

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 September 18, 2007, 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

N. Enrique Martinez, City Manager; Michael Reiter, Assistant City Attorney; Lorrie Poyzer, City Clerk; Michael Reynolds, City Treasurer; Cletus Hyman, Deputy Police Chief; Jim Drabinski, Fire Chief; Steven H. Dukett, Interim Redevelopment Agency Director; Tina Kundig, Finance Director and Acting Administrative Services Director; Tom Fujiwara, Assistant Public Works Director; Gary G. Phelps, Municipal Utilities Director; Jeffrey L. Shaw, Community Development Director; Kurt Smith, Chief Information Officer; and Gary Van Dorst, Quality of Life Interim Director

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

PRESENTATION

Proclamation - Hispanic Heritage Month - On motion of Councilmember Gil, seconded by Councilmember Gilbreath, the City Council unanimously authorized the issuance of a proclamation declaring September 2007 as *Hispanic Heritage Month* and encouraged all citizens to support activities that encourage camaraderie and develop understanding of Hispanic heritage, culture, art and music. At the request of the Human Relations Commission, Mayor Harrison presented the proclamation to Mario Saucedo, North Redlands Vision Committee. Mayor Harrison acknowledged the presence of family members of Oddie Martinez who was elected Councilmember and Mayor in 1978 in Redlands; City of San Bernardino Mayor Emeritus Judith Valles; City of Rialto Mayor Emeritus Grace Vargas; San Bernardino County District Attorney Mike Ramos; Crafton Hills College President Emeritus Luis Gomez; Crafton Hills College President Gloria Macias-Harrison; San Bernardino County Supervisor Josie Gonzales; and sitting at the dais Councilmember Gilberto Gil and Councilmember Pete Aguilar.

CONSENT CALENDAR

Minutes - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the minutes of the regular meeting of September 4, 2007, 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 September 11, 2007, was acknowledged as received.

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

Ordinance No. 2672 - RDA Point Rating System - Ordinance No. 2672 an ordinance of the City of Redlands amending Chapter 19.12 of the Redlands Municipal Code relating to the point rating system (Residential Development Allocation process), was unanimously adopted on motion of Councilmember Gilbreath, seconded by Councilmember Gil.

Funds - Downtown Redlands Services - In response to the request for additional services for the downtown area, Councilmember Gilbreath asked staff to look into spraying the trees with a hormone as was done in the past to stop the production of the berries which are staining the sidewalks. Community Development Director Shaw reported staff is looking into this possibility again and also noted the sidewalks are being steamed cleaned which is helping with the staining problem. Councilmember Gilbreath then moved to approve the request for an additional appropriation in the amount of \$8,710.00 for increased street sweeping rates, and an additional day of service each week, and re-striping parking stalls, lanes, and repainting curbs on State Street and adjacent streets. Motion seconded by Councilmember Gil and carried unanimously.

Funds - Land Acquisition - San Timoteo Canyon - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved an appropriation of funds from Open Space Funds in the amount of \$63,574.66 to be used for a portion of a 45 percent local match for an EPA grant for land acquisition and habitat enhancement for land in San Timoteo Canyon. On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved an appropriation of funds from Open Space Funds in the amount of \$2,750.00 for Adams Streeter Civil Engineers, Inc. for the preparation of the legal description in association with the acquisition of the Cardinal Family Trust property.

Proclamation - California Arts Day - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously authorized issuance of a proclamation declaring October 5, 2007, as *California Arts Day*.

Proclamation - Dyslexia Awareness Month - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously authorized issuance of a proclamation declaring October 2007 as *Dyslexia Awareness Month*.

Local Emergency Report - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council acknowledged receipt of the report from the Municipal Utilities Department regarding the status of the declared local emergency at the Hinckley Water Treatment Plant and North Orange Well Field.

OSC 07-02 - San Bernardino County Fire Department - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously determined that Outside City Case (OSC 07-02) for utility connections of a non-residential development for APN 0298-211-36, a project located at the northeast corner of Crafton Avenue and Mentone Boulevard, is consistent with the City of Redlands General Plan, and that the public health, safety, and welfare, and the best interests of the citizens of Redlands are served by the City's continued processing of the application.

