

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 July 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; Daniel J. McHugh, City Attorney; Lorrie Poyzer, City Clerk; Michael Reynolds, City Treasurer; Tom Fitzmaurice, Police Commander; Mitch McKee, Interim Fire Chief; David Hexem, Chief Information Officer; Daniel Hobbs, 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 Councilmember Aguilar followed by the pledge of allegiance to the American flag.

PRESENTATIONS

Pet Adoptions - Animal Control Officer Bill Miller and Redlands Animal Shelter volunteer Lynda Ackerman introduced Maizie, an eight-month old black lab who is available for adoption at the Redlands Animal Shelter.

Proclamation - John Murray Day - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously authorized issuance of a proclamation declaring July 3, 2008, as *John Murray Day* in recognition of the founder of the Australian Baseball Tour of Redlands. Mr. Murray's passing on January 21, 2008, was a loss felt by hundreds of Redlands' families and players who came to know and love him through his baseball tours in Redlands. Dan Flannigan and Steve Chapman accepted the proclamation on behalf of the Australian Expos baseball team and presented it to Mr. Murray's son Justin. Members of the Australian team received pins with the City's logo and tee-shirts from the 2007 Fourth of July celebration from Mayor Harrison.

SCAQMD Update - Mr. Todd Warden, Southern California Air Quality Management District, provided an update of their activities to the City Council. Mr. Warden expressed appreciation to Councilmembers for their participation in improving the air quality.

CONSENT CALENDAR

Minutes - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously approved the minutes of the regular meeting of June 17, 2008, as submitted.

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

Final Approval - Tract Map No. 17693 - Staff recommended the request for final approval for Tract Map No. 17693 for the subdivision of 7.5 gross acres into 77 numbered lots and one lettered lot for a townhome development on property located at the northeast corner of Alabama Street and Orange Avenue (Jerry Zigrossi, applicant) be continued for two weeks. Edward Bonadiman asked the City Council to consider reinstating a condition for an easement from the owner to the north. Councilmember Gilbreath moved to continue this matter to July 15, 2008. Motion seconded by Councilmember Gallagher and carried unanimously.

Right-of-Way Acquisition - Morvai, et al - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously approved an agreement regarding purchase of an easement with Michael David Morvai and Mina Rachel Morvai Schnitzer, trustees of Morvai Trust; Michael David and Bobbette Devorah Litvak Morvai, trustees of the Michael David Morvai and Bobbette Devorah Litvak Morvai Trust; and David M. Lackner, trustee of the 1989 Edward Lackner Trust, for the Redlands Boulevard and Alabama Street right-of-way acquisition for the Redlands Boulevard, Alabama Street and Colton Avenue Improvement Project.

Bear Valley Mutual Water Company Stock Purchase - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously approved the purchase of 25 shares of Bear Valley Mutual Water Company stock from Ms. Josette Honus for a total price of \$3,125.00.

OSC 08-53 - Faith Chapel - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously determined that Outside City Case (OSC) 08-53 for Assessor's Parcel No. 298-181-31 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.

EOC Grant - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously authorized staff to apply for the 2008 Emergency Operations Center Grant program.

Contract - Trimester Use of Force Training - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously approved a contract with the County of San Bernardino for the San Bernardino County Sheriff's Department to provide Trimester Use of Force Training to members of the Redlands Police Department and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Contract - Sheriff's Range Facilities - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously approved a contract with the County of San Bernardino to allow the use of the San Bernardino County Sheriff's Department range facilities and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Amendment - Tow Service Agreements - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously approved changes to Section XXV of the tow services agreement to require the tow companies participating in the City's rotational tow program to pay a single fee in the amount of \$75.00 to the City for each impounded vehicle towed upon request of the Police Department and approved the contract amendments with Broncs Towing, Inc., Bill and Wag's Inc. and LL Towing and authorized the Mayor to execute, and the City Clerk to attest to, the documents on behalf of the City.

