

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 December 19, 2006, at 3:02 P.M.

PRESENT

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

ABSENT

None

STAFF

Sam J. Racadio, Interim City Manager; Daniel J. McHugh, City Attorney; Lorrie Poyzer, City Clerk; Michael Reynolds, City Treasurer; Jim Bueermann, Police Chief; Jim Drabinski, Fire Chief; Steven H. Dukett, Interim Redevelopment Agency Director; 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 Aguilar followed by the pledge of allegiance.

DEPARTMENTAL INFORMATION REPORT

City Treasurer - City Treasurer Reynolds explained how parking citations are handled in the City Treasurer's Office.

CONSENT CALENDAR

Minutes - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the minutes of the regular meeting of December 5, 2006, were approved as submitted.

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

Ordinance No. 2650 - Fees and Service Charges - Ordinance No. 2650 an ordinance of the City of Redlands amending Chapter 3.16 of the Redlands Municipal Code relating to fees and service charges, was unanimously adopted on motion of Councilmember Gilbreath, seconded by Councilmember Gallagher.

Development Impact Fees - Annual Report - Public Works Director Mutter responded to Mayor Harrison's questions explaining that the drainage, park, and public facilities development impact fees review should be completed in

January and that a City Council workshop will be held in February followed by implementing legislation. Councilmember Harrison moved to accept the Annual Report of Development Impact Fees for the year ended June 30, 2006. Motion seconded by Councilmember Gallagher and carried unanimously.

CFD 2001-1 - CFD 2003-1 - Annual Reports - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously accepted the Annual Reports for Community Facilities District No. 2001-1 and Community Facilities District No. 2003-1.

Lease Purchase Agreement - Police Vehicles - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously approved a lease-purchase agreement with Ford Motor Credit Company for four Crown Victoria police sedans and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Planning Commission Actions - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the report of the Planning Commission meeting held on December 12, 2006, was acknowledged as received.

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

Local Appointments List for 2007 - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously accepted the Local Appointments List for 2007 as required by Government Code Section 54972 which includes all appointive terms which will expire during the next calendar year.

Contract Reduction - Pipeline Replacement Project - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously approved a reduction of contract retention with SoCal Pacific Construction Corporation to five percent of the contract amount for the Tate Water Treatment Plant Effluent Pipeline Replacement Project, No. 4-0688.

Ordinance No. 2652 - Comprehensive Transportation Improvement Fees - Ordinance No. 2652 an ordinance of the City of Redlands amending Chapter 3.54 of the Redlands Municipal Code to establish new comprehensive transportation improvement fees and deleting Chapter 3.58 of the Redlands Municipal Code relating to traffic signalization fees, was unanimously adopted on motion of Councilmember Gilbreath, seconded by Councilmember Gallagher.

Policy - Street Trees - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously adopted the policy for

removal, transplanting or sale of City parkway palms in conflict with Southern California Edison Overhead Facilities as recommended by the Street Tree Committee.

Proclamation - Arbor Day - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously approved the proclamation for the 2007 celebration of National Arbor Day in the City of Redlands as recommended by the Street Tree Committee.

Funds - Youth Recreation Programs - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously accepted a donation from Carol L. Kennedy and J. Montgomery Dill to assist funding the Youth Recreation Programs Teen Committee and Kids World and approved an additional appropriation in the amount of \$1,500.00 for this donation.

Funds - Emergency Preparedness Program - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously accepted a donation of \$2,200.00 from Harold L. and Sharyl M. Ewart and approved an additional appropriation for the same for the purchase of emergency equipment within the City of Redlands Fire Department Emergency Preparedness Program.

Funds - House Hazardous Waste Program - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously accepted the FY 2006-07 Household Hazardous Waste Program grant awards of \$5,649.75 from San Bernardino County and authorized the expenditure of that amount for the City of Redlands Household Hazardous Waste Program.

Funds - Agreement - Fire Department Consolidation - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously authorized staff to negotiate a consulting services agreement with City Gate Associates on the terms and conditions described in this staff report for the purpose of conducting a Fire Department Consolidation Feasibility Analysis for the Cities of Redlands, Loma Linda, and possible the Local Agency Formation Commission, authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City, and approved an additional appropriation in the amount of \$34,815.00 to fund the analysis.

