

MINUTES

Special meeting of the City Council of the City of Redlands held in the Council Chambers, Civic Center, 35 Cajon Street, on August 2, 2022 at 6:00 P.M.

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

Staff: Chris Boatman, Assistant City Manager; Yvette M. Abich Garcia, City Attorney;
Jeanne Donaldson, City Clerk; Brian Desatnik, Development Services Director;
Carl Baker, Public Information Officer

Mayor Barich called the special 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 address them on any matter scheduled on this agenda or any matter, within the jurisdiction of the City Council.

PUBLIC COMMENT

None forthcoming

CONSENT CALENDAR

Minutes

On motion of Mayor Pro Tempore Eddie Tejeda, seconded by Council Member Denise Davis, the City Council unanimously approved, by roll call vote, the minutes of the July 19, 2022 regular meeting.

Vote: 5 - 0 Passed

Resolution No. 8381 Remote Teleconference Meetings

On motion of Mayor Pro Tempore Eddie Tejeda, seconded by Council Member Denise Davis, the City Council unanimously approved, by roll call vote, Resolution No. 8381 authorizing remote teleconference meetings by the City Council and all Boards, Commissions, and Committees of the City in accordance with Assembly Bill 361 (2021) for a period of 30 days.

Vote: 5 - 0 Passed

Resolution Nos. 8377 and 8378 U of R Second Modified Alternative Measure

Council Member Gallagher recused himself from voting on this item due to property ownership near the identified parcels in San Timoteo Canyon. Following the City Council's action on July 19, 2022, city staff noted a minor typographical error in the Modified Alternative Measure

language referring to Figure 4-3 of the General Plan as the “Southwest Area” instead of the “Southeast Area”.

On motion of Mayor Pro Tempore Eddie Tejada, seconded by Council Member Denise Davis, the City Council approved Resolution No. 8378, adopting a request by the University of Redlands to place the Second Modified Alternative Measure as a City-initiated measure on the Ballot for the November 8, 2022 General Municipal Election (correcting the minor typographical error); adopted Resolution No. 8377 to withdraw the Modified Alternative Measure (as approved July 19, 2022) from the ballot and repeal Resolution Nos. 8374 and 8375; Determined that placement of the Second Modified Alternative Measure is exempt pursuant to Section 15061(b)(3) of the California Environmental Quality Act Guidelines; and Calling and giving notice of the holding of a General Municipal Election and requesting the Board of Supervisors of the County of San Bernardino consolidate said election with the Statewide Election on November 8, 2022.

Vote: 4 - 0 Passed

Other: Council Member Mick Gallagher (RECUSE)

Resolution No. 8379 Priorities for Filing of Written Arguments

On motion of Mayor Pro Tempore Eddie Tejada, seconded by Council Member Denise Davis, the City Council unanimously approved, by roll call vote, Resolution No. 8379 setting priorities for filing of written arguments regarding the Second Modified Alternative Ballot Measure; and designated Paul T. Barich to submit the primary argument in favor of the measure.

Vote: 5 - 0 Passed

NEW BUSINESS

Ordinance Nos. 2941 and 2942 Regulating the Termination of Residential Tenancies

City Attorney Abich Garcia presented Urgency Ordinance No. 2941 and Ordinance No. 2942, adding Chapter 9.38 to Article 9 of the Municipal Code regulating the termination of residential tenancies due to demolition or substantial remodel. She explained this was a continuation of a discussion from the July 19, 2022 meeting where the Council heard from tenants of two local apartment complexes that reported they were being evicted by the property owners based on substantial remodeling planned at the sites. During that meeting, the Council directed that an ordinance be brought for their consideration. Key points of the ordinances, include the following: The property owner must obtain all permits related to demolition or substantial remodel of a rental unit prior to issuing a notice of eviction to a tenant(s); The notice of eviction must include a copy of the permits and an explanation: 1) of the scope of the work; 2) why the work cannot be reasonably accomplished in a safe manner with the tenant in place; and 3) why the work requires the tenant to vacate the premises for a least 30 days; When the owner issues a notice of eviction for demolition or substantial remodel, the owner is required to provide relocation assistance in the amount of two (2) months' rent or \$4,500, whichever is greater, to the tenant within 15 calendar days of the notice of eviction; and lastly, if the owner is found by a civil court to have intentionally violated these regulations, the owner will be liable for up to \$15,000 and/or attorneys' fees to each tenant as determined by the court.

