

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 April 1, 2008, at 3:00 P.M.

PRESENT Jon Harrison, Mayor
Pat Gilbreath, Mayor Pro Tem
Mick Gallagher, Councilmember
Pete Aguilar, Councilmember
Jerry Bean, Councilmember

ABSENT None

STAFF N. Enrique Martinez, City Manager; Michael Reiter, Assistant City Attorney; Lorrie Poyzer, City Clerk; Michael Reynolds, City Treasurer; Tom Fitzmaurice, Police Captain; Greg Hostetler, Fire Battalion Chief; Steven H. Dukett, Interim Redevelopment Agency Director; Rosemary Hoerning, Municipal Utilities and Engineering Director; Tina Kundig, Finance Director; Oscar W. Orci, Community Development Director; Deborah Scott-Leistra, Human Resources Director; Gary Van Dorst, Quality of Life Director

The meeting was opened with an invocation by Mayor Pro Tem Gilbreath followed by the pledge of allegiance.

PRESENTATIONS

Pet Adoptions - Lynda Ackerman and Art LaMothe, volunteers for Redlands Animal Control, introduced Rudy, a four month old Min Pin (Miniature Pinscher) who will be available for adoption at the Redlands Animal Shelter on Friday.

CONSENT CALENDAR

Minutes - Councilmember Bean moved to approve the minutes of the regular meeting of March 18, 2008, with the following amendment: "Ordinance No. 2698 - Rental Dwelling Units Licensing Requirements - Planning Consultant Jeff Shaw presented Ordinance No. 2698, an ordinance of the City of Redlands adding Chapter 5.98 to the Redlands Municipal Code establishing licensing requirements for owners of rental dwelling units, and explained that his report presented two alternative ordinances. Both ordinances require the owner of a rental unit to obtain a license. Ordinance (Alternative B) is the same as Ordinance (Alternative A) except that it provides for a fee reduction for entities participating in the City's Crime-Free Multi-Family Housing Program. Staff is recommending a limited inspection program with this ordinance. He noted a fee resolution will be presented to the City Council in the near future to ensure the program is self-funded. Councilmembers discussed this proposed

ordinance at length. Karen Fricke, Apartment Association for the Greater Inland Empire, and Ryan Smith, Inland Valleys Association of Realtors, both said they did not support inspection programs but they did support the reduction in the license fee if the landlord participated in the Crime Free Multi-Family Housing Program. Describing a problem with the property adjacent to his residence, Carl Jordan asked that the ordinance have "real teeth for enforcement." Quality of Life Director Van Dorst offered to assist Mr. Jordan with his situation. Following further discussion, Councilmember Gilbreath moved to recommend staff bring back Ordinance No. 2698, version B, and with a scope of services that provides for an inspection program. Motion seconded by Councilmember Gallagher and carried with Councilmember Bean voting NO as he felt there were sufficient regulations now available to address any problems with rental properties." Councilmember Bean's motion to amend the minutes was seconded by Councilmember Gilbreath and carried unanimously.

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

Resolution No. 6698 - Lease-Purchase Agreement - Police Vehicles - Councilmember Bean questioned the need to purchase five new vehicles for the Police Department at this time, whether or not staff checked with local Ford dealers for the purchases, and felt staff should look at short-term financing rather than lease-purchases. Following discussion, Councilmember Bean moved to adopt Resolution No. 6698, a resolution of the City Council of the City of Redlands authorizing the execution and delivery of a lease with option to purchase, through Municipal Finance Corporation, four Ford Crown Victoria sedans and one Ford Explorer for the Police Department, and authorizing certain actions in connection therewith, with the understanding a report will be forthcoming from staff addressing the question of lease-purchase versus cash purchase. Motion seconded by Councilmember Gilbreath and carried unanimously.

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

Proclamation - Jazz Appreciation Month - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously authorized issuance of a proclamation declaring the month of April 2008 as *Jazz Appreciation Month*.

Proclamation - Donate Life Month - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously authorized issuance of a proclamation declaring the month of April 2008 as *Donate Life Month* and encouraging residents to check "YES" when applying for or renewing their DMV driver's license and I.D. card.

Ordinance No. 2697 - Utilities Advisory Committee - Ordinance No. 2697, an ordinance of the City of Redlands adding Chapter 2.70 to the Redlands Municipal Code relating to the establishment of a Utilities Advisory Committee, was unanimously adopted on motion of Councilmember Gilbreath, seconded by Councilmember Gallagher.