Proclamation - Parks and Recreation Month - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously authorized issuance of a proclamation declaring July 2008 as *Parks and Recreation Month*.

Amendment - ProLogis Exclusive Negotiation Agreement - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously approved the first amendment to an exclusive negotiation agreement with ProLogis with respect to the approximately 36-acre city-owned property located on the north side of Palmetto Avenue between California and Nevada Streets, identified as Assessor's Parcel Nos. 0292-044-09 through 12 and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

PUBLIC HEARING

Resolution No. 6728 - Appropriations Limit - Public notice was advertised for this time and place to consider Resolution No. 6728, a resolution of the City Council of the City of Redlands establishing an appropriations limit of \$86,563,913.00 for fiscal year 2008-2009 in accordance with Article XIII B of the State of California Constitution and Section 7900 et seq. of the California Government Code. Mayor Harrison declared the meeting open as a public

hearing. Finance Director Kundig reported in November 1979, the California voters approved Proposition 4 which places limits on the amount of revenue to be spent by all entities of government. Each year, generally upon submittal of the adopted budget, the City Council must adopt an appropriations limit, commonly referred to as a "Gann Limit" or "Proposition 4 Limit." Each year, the City of Redlands has consistently maintained an exceedingly wide and comfortable margin between its limits and its proceeds of taxes subject to the limit. Mayor Harrison called for public comments. There being no verbal or written comments, the public hearing was declared closed. Councilmember Gilbreath moved to adopt Resolution No. 6728. Motion seconded by Councilmember Gallagher and carried unanimously.

NEW BUSINESS

Delegates - League of California Cities - With the promise he would buy her breakfast Saturday morning, Councilmember Aguilar moved to designate Mayor Pro Tem Pat Gilbreath to serve as the voting delegate for the League of California Cities' 2008 Annual Conference scheduled for September 24-27, 2008, in Long Beach. Motion seconded by Councilmember Gallagher and carried unanimously. Councilmember Harrison moved to designate Councilmember Pete Aguilar and Councilmember Mick Gallagher to serve as the alternate delegates for the League of California Cities' 2008 Annual Conference for the League of California Cities' 2008 Annual Conference. Motion seconded by Councilmember Gilbreath and carried unanimously.

Resolution No. 6737 - Senate Bill No. 1420 - Mayor Pro Tem Gilbreath asked the City Council to consider adoption of Resolution No. 6737, a resolution of the City Council of the City of Redlands in support of Senate Bill No. 1420 which would require restaurants with 15 or more locations in California to provide nutrition information on menus and menu boards, in support of the "Healthy Redlands" initiative and the fight against obesity. Councilmember Gilbreath moved to adopt Resolution No. 6737. Motion seconded by Councilmember Gallagher and carried unanimously.

Appointment - Utilities Advisory Committee - Mayor Harrison moved to appoint Kevin D. Morningstar to serve on the 2008 Utilities Advisory Committee to fill a vacancy. Motion seconded by Councilmember Gilbreath and carried unanimously.

COMMUNICATIONS

Meeting Attendance - In compliance with Government Code Sections 53232.2 and 53232.3, there were no reports forthcoming from Councilmembers.

RedConnect - Municipal Utilities and Engineering Director Hoerning reported that in October 2007, the City Council approved a contract with Systems and Software, Inc. to upgrade the existing Customer Information System used by the

City for billing, collections and cash receipting functions. The contract also included the purchase of software that would provide 24/7 on-line access to municipal services information to our customers which has been named RedConnect. Customer Service Manager Janet Miller provided a "real time live" demonstration showing the services our customers are now able to access or initiate on-line at their convenience.