OSC 07-04 - Sarah Breault - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously determined that Outside City Case (OSC 07-04) for utility connections for a non-residential development of APN 0302-142-09, a project located at 2829 Mill Creek Road, is consistent with the City of Redlands General Plan, and that the public health, safety, and welfare, and the best interests of the citizens of Redlands are served by the City's continued processing of the application.

Resolution No. 6651 - Recreation Fees - Staff prepared Resolution No. 6651, a resolution of the City Council of the City of Redlands establishing specific fees and charges to recover costs reasonably borne for the City's recreation programs and activities and rescinding Resolution No. 6615, for the City Council's consideration. Councilmember Gil questioned the need for an annual pass for the youth as he felt that went against what the City Council wanted when the Community Center was opened stating that if the kids have to pay and fill out a form, they will not come and that will defeat the purpose of the Community Center. Councilmember Gil moved to table this request for two weeks. Motion seconded by Councilmember Gallagher and carried unanimously.

Independent Contractor Agreement - Tessa Zurtuche - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved an independent contractor agreement with Tessa Zurtuche to provide online driver's education courses at the Redlands Community Center.

PLANNING AND COMMUNITY DEVELOPMENT

Density Bonus Housing Agreement - Housing Authority Partners I, Inc. - Community Development Director Shaw reported on June 19, 2007, the City Council approved multiple requests to allow for the development of a 71-unit senior housing complex on approximately 3.63 acres located on the east side of Webster Street, north of Lugonia Avenue. On staff's recommendation, the City Council continued, to this time and place, consideration of a Density Bonus Housing Agreement to allow a 35 percent increase above the maximum residential density permitted by the Medium-Density Residential General Plan designation and the R-2 (Multiple Family Residential) District zoning proposed for the project site, and including two development incentives that would allow a reduction in the required parking and allow buildings to exceed the maximum linear dimension requirement. Because the project is designed for low- or very-low income seniors, it is eligible for this incentive. The Redevelopment Agency is working concurrently on additional incentive agreements. These agreements should be consistent with the density bonus agreement. Since final concurrence has not yet been reached on the Redevelopment Agency incentive agreements, staff is recommending the density bonus agreement be tabled. Councilmember Gilbreath moved to table the density bonus agreement with Housing Partners I, Incorporated for Assessor's Parcel No. 167-201-68. Motion seconded by Councilmember Gil and carried unanimously. Councilmember Gil asked that an update be provided on the next City Council's Consent Calendar to keep Councilmembers informed of the progress of the negotiations.

COMMUNICATIONS

Meeting Attendance - In accordance with Government Code Sections 53232.2 and 53232.3, Mayor Pro Tem Gilbreath reported on her attendance at the League of California Cities Annual Conference held on September 5-8, 2007, in Sacramento and provided written information for Councilmembers and staff.

Appointment - Street Tree Committee - Mayor Harrison moved to appoint Paul C. Woltze to serve the remainder of an unexpired term on the Street Tree Committee ending February 16, 2011. Motion seconded by Councilmember Gilbreath and carried unanimously.

City Council Liaisons - Inland Empire Legislative Task Force - Mayor Harrison moved to reconfirm the appointment of Councilmember Pete Aguilar to serve as the City's elected representative to the California League of Cities Inland

Empire Legislative Task Force. Motion seconded by Councilmember Gallagher and carried unanimously. Mayor Harrison offered and moved to continue serving as the City's alternate elected representative to the California League of Cities Inland Empire Legislative Task Force. Motion seconded by Councilmember Gallagher and carried unanimously.

Mayor's Blue Ribbon Committee - On behalf of City Manager Martinez, Finance Director Kundig reported that over the last five months, the City Council, City Manager and staff have focused on the financial challenges facing the City of Redlands. To address these issues, the City Manager recommended a three-phase Financial Management Plan and Ordinance 2660, establishing a reserve policy and requirement for a balanced budget. While the City Manager and the City's management team have been reviewing cost-savings and efficiencies, a Mayor's Blue Ribbon Committee was formed to review the feasibility of increasing revenues through additional taxes and to make a recommendation to the City Council as to whether these taxes should be placed on the November ballot. The Blue Ribbon Committee spent several weeks reviewing information from City staff concerning service levels provided by City departments, citizen expectations for City services, budgetary constraints, and a number of potential revenue enhancements. The Committee reported to the City Council on August 7, 2007 with its findings and recommendations concerning the City's financial crisis and levels of service, and its recommendations on ballot initiatives.