Vehicle Purchases - Administrative Services - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously award the bid and approved the purchase of one Chevrolet Silverado 4500 with Pacific Truck Body for the Equipment Maintenance Division, and approved the purchase of one Caterpillar Electric Reach Truck, DEKA Battery and Industrial Charger, under the Department of General

Services California Multiple Award Schedules for the Purchasing/Stores Division.

Seismic Retrofit - Civic Center - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously authorized an application for the Pre-Disaster Mitigation Competitive Grant Program for a seismic retrofit of the Civic Center.

Resolution No. 6563 - Salary - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously adopted Resolution No. 6563, a resolution of the City Council of the City of Redlands amending the salary schedule and compensation plan for City employees adjusting hourly rates in the part-time salary table to comply with the new minimum wage of \$7.25 per hour which will be effective January 1, 2007.

PLANNING AND COMMUNITY DEVELOPMENT

Residential Development Allocations - 4th Quarter - Community Development Director Shaw reviewed the following application for residential development allocations for the fourth quarter of 2006 as recommended by the Planning Commission, the Historic and Scenic Preservation Commission, the Housing Commission, City departments and the Redlands Unified School District:

1. RDA 2006-IV-01 - Garner Construction and Development, Inc., Applicant - Tentative Tract No. 17622 and Specific Plan No. 60 for an approved 12-unit single-family residential development project on a 5.69 acre site located at the northwest corner of Los Altos Drive and Wabash Avenue at 12626 Wabash Avenue in Specific Plan No. 60.

The application received 90 points making it eligible for an allocation of building permits. Mayor Harrison was assured the placement of the trees would be taken care of at a later date to address the concerns expressed by the neighbors. Councilmember Gilbreath moved to accept the recommendations of the points to be awarded for this project and approved the allocation of 12 units to RDA 2006-IV-01, Gardner Construction and Development, Inc. Motion seconded by Councilmember Gallagher and carried unanimously.

COMMUNICATIONS

Meeting Attendance - No reports forthcoming.

Appointment - Street Tree Committee - Mayor Harrison moved to appoint James Rock to serve the remainder of the unexpired term ending February 16, 2007, on the Street Tree Committee. Motion seconded by Councilmember Gilbreath and carried unanimously.

Appointments - Traffic and Parking Commission - Mayor Harrison moved to appoint Jerry Ryen to serve a four-year term on the Traffic and Parking Commission beginning December 21, 2006, and ending December 20, 2010, and to reappoint Michael S. Lee to serve another four-year term on the Traffic and Parking Commission ending December 20, 2010. Motion seconded by Councilmember Gilbreath and carried unanimously. (Note: In accordance with Ordinance No. 2491, this motion required a 4/5 vote of the City Council to allow the extension of Mr. Lee's term beyond the two-term limitation.)

Right-of-Way Agreement - Union Pacific Railroad - Public Works Director Mutter reported the City Council approved a contract for the resurfacing of San Timoteo Canyon Road within the City of Redlands. This road crosses the Union Pacific Railroad (UPRR) tracks just south of Fern Avenue. The City has been in discussions with railroad officials regarding the condition of the road at the crossing. It is the desire of both the City and the UPRR to resurface the road right up to the concrete railroad track crossing pad. In order to do this, the City needs to enter an agreement with the railroad to perform work within the crossing right-of-way area. Negotiations have been completed and a letter of consent received from Union Pacific Railroad but the agreement has not yet been received. He suggested the City Council approve the agreement, subject to final review of the Public Works Directors, the City Manager, and the City Attorney. Councilmember Gilbreath moved to approve a right-of-way agreement with Union Pacific Railroad and All American Asphalt as recommended. Motion seconded by Councilmember Gallagher and carried unanimously.

CLOSED SESSION

The City Council meeting recessed at 3:21 P.M. to a closed session to discuss the following:

1. Conference with legal counsel: Anticipated litigation - Government Code Section 54956.9(b)
 - a. One Case - Facts and circumstances: Claim of St. Paul Travelers as subrogee of Karin and Kuscha Hatami

The meeting reconvened at 5:26 P.M. in the in the Conference Room on the second floor of the City Hall building in the Civic Center, 35 Cajon Street.