CLOSED SESSION

The City Council meeting recessed at 4:49 P.M. to a closed session to discuss the following:

1. Conference with legal counsel - Anticipated litigation - Government Code §54956.9(b) (City Attorney McHugh)
One case - Facts and circumstances: claim of 21st Century Insurance

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; Daniel J. McHugh, City Attorney; Lorrie Poyzer, City Clerk; Teresa Ballinger, Assistant City Clerk; Michael Reynolds, City Treasurer; Tom Fitzmaurice, Police Commander; Mitch McKee, Interim Fire Chief; David Hexem, Chief Information Officer; Daniel Hobbs, 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

CLOSED SESSION REPORT

There was no reportable action taken during the closed session.

ANNOUNCEMENTS/REPORTS

Greetings from Willebroek, Belgium - Mayor Harrison reported he had received greetings from Mayor Marc De Laet from Willebroek, Belgium, through the visit of local residents Gary and Pat Seymour. Mayor Harrison conveyed his appreciation to the Seymours for their international diplomacy efforts.

Environmental Quality Committee - Mayor Harrison also reported he attended a meeting recently and learned the California Building Standards will be amended to include mandatory water conservation.

Healthy Redlands Initiative - Mayor Pro Tem Gilbreath reported the Healthy Redlands Initiative has received a \$33,000.00 grant from the County of San Bernardino.

Widows and Orphans Statue - Mayor Pro Tem Gilbreath announced the Widows and Orphans statue will be dedicated on Saturday, July 26, 2008, at 9:00 A.M. in the Jenny Davis Park.

Townhall Meeting - Councilmember Aguilar announced the first townhall meeting has been re-scheduled to be held on Wednesday, July 23, 2008, at 7:00 P.M. at the Redlands Community Center.

JOINT MEETING - CITY COUNCIL AND REDEVELOPMENT AGENCY

North Redlands Revitalization Project - Consideration of a Final Environmental Impact Report prepared for the North Redlands Revitalization Project and approval and adoption of the Redevelopment Plan for the proposed North Redlands Revitalization Project which will include upgrading public facilities and infrastructure, promoting and facilitating economic development and job growth, and providing additional affordable housing opportunities within the limits of the North Redlands Revitalization Project specifically and, as may be legally permissible, in adjacent areas of the community was continued to this time and place following a joint public hearing held on June 17, 2008, with the Board of Directors of the Redevelopment Agency of the City of Redlands. Redevelopment Agency Director Hobbs reported that prior to the joint public hearing, three communications were received which may constitute written objections to the Plan. Oral testimony was also received from interested parties concerning the Redevelopment Plan, the Project and related matters. Pursuant to the requirements of the California Community Redevelopment Law, Health and Safety Code Section 33000 et seq., the City Council is required to respond in writing to these written objections. Consequently, consideration was continued to this meeting. Resolution No. 6735, receiving and approving written findings, was prepared in response to written objections, communications and suggestions received at or before the joint public hearing conducted for the proposed Redevelopment Plan for the North Redlands Revitalization Project. Redevelopment Agency Director Hobbs reviewed the background of the proposed Redevelopment Plan reiterating there is no right to eminent domain in this Redevelopment Plan. There were no questions from members of the City Council. City Attorney McHugh advised the members of the City Council and Redevelopment Agency Board of Directors that the joint public hearing on this matter was held and closed on June 17, 2008; as such, testimony in favor or against the Redevelopment Plan for the North Redlands Revitalization Project may no longer be added to the record of the Joint Public

Hearing. Bill Cunningham addressed Councilmembers noting he felt the numbers were inflated, that we were creating our "own donut hole, " and that the City is removing a significant amount of money from the General Fund for basic services. Speaking in favor of the proposal were Paul Foster, President of the Redlands Chamber of Commerce, and Mario Saucedo from the North Redlands Vision Committee. (Also see Redevelopment Agency minutes dated July 1, 2008.)

Resolution No. 6735 - Councilmember Gilbreath moved to adopt Resolution No. 6735, a resolution of the City Council of the City of Redlands receiving and approving findings prepared in response to written objections, communications and suggestions received at or before the joint public hearing conducted for the proposed Redevelopment Plan for the North Redlands Revitalization Project. Motion seconded by Councilmember Gallagher and carried unanimously.