One recommendation of the Blue Ribbon Committee was that a comprehensive approach to cost efficiencies within the City and evaluation of services should continue. The City Council authorized staff to proceed with an internal management study to include review of productivity improvements, cost-cutting alternatives, and enhanced revenue options in accordance with Phase II and Phase III of the City's Financial Management at its August 7, 2007 Council meeting. The City Manager and staff are proceeding at the Council's direction to continue to look at productivity improvements, cost-cutting alternatives and revenue enhancements. They are exploring the possibility of reorganization in an effort to achieve savings and improve productivity. Over the next few months, consultants will be conducting management studies of the Police and Fire departments.

The Blue Ribbon Committee's other recommendations included the following: that an extensive education program for the general public should be initiated as to the financial crisis facing the City, and that the City should engage in an active Economic Development Program and a careful exploration of new revenue sources. In doing so, the City should address the levels of service to insure that there is no further degradation of city services and, at the same time, work to improve the levels of service.

While an Economic Development Program will be developed in conjunction with the activities of the City's Redevelopment Program and upon the hiring of a Redevelopment Agency Director, the City Manager and staff believe that the Blue Ribbon Committee may be a valuable participant in the process of: Educating the public as to the City's financial crisis; and reviewing the City's current levels of service, and the levels desired by the residents of Redlands. City staff will provide information boards that show the City's financial condition. With the understanding that the City's current financial condition will impact the levels of service that can be achieved immediately, the Blue Ribbon Committee can be of assistance in recommending priorities of levels of service to the City Council and management. Once the priorities have been established, it would be the task of the City Manager, the management team and the City Council to take the appropriate action to work towards achieving the levels of service desired by the residents of Redlands. While other topics have been suggested for review by the Blue Ribbon Committee, the City Manager and staff recommend the scope of work as outlined above because it best fits with the findings and recommendations already made by the Blue Ribbon Committee and is limited enough in scope to allow the committee to complete the task within the timeline given, mid-year budget review. The Mayor's Blue Ribbon Committee will meet on September 26, 2007, at 7:00 P.M. in the City Council Chambers.

CLOSED SESSION

The City Council meeting recessed at 3:26 P.M. to a closed session to discuss the following:

1. Conference with legal counsel: Anticipated litigation - Government Code §54956.9(b)(1)(B) (Assistant City Attorney Reiter)
 - a. Facts and circumstances: Consideration of claim of Rocky Comfort Mutual Water Company
 - b. Facts and circumstances: Consideration of claim of Christopher Hauso
2. Conference with real property negotiator - Government Code §54956.8 (Mayor Harrison)
 - Property: APNs 0292-044-08, 09, 10, 11 and 12;
APNs 0292-071-10, 15, 18, 29, 35, 40 and 43
 - Negotiating parties: N. Enrique Martinez, Gary Van Dorst, Scott Purdy from Vector Control and Prologis
 - Under negotiation: Terms and price for possible property exchange
3. Conference with real property negotiator - Government Code §54956.8 (City Manager Martinez)
 - Property: APN 0168-121-13
 - Negotiating parties: N. Enrique Martinez, Gary Phelps, Bill Hemsley and Martin Langpap (Standard Pacific Corporation)
 - Under negotiation: Terms and price of escrow extension for sale of City property

Due to a potential conflict of interest, Councilmember Gilbreath did not participate in this matter; a Public Disclosure of Potential Conflict of Interest form is on file in the City Clerk's Office.

4. Conference with real property negotiator - Government Code §54956.8
(Municipal Utilities Director Phelps)

Property: APN 0171-171-07

Negotiating parties: N. Enrique Martinez, Gary Phelps, Chris Diggs and Keene Matsunaga (ESRI)

Under negotiation: Terms and price for request to purchase City well and parcel

Due to a potential conflict of interest, Councilmember Harrison did not participate in this matter; a Public Disclosure of Potential Conflict of Interest form is on file in the City Clerk's Office.

PUBLIC COMMENTS

The meeting reconvened at 3:27 P.M. following a brief Redevelopment Agency meeting to hear public comments from members of the audience.

Handicapped Accessibility - Maryanne Richardson addressed Councilmembers about concerns she has for access around town in her wheelchair. She also suggested organizing a group of people to pick up trash and asked the City to provide bags and water for this effort.

Redlands Good Neighbor Coalition - On behalf of the Redlands Good Neighbor Coalition, Corla Coles distributed invitations to Councilmembers the "Wal-Mart: High Cost of Low Prices" presentation.