PRESENT

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

ABSENT

None

STAFF

Sam J. Racadio, Interim City Manager; Daniel J. McHugh, City Attorney; Lorrie Poyzer, City Clerk; Michael Reynolds, City Treasurer; Jim Bueermann, Police Chief; Jim Drabinski, Fire Chief; Steven H. Dukett, Interim Redevelopment Agency Director; Tina Kundig, Finance Director; Ronald C. Mutter, Public Works Director; Marjje Pettus, Administrative Services Director; Gary G. Phelps, Municipal Utilities Director; and Jeffrey L. Shaw, Community Development Director

Mayor Harrison reconvened the meeting and introduced Senator Bob Dutton. Items of mutual interest including transportation, State financing, the Mill Creek Zanja flood control program, the Santa Ana River Parkway Trail, the need for construction of more prisons, volunteers and the prevailing wage proposal, Jessica's Law, and funding for a library/community center on the northside of town were discussed in an informal manner. Interim City Manager Racadio thanked Senator Dutton for his constant support of local government at the state level.

The City Council meeting recessed at 6:12 P.M. and 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

Sam J. Racadio, Interim City Manager; Daniel J. McHugh, City Attorney; Lorrie Poyzer, City Clerk; Cletus Hyman, Deputy Police Chief; Jim Drabinski, Fire Chief; Steven H. Dukett, Interim Redevelopment Agency Director; Tina Kundig, Finance Director; Ronald C. Mutter, Public Works Director; Marjje Pettus, Administrative Services Director; Gary G. Phelps, Municipal Utilities Director; and Jeffrey L. Shaw, Community Development Director

CLOSED SESSION REPORT

None forthcoming.

LAND USE AND PUBLIC HEARINGS

Bulldog Commons, LLC, Applicant - Consideration of an Environmental Impact Report and 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, was continued from the December 5, 2006, meeting to this time. Mayor Harrison declared the meeting open as a public hearing. Community Development Director Shaw reported this project was continued to allow for staff to discuss the project with representatives from the University of Redlands. An alternative design was developed by the applicant that calls for increasing the capacity of the Zanja without making significant improvements to the channel. The applicant's new proposal led staff to explore the possibility of another similar alternative that would increase capacity without extensive improvements addressing both concerns of public safety and maintaining this historic integrity of the Zanja. Community Development Director Shaw reviewed the proposed alternative noting it would be considered a significant change to the project. In order to proceed with this new alternative, further examination is needed to outline individual measures in sufficient detail. Additionally, the measures will require further evaluation from an environmental standpoint, as the new alternative is not covered in the current Environmental Impact Report (EIR). The new significant information will require a re-circulation of the EIR. Once changes are made to the EIR, the report will be forwarded to the appropriate agencies via the State Clearinghouse for the required 45 day public review period. Staff has met with the applicant and the University of Redlands to explain the City's direction on the project. Staff recommended this item be continued to March 6, 2007. Both the applicant and representatives from the University of Redlands are agreeable to this recommendation. Speaking against the proposed project were: Linda McKiernan who submitted a petition with 75 signatures requesting the City Council reject any and all plans submitted to change or modify the Mill Creek Zanja and Sylvan Boulevard for the purpose of development the property on the southeast corner of Gove Avenue and Sylvan Boulevard, Robert McKiernan, Sharon Sheehan and Judith Hunt on behalf of the Redlands Area Historical Society. On behalf of the University of Redlands, Phillip Doolittle also addressed the City Council. Richard Feenstra, the developer, expressed appreciation to staff and representatives from the University of Redlands for their willingness to meet with him. City Clerk Poyzer reported an additional seven communications to "Save the Zanja" had been received since preparation of the agenda for this meeting. Councilmember Gilbreath moved to continue the Final Environmental Impact Report for Conditional Use Permit No. 836 and Demolition No. 68, the Socio-Economic

Cost/Benefit Study and Conditional Use Permit No. 836 to March 6, 2007. Motion seconded by Councilmember Gallagher and carried unanimously.