Contract Award - Funds - Resurfacing Program - Bids were opened and publicly declared on March 20, 2008, by the City Clerk for the 2008 Resurfacing Program; a bid opening report is on file in the Office of the City Clerk. Councilmember Aguilar complimented staff for the work done to obtain the money from the Proposition 1B funds from the State of California. Noting the low bid came in below the engineer's estimate, he asked what we could do with the remaining funds. Municipal Utilities and Engineering Director Hoerning replied staff will be returning to the City Council for expansion of the 2008 Resurfacing Program. Councilmember Gilbreath moved to approve an appropriation of Proposition 1B funds from the State of California in the amount of \$1,148,018.28 to be used for the 2008 Resurfacing Program project, approve the plans and specifications and award of the contract to Hardy & Harper, Inc. for the 2008 Resurfacing Program 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.

Resolution No. 6700 - Salary - Human Resources Director Scott-Leistra clarified the changes for Councilmember Bean recommended in Resolution No. 6700, a resolution of the City Council of the City of Redlands establishing a salary schedule and compensation plan for City employees and rescinding Resolution No. 6683, to increase the salary range for the Redevelopment Agency Director and other necessary changes to reflect the existing organizational structure of the City. Councilmember Bean moved to adopt Resolution No. 6700. Motion seconded by Councilmember Gilbreath and carried unanimously.

COMMUNICATIONS

Meeting Attendance - In compliance with Government Code Sections 53232.2 and 53232.3, Councilmember Aguilar, Mayor Pro Tem Gilbreath and Mayor Harrison reported on their attendance at the City/County Conference held in Lake Arrowhead on March 20-21, 2008.

Resolution No. 6699 - Fundraising Policy - City Manager Martinez presented Resolution No. 6699, a resolution of the City Council of the City of Redlands establishing a fundraising policy for advisory boards, commissions and committees. Councilmembers discussed Section 5 in regards to excess contribution receipts being transferred to the City General Fund within 60 days of the termination of an event as the time line may not be sufficient for a specific purpose rather than an event. Councilmember Gilbreath moved to

continue this matter to May 6, 2008, in order to re-structure Section 5. Motion seconded by Councilmember Gallagher and carried unanimously.

Donation - Contract - Eureka Street Median Improvements - Due to a potential conflict of interest, Councilmember Harrison retired from the Council Chambers and did not participate in this matter; a Public Disclosure of Potential Conflict of Interest form is on file in the City Clerk's Office. Mayor Pro Tem Gilbreath conducted this portion of the meeting. Quality of Life Director Van Dorst reported the Redlands Noon Kiwanis Club had chosen to sponsor landscape improvements to the Eureka Street median given its prominent visibility at one of the City's most traveled entrances. To this end, the Redlands Noon Kiwanis Club has combined donations from Kiwanis, Carol Baker, Jack Dangermond and the Street Tree Committee for this project. Representing the Redlands Noon Kiwanis Club, Steve Stockton reviewed the trials and tribulations of organizing this project with the assistance of Melody Funk from Newell's Nursery. Mr. Stockton presented a check in the amount of \$19,000.00 to Mayor Pro Tem Gilbreath. On behalf of the City, Mayor Pro Tem Gilbreath thanked the Redlands Noon Kiwanis Club, Carol Baker, Jack Dangermond and the Street Tree Committee. Quality of Life Director Van Dorst said the work should be started within 30 days. When the City Council reconvened at 7:00 P.M., Mayor Harrison again recused himself from the meeting due to a potential conflict of interest. Councilmember Gallagher moved to accept the donation of \$19,000.00 from the Redlands Noon Kiwanis Club for improvements to the Eureka Street median, award a landscape construction project contract to DLS Landscape, Inc. and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City. Motion seconded by Councilmember Bean and carried with Councilmember Harrison having abstained.

JOINT MEETING - CITY COUNCIL AND REDEVELOPMENT AGENCY

Auditing Services Agreement - Finance Director Kundig reviewed the process for auditing services for the City of Redlands and the Redevelopment Agency of the City of Redlands. Councilmember Gilbreath moved to approve the second amendment to the agreement for professional auditing services with Mayer Hoffman McCann, P.C. authorizing an optional fourth and fifth year of auditing services beginning with the audit for fiscal year 2007-2008, 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. (Also see Redevelopment Agency minutes for April 1, 2008.)

CLOSED SESSION

The City Council meeting recessed at 3:51 P.M. to continue the Redevelopment Agency meeting and reconvened at 3:52 P.M. to a closed session to discuss the following:

1. Conference with labor negotiators - Government Code §54957.6
 - a. Unrepresented employee - City Manager (Mayor Harrison)

The meeting reconvened at 7:00 P.M.

PRESENT

Jon Harrison, Mayor
Pat Gilbreath, Mayor Pro Tem
Mick Gallagher, Councilmember
Pete Aguilar, Councilmember
Jerry Bean, Councilmember

ABSENT

None

STAFF

N. Enrique Martinez, City Manager; Michael Reiter, Assistant City Attorney; Lorrie Poyzer, City Clerk; Teresa Ballinger, Assistant City Clerk; Tom Fitzmaurice, Police Captain; Greg Hostetler, Fire Battalion Chief; Rosemary Hoerning, Municipal Utilities and Engineering Director; Tina Kundig, Finance Director; Oscar W. Orci, Community Development Director; Deborah Scott-Leistra, Human Resources Director; Gary Van Dorst, Quality of Life Director

CLOSED SESSION REPORT

There was no reportable action taken during the closed session.