The meeting recessed at 3:35 P.M. to the closed session 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

N. Enrique Martinez, City Manager; Michael Reiter, Assistant City Attorney; Lorrie Poyzer, City Clerk; Cletus Hyman, Deputy Police Chief; Jim Drabinski, Fire Chief; Tina Kundig, Finance Director and Acting Administrative Services Director; Tom Fujiwara, Assistant Public Works Director; Gary G. Phelps, Municipal Utilities Director; Jeffrey L. Shaw, Community Development Director; and Kurt Smith, Chief Information Officer

CLOSED SESSION REPORT

Agreement - Standard Pacific Corporation - Assistant City Attorney Reiter reported the City Council approved an agreement with Standard Pacific Corporation relating to terms and price of an escrow extension for the sale of City property identified as APN 0168-121-13 by a 4-0 vote with Councilmember Gilbreath having abstained due to a potential conflict of interest.

LAND USE AND PUBLIC HEARINGS

STOR-N-LOCK, APPLICANT - Public notice was advertised for this time and place to approve a Draft Mitigated Negative Declaration for the request to construct a 68,314 square foot self storage facility with associated parking and landscape areas on 3.02 acres located on the east side of Wabash Avenue, approximately 315 feet south of Nice Avenue; for a public hearing for a Socio-Economic Analysis and Cost/Benefit Study the request to construct a 68,314 square foot self storage facility with associated parking and landscape areas on 3.02 acres located on the east side of Wabash Avenue, approximately 315 feet south of Nice Avenue; a public hearing to consider introduction and first reading of the title of Ordinance No. 2680, Zone Change No. 432, to pre-zone four (4) contiguous assessor parcels in the unincorporated area of San Bernardino County to the City of Redlands M-1 (Light Industrial) District on approximately 10.84 acres located on the southeast corner of Wabash Avenue and Nice Avenue (APNs 298-062-01, 298-061-14, 298-061-20 and 298-061-21); consideration of Resolution No. 6652, Annexation No. 89, to commence proceedings for an annexation of four (4) contiguous assessor parcels totaling 10.84 acres and contiguous San Bernardino County right-of-way totaling approximately 1.76 acres in the unincorporated area of San Bernardino County located on the southeast corner of Wabash Avenue and Nice Avenue (APNs 0298-062-01, 0298-061-14, 0298-061-20 and 0298-061-21); and consideration of Commission Review and Approval No. 854, a request to construct a 68,314 square foot self storage facility with associated parking and landscape areas on 3.02 acres located on the east side of Wabash Avenue, approximately 315 feet south of Nice Avenue. Mayor Harrison opened the meeting as a public hearing. Community Development Director Shaw reviewed the project. Mayor Harrison called for public comments. The owner of the proposed business was present and available for any questions. There were no written comments received and the public hearing was declared closed.

Mitigated Negative Declaration - Councilmember Gilbreath moved to approve the Mitigated Negative Declaration for the request to construct a 68,314 square foot self storage facility with associated parking and landscape areas on 3.02 acres located on the east side of Wabash Avenue, approximately 315 feet south of Nice Avenue, 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 the request to construct a 68,314 square foot self storage facility with associated parking and landscape areas on 3.02 acres located on the east side of Wabash Avenue, approximately 315 feet south of Nice Avenue, 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.

Ordinance No. 2680 - Zone Change No. 432 - Ordinance No. 2680 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. 432, was read by title only by City Clerk Poyzer, and on motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, further reading of the ordinance text was unanimously waived, and Ordinance No. 2680 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for October 2, 2007.

Resolution No. 6652 - Annexation No. 89 - Councilmember Gilbreath moved to adopt Resolution No. 6652, to commence proceedings for an annexation of four (4) contiguous assessor parcels totaling 10.84 acres and contiguous San Bernardino County right-of-way totaling approximately 1.76 acres in the unincorporated area of San Bernardino County located on the southeast corner of Wabash Avenue and Nice Avenue (APNs 0298-062-01, 0298-061-14, 0298-061-20 and 0298-061-21). Motion seconded by Councilmember Gallagher and carried unanimously.

Commission Review and Approval No. 854 - No action was required

PUBLIC COMMENTS

None forthcoming.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 7:12 P.M. The next regular meeting will be held on October 2, 2007.