

MINUTES of a regular meeting of the City Council of the City of Redlands held in the Council Chambers, Civic Center, 35 Cajon Street, on October 17, 2006, at 3:00 P.M.

PRESENT Jon Harrison, Mayor
Pat Gilbreath, Mayor Pro Tem
Gilberto Gil, Councilmember
Mick Gallagher, Councilmember
Pete Aguilar, Councilmember

ABSENT None

STAFF John Davidson, City Manager; Daniel J. McHugh, City Attorney; Lorrie Poyzer, City Clerk; Michael Reynolds, City Treasurer; Jim Bueermann, Police Chief; Jim Drabinski, Fire Chief; Tina Kundig, Finance Director; Ronald C. Mutter, Public Works Director; Marjie Pettus, Administrative Services Director; Gary G. Phelps, Municipal Utilities Director; and Jeffrey L. Shaw, Community Development Director

The meeting was opened with an invocation by Councilmember Gil followed by the pledge of allegiance.

DEPARTMENTAL INFORMATION REPORT

Administrative Services Department - Administrative Services Director Pettus introduced Mary Petite, CDBG Program Coordinator, who presented a PowerPoint reviewing the Community Development Block Grant Program which has been in existence for 30 years.

CONSENT CALENDAR

Minutes - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the minutes of the regular meeting of October 3, 2006, were approved as submitted.

Bills and Salaries - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, payment of salaries and bills was acknowledged.

Planning Commission Actions - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the report of the Planning Commission meeting held on October 10, 2006, was acknowledged as received.

Notice of Environmental Actions - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the report on pending environmental actions received from surrounding jurisdictions was acknowledged as received.

Agreement - Funds - Acquisition of Rights-of-Way - Mountainview Power - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved an agreement with Paragon Partners, Ltd. to provide professional services to acquire rights-of-way along San Bernardino Avenue at Mountainview Power, authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City and approved an additional appropriation of \$11,300.00 from the Local Transportation Fund.

Resolution No. 6552 - Traffic - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously adopted Resolution No. 6552, a resolution of the City Council of the City of Redlands establishing the following traffic regulations pursuant to Title 10 of the Redlands Municipal Code: create a two-hour parking time limit parking zone on the east side of Terracina Boulevard, from south of Heather Lane to Fern Avenue.

Community Facilities District Annexation - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved the request from Granite Homes for Tract No. 16586 located at Reservoir Road and Wabash Avenue, to annex into Community Facilities District No. 2004-1.

Purchase and Sale Agreement - Following discussion, Councilmember Gil moved to approve a purchase and sale agreement and joint escrow instructions with the San Bernardino Valley Municipal Water District for a portion of Assessor's Parcel No. 167-101-06 and authorized the Mayor to execute, and the City Clerk to attest to, the documents on behalf of the City. Motion seconded by Councilmember Gilbreath and carried unanimously.

Water and Wastewater Rate Modeling Analysis - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved an amendment to the agreement with Raftelis Financial Consultants for the 2006 Water and Wastewater Rate Modeling Analysis and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Settlement Agreement - SCAQMD - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved the settlement agreement with South Coast Air Quality Management District for the operation of the electricity cogeneration facility.

Crime-Free Multi-Housing Program - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved acceptances of the limited-consent-to-use form from Campbell Delong Resources, Inc. for materials to be used with the Redlands Police Department's Crime-Free Multi-Housing Program.

Funds - Sobriety Checkpoint Program - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved acceptance of the Sobriety Checkpoint Program Grant Project for Local Law Enforcement Agencies with primary funding from the California Office of Traffic Safety and authorized an additional appropriation in the amount of \$51,631.44.

MOU - City of Loma Linda - Fire Administration Services - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved a Memorandum of Understanding with the City of Loma Linda, authorized City staff to negotiate an agreement for the provision of fire administrative services and authorized the Mayor to execute, and the City Clerk to attest to, the agreement subject to the review and approval of that agreement by the Fire Chief, the City Manager, and the City Attorney.