With the Council's approval, the Urgency Ordinance would take effect immediately, while Ordinance No. 2942 contains the same provisions as the Urgency Ordinance, it will serve as a “back-up” or non-urgency ordinance in case of legal challenges to the Urgency Ordinance. Ordinance No. 2942 will follow the regular adoption process and is scheduled to come back to the Council on September 6, 2022.

As public comment, Selina Gonzales, John Weekley, Justin Weekley, Cynthia Noren, Kayla Hardemen, Tarun and Scott Fowler supported the urgency ordinance, questioned why tenants would be required to vacate the premises during renovations, described the difficulties of finding affordable housing and thanked the City Attorney and staff for bringing this matter before the Council so quickly. Andy Hoder recommended finding a balanced approach, one that could provide the property owner with the right to a reasonable return on investment and at the same time offer some protection for the renters. Representing Doug Wetton Properties, Doug Wetton, Joe Shipley, Michael Drews and Todd Haig stated the properties under discussion were older and needed extensive renovations. They were not opposed to the ordinance in general, but the relocation fee of \$4,500 was burdensome and could force the owner to cut back on proposed renovations.

Council Members discussed the merits of the two ordinances and provided their own thoughts and perspectives. Council Members Guzman-Lowery and Davis agreed the top duty of the City Council was to protect the public and these ordinances provided an opportunity to offer tangible assistance, prevent displacement of residents and make an impact on homelessness. Council Member Gallagher stated a property owner should be allowed to make improvements, but he was concerned the relocation assistance payments would be an added burden and may discourage owners from investing in the community. Mayor Pro Tem Tejeda and Mayor Barich supported the provision to require landlords to obtain permits before moving forward with renovations. In response to several questions raised by Council Members, City Attorney Abich Garcia clarified the Urgency Ordinance would apply to any notice of eviction that was issued on or after the effective date of the Urgency Ordinance and to tenants: 1) who received a notice of eviction of their tenancy for demolition or substantial remodel; 2) who are in possession of the rental unit; and 3) where the time period in the notice of eviction has not yet expired.

On motion of Mayor Pro Tempore Tejeda, seconded by Council Member Davis, the City Council approved, by roll call vote, to waive further reading of Urgency Ordinance No. 2941; adopted Urgency Ordinance No. 2941; determined that the Ordinance is categorically exempt from environmental review in accordance with Section 15301(c) of the State's guidelines implementing the California Environmental Quality Act.

Vote: 4 - 1 Passed

NAY: Council Member Mick Gallagher

On motion of Mayor Pro Tempore Tejeda, seconded by Council Member Guzman-Lowery, the City Council approved, by roll call vote, to waive further reading of Ordinance No. 2942; approved to introduce Ordinance No. 2942; and determined that the Ordinance is categorically exempt from environmental review in accordance with Section 15301(c) of the State's guidelines implementing the California Environmental Quality Act.

Vote: 4 - 1 Passed

NAY: Council Member Mick Gallagher

Mayor Barich recessed the meeting at 7:19 P.M.

RECESS TO CLOSED SESSION

Conference with real property negotiators - Government Code §54956.8
(Assistant City Manager Boatman)

Property:	Vacant Property; APN 0292-341-26
Agency Negotiators:	Chris Boatman
Negotiating Parties:	GRD Enterprises, LLC
Under Negotiation:	Terms of payment and price of possible purchase of real property

RECONVENE CITY COUNCIL MEETING

The meeting reconvened at 7:28 P.M.

CLOSED SESSION REPORT

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

ADJOURNMENT

There being no further action required the meeting adjourned at 7:29 P.M. The next regular meeting of the City of Redlands City Council will be held on September 6, 2022.

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