ANNOUNCEMENTS/REPORTS

Councilmembers reported on their activities and attendance at meetings during the past two weeks and upcoming events.

LAND USE AND PUBLIC HEARINGS

Land Lease Agreement - Omnipoint Communications - Public notice was advertised for this time and place to consider approval of a Mitigated Negative Declaration for Conditional Use Permit No. 919 and a lease agreement to install a sixty (60) foot high cellular tower for a wireless telecommunication facility within the Hillside Memorial Park located at 1540 Alessandro Road in the R-E (Residential Estate) District. Mayor Harrison declared the meeting open as a public hearing. Municipal Utilities and Engineering Director Hoerning reviewed the proposed project noting the Planning Commission will consider Conditional Use Permit No. 919 at a later date. Representing the applicant, Monica Murrieta was available for questions. Mayor Harrison called for public

comments. There being no verbal or written comments, the public hearing was declared closed.

Mitigated Negative Declaration - Councilmember Gilbreath moved to approve the Mitigated Negative Declaration for a wireless service facility (Conditional Use Permit No. 919) at Hillside Memorial Park 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.

Land Lease Agreement - Councilmember Gilbreath moved to approve the wireless service facility land lease agreement with Omnipoint Communications, Inc., a subsidiary of T-Mobile USA, Inc., at the Hillside Memorial Park. Motion seconded by Councilmember Gallagher and carried unanimously.

Redlands Christian Home, Applicant - Public hearing was advertised for this time and place to consider adoption of Resolution No. 6697, Specific Plan No. 54, Amendment No. 1, to amend development standards in Section III.A.3.a and b pertaining to lot area and lot dimensions for Specific Plan No. 54 (Mountain View Acres Specific Plan) located on the east side of Wabash Avenue, the north side of Fifth Avenue and the south side of Highland Avenue. Mayor Harrison declared the meeting open as a public hearing. Community Development Director Orci reviewed the proposed amendment. Mayor Harrison called for any public comments. Representing the applicant, Pat Meyer urged approval of the project. There being no further verbal or written comments, the public hearing was declared closed.

CEQA Exemption - Councilmember Gilbreath moved to find that Amendment No. 1 to Specific Plan No. 54 was exempt from the California Environmental Quality Act pursuant to Section 15061b(3) of the CEQA Guidelines. Motion seconded by Councilmember Gallagher and carried unanimously.

Resolution No. 6697 - Amendment No. 1 to Specific Plan No. 54 - Councilmember Gilbreath moved to adopt Resolution No. 6697, a resolution of the City Council of the City of Redlands amending Specific Plan No. 54 as adopted by Resolution No. 5589 relating to minimum lot area, width and depth requirements. Motion seconded by Councilmember Gallagher and carried unanimously.

Senior Housing Services, Applicant - Due to a potential conflict of interest, Councilmember Aguilar retired from the Council Chambers and 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 notice was advertised for this time and place to consider approval of a mitigated negative declaration for Conditional Use Permit No. 768 to construct a one-hundred sixty (160) unit senior apartment complex in five (5) three-story buildings on 4.76 acres located

on the north side of Orange Avenue, 300 feet east of Kansas Street, in the R-3 (Multiple Family Residential) District and an amendment to the density bonus housing agreement with Senior Housing Services for the purpose of changing the location and unit size to allow for larger units in a more attractive setting, to substitute an updated schedule of completion, and to further clarify the parking incentive that was granted in the original agreement providing for additional covered parking beyond that which was entitled for a proposed one-hundred sixty (160) unit senior housing complex on 4.76 acres located on the north side of Orange Avenue, 300 feet east of Kansas Street, in the R-3 (Multiple Family Residential) District; hold a public hearing to consider the Socio-Economic Analysis and Cost/Benefit Study for the above-described project; and hold a public hearing to consider the above-described project. Mayor Harrison declared the meeting open as a public hearing. Associate Planner Tamara Alaniz reviewed the proposed project. Mayor Harrison called for any public comments. Jeffrey Parker reviewed the proposed project and reported they were selling the property to American Baptist Homes of the West and asked the City Council to consider allowing the reduction in the water and sewer development impact fee as senior housing projects use less water even though the sale would be for the multi-family rate. Mayor Harrison noted our growth management initiative requires full payment of fees and suggested staff identify, by competitive bid, a contractor that could analyze the difference, if any, of water/sewer usage in a senior housing project if the applicant was willing to pay for the cost of the study. Mr. Parker agreed to pay for such a study. There being no further verbal or written comments, the public hearing was declared closed. The City Council proceeded to approve the project with full fees for now with a motion to conduct a study regarding water and sewer fees.