COMMUNICATIONS

Meeting Attendance - No reports forthcoming.

Sports Park Update - Public Works Director Mutter introduced Bill Hemsley, Project Manager for the Redlands Sports Park, who reported the project is proceeding well. Vance Construction has installed the site infrastructure including water lines, sewer lines, storm drain systems, curbs and gutters, some of the sidewalks and the base course of the parking lot and street paving. Vance also graded the site so that it is ready for the remaining steps in the construction process including the installation of sports lighting, perimeter fencing, irrigation systems, landscaping and building. On September 19, 2006, the City Council awarded construction contracts to Rymax Electric and Golden State Fence Company for the sports lighting and fencing work. It is anticipated the fencing will be completed by the end of November and that the lighting will be completed by the end of February. Staff has advertised for irrigation and landscaping bids and will bring documentation for award to the recommended low bidder to the November 21, 2006, City Council meeting. The irrigation and landscaping work should be completed by late May and be ready for AYSO use for their Citrus Classic Tournament in June.

Agreement - AYSO - The field use and youth soccer program agreement was approved by City Council on November 1, 2005. At the time of the agreement, it was understood that AYSO would use four fields and 12 acres of open space area located in the detention basin. Since then, staff worked with AYSO to modify the intermediate plan to install eight full-size lighted soccer fields in the lower portion of the Redlands Sports Park. The detention basin area will remain barren until the funds are available to irrigate and landscape it. This revised plan better serves AYSO as they will be able to utilize the fields in one area instead of being split between two separate areas. Also, since the Planning

Commission approved an amendment to the Environmental Impact Report on September 12, 2006, all eight soccer fields may now be lit instead of only the upper four fields. This will allow AYSO to keep all their practices in the same location instead of being spread throughout the City at other lighted fields. At this time, staff requested City Council's authorization to modify the approved field use and youth soccer program agreement to incorporate the revised phasing of the Redlands Sports Park. Staff will not modify any other portions of the agreement. The current agreement stipulates among other things that AYSO shall pay the City \$45,000.00 per year for maintenance of the fields, contribute \$500,000.00 for Phase 1b construction which includes the installation of turf, sports lighting, and construction of the building, have use of the fields for 25 years, and have first right of refusal for the future phases of soccer fields. Councilmember Gilbreath moved to direct staff to renegotiate the field use and youth soccer program agreement with American Youth Soccer Organization (AYSO) pertaining to the use of fields at the Redlands Sports Park. Motion seconded by Councilmember Gallagher and carried unanimously. Mayor Harrison announced a dedication ceremony is being organization for next spring and anyone interested in working on the committee may contact Janice McConnell in the City Manager's Office.

General Plan Update - Community Development Director Shaw introduced Mr. Bhatia, Dyett & Bhatia, who reviewed the report on the Scope of Work for the General Plan Update which culminated the efforts of Dyett & Bhatia and staff in completing the Phase I Plan. The report is formatted as a step-by-step work program that serves as a comprehensive roadmap to update the General Plan, and as the request for proposals that the City will send to prospective planning firms to hire a consultant. This report is based on and supplemented by two other reports that make up the Phase I Plan. Staff previously filed the Report on the Redlands Community Vision with the City Council on July 5, 2006. The Report on the General Plan Update Focus was recently completed and provides staff with an evaluation of the existing General Plan by employing a match analysis comparing the guiding principals that emerged from the community outreach program with the existing vision/policy framework, and an identification of issues pertaining to effectiveness, outdatedness, legal requirements and internal inconsistencies. The Scope of Work for the General Plan Update also contains two optional tasks that staff requested Dyett & Bhatia explore and include a scope of work in the report. One is a fiscal model and analysis that will project General Fund revenues by source and public service expenditures by department over the time period of the General Plan under a base scenario (i.e., continuation of current trends), and a reasonable number of alternative scenarios to compare the fiscal consequences. The other optional task is an update to the City's zoning ordinance (Title 18 of the Redlands Municipal Code). This would entail a comprehensive update encompassing all of the topics contained in the zoning ordinance with the exception of sign regulations. Planning firms responding to the request for proposals will provide a cost estimate for each optional task which can be evaluated in terms of the

overall cost of the project. Councilmember Gilbreath moved to receive and file the report on the Scope of Work for the General Plan Update and authorized staff to begin the request for proposals process to obtain the services of a professional planning firm for a comprehensive update to the City's General Plan. Motion seconded by Councilmember Gallagher and carried unanimously.