Citrus Packing, LLC - 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 public hearing to consider Resolution No. 6557, Agricultural Preserve Removal No. 115, removal from the Agricultural Preserve of approximately 3.5 acres located on the northeast corner of Texas Street and San Bernardino Avenue in the A-1 (Agricultural) District in the proposed C-3 (General Commercial) District; public hearing to consider Resolution No. 6558, General Plan Amendment No. 2006-III-1 (File No. 112), a General Plan amendment to change the land use designation from Agriculture to Commercial on 5.39 acres located on the northeast corner of Texas Street and San Bernardino Avenue; public hearing to consider introduction and first reading of the title of Ordinance No. 2653, Zone Change No. 425, a change of zone from A-1 (Agricultural) District to C-3 (General Commercial) District on 5.39 acres located on the northeast corner of Texas Street and San Bernardino Avenue; consideration of Commission Review and Approval No. 829 for the development of a four (4) building commercial center with 110,512 square feet of floor area on approximately 5.39 acres, located on the northeast corner of Texas Street and San Bernardino Avenue in the A-1 (Agricultural) District in the proposed C-3 (General Commercial) District; and public hearing to consider Minor Subdivision No. 301, a Minor Subdivision (Tentative Parcel Map No. 17873) to subdivide approximately 5.39 acres into four (4) lots located on the northeast corner of Texas Street and San Bernardino Avenue in the A-1 (Agricultural) District in the proposed C-3 (General Commercial) District. Mayor Harrison declared the meeting open as a public hearing. Community Development Director Shaw reviewed the proposed project in detail. On behalf of the applicant, David Evans thanked staff who worked diligently and fairly with them noting the project involved the community by also working with the North Redlands Visioning Committee and by naming the project "*North Redlands Heritage Plaza*." On behalf of the North Redlands Visioning Committee, Mario Saucedo expressed strong support for the project. There being no further comments, the public hearings were closed.

Mitigated Negative Declaration - Councilmember Gilbreath moved to approve the Environmental Review Committee's mitigated negative declaration for Agricultural Preserve Removal No. 115, General Plan Amendment No. 2006-III-1, Zone Change No. 425, Commission Review and Approval No. 829 and Minor Subdivision No. 301 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 Aguilar and carried unanimously.

Socio-Economic Analysis and Cost/Benefit Study- Councilmember Gilbreath moved to approve the Socio-Economic Analysis and Cost/Benefit Study for Commission Review and Approval No. 829 and Minor Subdivision No. 301 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 Aguilar and carried unanimously.

Resolution No. 6557 - Agricultural Preserve Removal No. 115 - Councilmember Gilbreath moved to adopt Resolution No. 6557, a resolution of the City Council of the City of Redlands removing property from the City's Agricultural Preserve (Agricultural Preserve Removal No. 115). Motion seconded by Councilmember Aguilar and carried unanimously.

Resolution No. 6558 - General Plan Amendment No. 2006-III-1 - Councilmember Gilbreath moved to adopt Resolution No. 6558, a resolution of the City Council of the City of Redlands adopting Amendment No. 2006-III-1 to the Redlands General Plan. Motion seconded by Councilmember Aguilar and carried unanimously.

Ordinance No. 2653 - Zone Change No. 425 - Ordinance No. 2563, an ordinance of the City of Redlands amending Title 18 of the Redlands Municipal Code revising the City's Land Use Zoning Map and approving Zone Change No. 425, was read by title only by City Clerk Poyzer, and on motion of Councilmember Gilbreath, seconded by Councilmember Aguilar, further reading of the ordinance text was unanimously waived, and Ordinance No. 2653 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for January 2, 2007.

LOS - Councilmember Gilbreath moved to approve a reduced Level of Service (LOS) at the intersection of Alabama Street/Redlands Boulevard during the peak hours as permitted in General Plan Policy 5.20b. Motion seconded by Councilmember Aguilar and carried unanimously. (Note: this motion required four Councilmembers votes.)

Minor Subdivision No. 301 - Councilmember Gilbreath moved to approve Minor Subdivision No. 301 subject to the conditions of approval and findings as contained in the staff report. Motion seconded by Councilmember Aguilar and carried unanimously.

NEW BUSINESS

RASME MOU - Interim City Manager Racadio presented an amendment to the Memorandum of Understanding (MOU) between the City of Redlands and the Redlands Association of Safety Management Employees. This amendment extends the term of the MOU dated June 21, 2005, in Article 29 regarding the Chief of Police: termination and severance and adds Article 30 regarding association members' legal expenses. Councilmember Gilbreath moved to approved this amendment and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City. Motion seconded by Councilmember Gil and carried with Councilmember Gallagher voting NO.

PUBLIC COMMENTS

None forthcoming.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 8:03 P.M. The next regular meeting will be held on January 2, 2007.

City Clerk