Resolution No. 6723 - Councilmember Gilbreath moved to adopt Resolution No. 6723, a resolution of the City Council of the City of Redlands finding and determining that the use of monies from the low and moderate income housing fund outside the boundaries of the proposed North Redlands Revitalization Project will benefit the project and authorizing the expenditure of such funds. Motion seconded by Councilmember Gallagher and carried unanimously.

Resolution No. 6724 - Councilmember Gilbreath moved to adopt Resolution No. 6724, a resolution of the City Council of the City of Redlands certifying the completion of the final program Environmental Impact Report for the proposed Redevelopment Plan for the North Redlands Revitalization Project; making written findings pursuant to the California Environmental Quality Act; adopting a Statement of Overriding Considerations; and adopting a Mitigation Monitoring Program. Motion seconded by Councilmember Gallagher and carried unanimously.

Ordinance No. 2703 - Ordinance No. 2703, an ordinance of the City of Redlands approving and adopting the Redevelopment Plan for the North Redlands Revitalization Project, 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. 2703 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for July 15, 2008.

LAND USE AND PUBLIC HEARINGS

Orange Blossom Trail - JoAnn Ross, Dangermond Group, presented the proposed Orange Blossom Trail Conceptual Alignment Plan. The 7.5 mile long Orange Blossom Trail will provide a non-motorized transportation and recreational corridor linking local residents with a variety of facilities including schools, businesses, park and public transportation, as well as the regional Santa Ana River Trail. Mayor Pro Tem Gilbreath offered to follow-up with the proposal with SANBAG especially regarding the narrow access in the

downtown area. Mayor Pro Tem Gilbreath also expressed concern about the need for maintenance. Mayor Harrison suggested volunteer support and Quality of Life Director van Dorst offered to add the trail to the Adopt-A-Street program. Councilmember Gilbreath moved to acknowledge receipt and file the final Orange Blossom Trail Conceptual Alignment Plan. Motion seconded by Councilmember Gallagher and carried unanimously.

Sign CUP No. 11 - Quiel Brothers - Public hearing was continued to this time and place to consider approval of a mitigated negative declaration for Sign Conditional Use Permit and Sign Conditional Use Permit No. 11 for a two-sided freeway oriented sign with an area of 236 square feet (on each side) and a height of 65 feet for an approved shopping center located on the northeast corner of Parkford Avenue and Marshall Street in the C-4 (Highway Commercial) District. Mayor Harrison declared the meeting open as a continued public hearing. Project Planner Manuel Baeza reported the applicant has reduced the area of the sign in response to the City Council's comments at the public hearing. As revised, the sign will still have a height of 65 feet but now has an overall area of 236 square feet. To reduce glare, the panels of the sign will be opaque to only illuminate the sign lettering and logo. To further address the impacts to aesthetics, staff has added a condition of approval limiting the time of illumination to 11:00 P.M. each day and that the sign be equipped with an automatic timer set to these hours. Mayor Harrison called for public comments. Opposed to the proposed sign were: Karen Mahmoud, Jan Goral, Marcella Socha, Bill Cunningham on behalf of The Redlands Association, John Wuchenich, and Gayle Wuchenich. A representative from Quiel Brothers agreed to the changes proposed by staff. There being no further comments, the public hearing was declared closed. Councilmembers discussed this sign expressing the desire to include a limitation of one sign to this location.

Mitigated Negative Declaration - Councilmember Gilbreath moved to approve the Mitigated Negative Declaration for Sign Conditional Use Permit No. 11 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.

Sign Conditional Use Permit No. 11 - Councilmember Gilbreath moved to approve Sign Conditional Use Permit No. 11 subject to the findings and conditions of approval contained in the staff report and directing staff to prepare language for an additional condition (No. 8) in that all of the parcels that presently comprise this commercial center shall be limited to one approved freeway-oriented sign regardless of how it is configured in the future. Motion seconded by Councilmember Gallagher and carried with Councilmember Harrison voting NO (required 4/5 vote).