CLOSED SESSION

The City Council meeting recessed at 3:55 P.M. to a closed session to discuss the following:

1. Public Employee Appointment/Employment - Government Code Section 54957 - Title: Temporary/Interim City Manager

The meeting reconvened at 7:00 P.M.

PRESENT

Jon Harrison, Mayor
Pat Gilbreath, Mayor Pro Tem
Gilberto Gil, Councilmember
Mick Gallagher, Councilmember
Pete Aguilar, Councilmember

ABSENT

None

STAFF

John Davidson, City Manager; Daniel J. McHugh, City Attorney; Lorrie Poyzer, City Clerk; Teresa Ballinger, Assistant City Clerk; Michael Reynolds, City Treasurer; Jim Bueermann, Police Chief; Jim Drabinski, Fire Chief; Tina Kundig, Finance Director; Ronald C. Mutter, Public Works Director; Gary G. Phelps, Municipal Utilities Director; and Jeffrey L. Shaw, Community Development Director

CLOSED SESSION REPORT

Interim City Manager - City Attorney McHugh announced the City Council, by unanimous vote, retained Sam Racadio to serve as Interim City Manager. Further action was taken later in the evening regarding this matter.

PRESENTATIONS

University of Redlands Mace - Councilmember Gallagher presented a ceremonial mace and carrying case as a gift from his family to the City. The mace has the University of Redlands and City of Redlands logos and includes the names engraved on solid silver bands of each University president who served during the past 100 years. The mace contains 60 ounces of solid silver which is mounted on a solid dark walnut staff. The mace will be displayed in a cabinet, which was provided through donations from Mayor Jon Harrison, Councilmember Pete Aguilar, City Treasurer Mike Reynolds, City Clerk Lorrie

Poyzer, Mayor Emeritus Carole Beswick, and Councilmember Emeritus Barbara Wormser, in the University of Redlands' President's office. Mayor Harrison thanked all who participated for their efforts in making this gift possible. On behalf of the City, Mayor Harrison will present the mace to the University of Redlands at their centennial opening celebration on October 20, 2006.

Eureka Street Median Islands - Public Works Director Mutter reported landscaped median islands were constructed as a part of a street widening and reconstruction project on Eureka Street between Redlands Boulevard and Pearl Avenue several years ago. Median island maintenance is a part of the Parks Division duties. However, during the preparation of the Fiscal Year 2005-06 budget, reductions eliminated the six part-time staff members responsible for median island maintenance. As a result, most of the maintenance functions ceased other than emergency functions and irrigation to maintain the trees. In an effort to enhance this street, the City Council and Redevelopment Agency approved funding a project to install artificial turf in the median island. However, the public did not receive the proposal well and asked that the project be reconsidered, utilizing natural landscape materials. The heavy maintenance requirements of natural turf and plants remains an issue. The City has been approached by Steve Stockton, representing the Redlands Noon Kiwanis Club, to discuss the potential of developing a project to upgrade and maintain the median island in Eureka Street. Mr. Stockton made a PowerPoint presentation to the City Council proposing the Redlands Noon Kiwanis Club develop a new landscaping plan for the medians with the assistance of Newell's Nursery, hire a contractor at their cost to install the landscaping as approved by the City, and then provide maintenance for the medians for a five-to-seven year period. Councilmembers expressed their support for this proposal and expressed their appreciation for their efforts.