Mitigated Negative Declaration - Councilmember Gilbreath moved to approve the Mitigated Negative Declaration for Revision No. 1 to Conditional Use Permit No. 768 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 with Councilmember Aguilar having abstained.

Socio-Economic Analysis and Cost/Benefit Study- Councilmember Gilbreath moved to approve the Socio-Economic Analysis and Cost/Benefit Study for Revision No. 1 to Conditional Use Permit No. 768 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 with Councilmember Aguilar having abstained.

High Density Residential Finding - Councilmember Gilbreath moved to adopt the findings contained in the staff report to allow a high-density residential project in excess of 18 du/ac and more than two stories in height in accordance with Section 4.40 of the Redlands General Plan. Motion

seconded by Councilmember Gallagher and carried with Councilmember Aguilar having abstained. (Note: a 4/5 vote was required.)

Density Bonus Agreement Amendment - Councilmember Gilbreath moved to approve the amended density bonus agreement with Senior Housing Services, LLC for Assessor Parcel Numbers 0292-202-11 and 12. Motion seconded by Councilmember Gallagher and carried with Councilmember Aguilar having abstained.

Conditional Use Permit No. 768 - Revision No. 1 - Councilmember Gilbreath moved to approve Revision No. 1 to Conditional Use Permit No. 768 subject to the conditions of approval and based upon the findings contained in the staff report. Motion seconded by Councilmember Gallagher and carried with Councilmember Aguilar having abstained.

Water/Sewer Usage Study - Councilmember Harrison moved to direct staff to work with the applicant to identify and select a consultant to bring back to the City Council a water and sewer rates study for senior apartment housing and that the applicant reimburse the City for the cost of said study. Motion seconded by Councilmember Gilbreath and carried with Councilmember Aguilar having abstained.

Redlands Land Holding LLC, Applicant - Due to a potential conflict of interest, Councilmember Bean retired from the Council Chambers and 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 notice was advertised for this time and place to hold a public hearing to consider a development agreement for the Redlands Promenade project which is an approved 160,000 square foot commercial center on approximately 13.2 acres located south of the Interstate 10 freeway and west of Eureka Street in the Town Center District of the Downtown Specific Plan. Mayor Harrison declared the meeting open as a public hearing. Community Development Director Orci reviewed the proposed development agreement. Mayor Harrison pointed out some cosmetic changes that needed to be made to the development agreement and then called for public comments. Martin Vahtra told Councilmembers that staff had done a great job preparing this development agreement. On behalf of the North Redlands Vision Committee, Mario Saucedo urged the City celebrate our cultural diversity and acknowledge Redlands' Chinatown in the landscaping or something within this project; he felt the Human Relations and Cultural Arts Commissions should become involved in the design of future projects. There being no further verbal or written comments, the public hearing was declared closed.

Ordinance No. 2699 - Ordinance No. 2699, an ordinance of the City of Redlands approving a development agreement with Redlands Land Holding L.L.C., 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. 2699 was introduced and laid over under the rules with adoption scheduled for April 15, 2008, with Councilmember Bean having abstained.

PUBLIC HEARING

Taxi Service Permit - Ghulam Yourish, Applicant - A public hearing was noticed for this time and place to consider the issuance of an owner's permit to operate a taxi service and issuance of a permit for a taxi driver. Mayor Harrison declared the meeting open as a public hearing. A member of the audience indicated he would make his statement at the continuance meeting but asked why it was being continued. Captain Fitzmaurice said additional information was received after the Police Department's investigation that was now being investigated. Mr. Yourish, the applicant, reminded Councilmembers he had applied for a permit in the summer of 2005 which was not approved at that time. After clearing up a traffic citation, he was advised to re-apply and that he had no objection to the recommended continuance. As recommended by staff, Councilmember Gilbreath moved to continue this public hearing to the April 15, 2008, City Council meeting. Motion seconded by Councilmember Gallagher and carried unanimously.

PUBLIC COMMENTS

Wi-Fi and Metrolink Extension - Jonathan Abraham urged the City Council to send a stronger message that Redlands is open to more high-tech business which would improve our quality of life. He also urged Councilmembers to pursue Wi-Fi throughout the City and getting the Metrolink Extension to Redlands completed as soon as possible.

Cell Towers - Mario Saucedo, North Redlands Vision Committee, asked that any health studies conducted for the cell tower proposed in the Country Club area also include the proposed erection of a cell tower at San Bernardino Avenue and Orange Street.

Policy with News Media - David Waters asked what the City's policy was regarding information requested by the news media and public and said staff and Councilmembers should maintain an open, transparent policy.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 8:05 P.M. The next regular meeting will be held on April 15, 2008.