed

Mission Zanja Channel Improvements Project Additional Appropriation

Municipal Utilities and Engineering Director Harris explained that on September 5, 2023, City Council approved a construction contract with Harbor Coating and Restoration for the Mission Zanja Channel (MZC) Improvement Project between Texas Street and Eureka Street. However, the staff report inadvertently identified the incorrect funding source, the Storm Drain Fund, for this project. This fund uses Development Impact Fees (DIF), the use of which is restricted to infrastructure capacity expansion related to new development, which is not an appropriate use for this project since this section of the MZC is being maintained rather than expanded.

On motion of Council Member Jenna Guzman-Lowery, seconded by Council Member Denise Davis, the City Council unanimously approved, by roll call vote, a \$381,799 additional appropriation from the General Fund unassigned fund balance for the Mission Zanja Channel Improvements Project.

Vote: 4 - 0 Passed

COUNCIL MEMBER ANNOUNCEMENTS AND ACTIVITIES

Mayor Pro Tem Barich and Mayor Tejeda expressed their great sadness about the recent loss of the Los Angeles County Sheriff's Deputy killed in an ambush shooting. They urged a stop to violence.

ADJOURNMENT

There being no further action required the meeting adjourned at 8:25 P.M. The next regular meeting of the City of Redlands City Council will be held on October 3, 2023.

REDLANDS FINANCING AUTHORITY

Chairperson Tejeda called the meeting to order and offered anyone present the opportunity to address the Board on any subject not already on the agenda, within the jurisdiction of the Redlands Financing Authority.

PUBLIC COMMENT

None forthcoming

Minutes

On motion of Vice Chair Barich, seconded by Board Member Davis, the minutes of the regular meeting of May 16, 2023 were unanimously approved by roll call vote.

Vote: 4 - 0 Passed

ADJOURNMENT

There being no further business, the Redlands Financing Authority meeting was adjourned at 8:26 P.M. The next Redlands Financing Authority meeting will be held on January 16, 2024.

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