LAND USE AND PUBLIC HEARINGS

Pre-Annexation Agreement No. 06-01 - KB Homes, Applicant - Public notice was advertised for this time and place to consider a Negative Declaration as well as a public hearing for a Socio-Economic Analysis and Cost/Benefit Study and consideration of Pre-Annexation Agreement No. 06-01, a pre-annexation agreement for a 45-lot subdivision referred to as Tract No. 17060 on a 12.68 acre parcel located on the northwest corner of Nice Avenue and Sapphire Avenue in the town of Mentone within the San Bernardino County. Mayor Harrison declared the meeting open as a public hearing. Community Development Director Shaw reviewed the proposed pre-annexation agreement. Mayor Harrison called for public comments. There being no verbal or written comments, the public hearing was declared closed.

Negative Declaration - Councilmember Gilbreath moved to approve the Environmental Review Committee's negative declaration for Pre-Annexation Agreement No. 06-01 based on the finding that the project will

not have a significant effect on the environment, determining this project will not individually or cumulatively have an adverse impact on wildlife resources as defined in Section 711.2 of the California Fish and Game Code and directed staff to file and post a Notice of Determination in accordance with the City's guidelines. Motion seconded by Councilmember Gallagher and carried unanimously.

Socio-Economic Analysis and Cost/Benefit Study - Councilmember Gilbreath moved to approve the Socio-Economic Analysis and Cost/Benefit Study for Pre-Annexation Agreement No. 06-01 as it has been determined that this project will not create unmitigable physical blight or overburden public services in the community and no additional information or evaluation is needed. Motion seconded by Councilmember Gallagher and carried unanimously.

Pre-Annexation Agreement No. 06-01 - Councilmember Gilbreath moved to approve Pre-Annexation Agreement No. 06-01 with KB Home Greater Los Angeles, Inc. Motion seconded by Councilmember Gallagher and carried unanimously.

Concept Plan No. 1, Amendment No. 4 - Thienes Engineering, Applicant - Public notice was advertised for this time and place to consider a Draft Mitigated Negative Declaration as well as a public hearing for a Socio-Economic Analysis and Cost/Benefit Study and a public hearing to consider Resolution No. 6551 amending Concept Plan No. 1 of the East Valley Corridor Specific Plan to amend the land use designations of portions of three lots from Medical Facilities to Commercial/Industrial zoning designation. Mayor Harrison declared the meeting open as a public hearing. Community Development Director Shaw reviewed the proposed amendment to Concept Plan No. 1. Mayor Harrison called for public comments. There being no verbal or written comments, the public hearing was declared closed.

Resolution No. 6551 - Councilmember Gilbreath moved that the City Council determine that the adoption of Resolution No. 6551 does not require further environmental processing, pursuant to Section 15162 of the California Environmental Quality Act Guidelines, based on the findings contained in the staff report. Motion seconded by Councilmember Gallagher and carried unanimously. Councilmember Gilbreath moved to adopt Resolution No. 6551, a resolution of the City Council of the City of Redlands amending Concept Plan No. 1 of the East Valley Corridor Specific Plan to amend the land use designations of portions of three lots from Medical Facilities to Commercial/Industrial zoning designation. Motion seconded by Councilmember Gallagher and carried unanimously.

CUP No. 836 - Bulldog Commons, LLC, Applicant - Consideration of an Environmental Impact Report was scheduled and public notice was advertised for this time and place to consider a Socio-Economic Analysis and Cost/Benefit Study and Conditional Use Permit No. 836 to develop a forty (40) unit apartment complex on a 3.07 acre property located at the southeast corner of Grove Street and Sylvan Boulevard in the R-2 (Multiple Family Residential) District. Mayor Harrison declared the meeting open as a public hearing. Community Development Director Shaw reviewed the proposed project noting the Planning Commission unanimously voted to recommend approval of the Socio-Economic Analysis and Cost/Benefit Study and Conditional Use Permit No. 836. The Historic and Scenic Preservation Commission recommended approval without the channel improvements. Councilmembers discussed the history of the Zanja, and Public Works Director Mutter reviewed the flooding maintenance problems over the years. It was noted that Public Works Condition No. 18 needed to be changed to reflect accommodation of a 7-10 year storm runoff rather than 100 years.

Richard Feenstra, the applicant, presented a PowerPoint entitled "The Journey of the Zanja" showing modifications of the channel over the years and his proposal for the improvements as required by the City of Redlands. Discussion ensued with the suggestion to add a maintenance requirement for the public trail in Public Works Condition No. 21. Also present were representatives from ECORP Consulting, Inc. who prepared the draft Environmental Impact Report for this project. Jim DeAguilera, the attorney representing the applicant, felt the City had done the job required of them. Gary Mitchell, land planning consultant, stated the Environmental Impact Report was adequate and the project well designed.

The University of Redlands submitted a letter dated October 12, 2006, opposing the proposed project as they believe the Environmental Impact Report is inadequate. They cited concerns about protecting the Mill Creek Zanja, removal of mature, historically significant trees, the impacts of the proposed flood control improvements, and the impact of the hauling of fill dirt and traffic during the construction of the project. They requested the Environmental Impact Report be recirculated for additional public comment and to deny the project until such time as an adequate Environmental Impact Report is prepared. Dennis Christensen from the University of Redlands and Jennifer Chavez, legal counsel for the University of Redlands, urged the City Council to deny the project as proposed. Ms. Chavez also expressed a concern about the possible bat habitat on the property.

Councilmembers discussed the flood control issue at length, suggested reducing the width of Sylvan Boulevard by six feet and to preclude parking on the south side, and wanted the final landscaping plans to be reviewed by the Planning Commission. Mayor Harrison asked the applicant if he would be willing to continue this hearing to the first meeting in December. Following discussion,

Mr. Feenstra agreed to a continuance. City Clerk Poyzer reported no additional written comments had been received since preparation of the staff report. The public hearing was closed at 9:03 P.M. Councilmember Gil moved to continue this matter to the evening session on December 5, 2006, for further review. Motion seconded by Councilmember Gallagher and carried with Councilmembers Gilbreath and Aguilar voting NO to the continuance.

NEW BUSINESS

Interim City Manager - Mayor Harrison reported he and Councilmember Aguilar negotiated employment terms with Sam Racadio to include the following contract points: Compensation: City will pay \$16,000.00 per month and will pay Social Security and unemployment insurance. Mileage: City will reimburse in accordance with the City's standard policy. Work Related Meetings/Workshops: City will cover costs related to workshops/meetings related to City business. Work Schedule: 9/80 week with flexibility on personal leave days; contract compensation not to exceed payment for more than 960 hours; the Interim City Manager is expected to be available during normal City business hours with flexibility for prior commitments, holidays, with understanding of duties. Termination: Five business days notice by either party. City Council meetings: two meetings per month. Councilmember Gilbreath moved to direct the City Attorney to prepare a contract incorporating these terms for Sam Racadio to act as Interim City Manager and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City. Motion seconded by Councilmember Gallagher and carried unanimously.

PUBLIC COMMENTS

City Manager - On behalf of the City Council, Harrison expressed appreciation to City Manager John Davidson, for his six dedicated years of service. Mr. Davidson has resigned and will be the City Manager for the City of Hemet starting on November 6, 2006. Mayor Harrison noted City Manager Davidson's quiet style of leadership has been appreciated by Councilmembers, staff and the community. City Manager Davidson thanked everyone for their support during his tenure. On behalf of the Redlands Police Officers Association, Corey Hunt expressed their thanks and gratitude to City Manager Davidson for his courageous leadership.

The Terrace - Mario Saucedo, North Redlands Vision Committee, announced a work party has been scheduled to clean up the area around The Terrace on November 4, 2006, from 9:00 A.M. to noon. He thanked City Manager Davidson for his assistance and wished him success in his new position.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 9:24 P.M. The next regular meeting will be held on November 7, 2006.