Orange Tree Associates - Public notice was advertised for this time and place to consider approval of a Draft Mitigated Negative Declaration for Resolution No. 6734, a resolution of the City Council of the City of Redlands amending Specific Plan No. 25 and Resolution No. 3704 relating to the maximum permitted height of buildings; to hold a public hearing to consider the Socio-

Economic Analysis and Cost/Benefit Study for the development of a three-story, 51,432 square foot banking facility on approximately 3.05 acres located on the south side of Orange Tree Lane, north of Interstate 10 Freeway, west of Nevada Street in the Urban Services Commercial District of Specific Plan No. 25; to hold a public hearing to consider Resolution No. 6734 to adopt Specific Plan No. 25, Amendment No. 12, which amends Section 3.A.4.c to allow the maximum height of buildings adjacent to Interstate 10 to be three stories in height instead of 2-1/2 stories, or 35 feet in height; to hold a public hearing to consider Variance No. 752 to allow a reduction of five feet in the required 15 foot freeway setback for the development of a 51,432 square foot banking facility and approximately 50 square foot drive-through automated teller machine on approximately 3.05 acres, located on the south side of Orange Tree Lane, north of Interstate 10 Freeway, west of Nevada Street in the Urban Services Commercial District of Specific Plan No. 25; and to hold a public hearing to consider Conditional Use Permit No. 927 to establish an approximately 50 square foot drive-through automated teller machine within a proposed banking facility located on the south side of Orange Tree Lane, north of Interstate 10 Freeway, west of Nevada Street in the Urban Services Commercial District of Specific Plan No. 25. Mayor Harrison declared the meeting open as a public hearing. Community Development Director Orci reviewed the proposed project. Mayor Harrison called for public comments. A representative from Miller Architect was present to answer questions. 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 Resolution No. 6734 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 Amendment No. 12 to Specific Plan No. 25, Variance No. 752, Conditional Use Permit No. 927 and Commission Review and Approval No. 856 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.

Resolution No. 6734 - Councilmember Gilbreath moved to adopt Resolution No. 6734 (Amendment No. 12 to Specific Plan No. 25). Motion seconded by Councilmember Gallagher and carried unanimously.

Variance No. 752 - Councilmember Gilbreath moved to approve Variance No. 752 subject to the findings contained in the staff report. Motion seconded by Councilmember Gallagher and carried unanimously.

Conditional Use Permit No. 927 - Councilmember Gilbreath moved to approve Conditional Use Permit No. 927 subject to the conditions and findings contained in the staff report. Motion seconded by Councilmember Gallagher and carried unanimously.

Olympic Barrington - Public notice was advertised for this time and place to hold a public hearing to consider introduction and reading of the title of Ordinance No. 2705 to adopt Specific Plan No. 23, Amendment No. 4, an amendment to Specific Plan No. 23 to establish the commercial sign standards in a uniform sign program of the C-3 District located on the southeast corner of Ford Street and Redlands Boulevard in the A-P (Administrative and Professional Office) District of Specific Plan No. 23. Mayor Harrison declared the meeting open as a public hearing. Community Development Director Orci reviewed the proposed project. Mayor Harrison called for public comments. Representing the applicant, Pat Meyer from Urban Environs, reviewed the applicant's intent for signage. Gayle Wuchenich, John Wuchenich and Karen Mahmoude expressed their concerns about signage in this area. There being no further verbal or written comments, the public hearing was declared closed.

CEQA Exemption - Councilmember Gilbreath moved to determine that Ordinance No. 2705 is not subject to the California Environmental Quality Act under a Class 5 Categorical Exemption pursuant to Section 15305 of the CEQA Guidelines. Motion seconded by Councilmember Gallagher and carried unanimously.

Ordinance No. 2705 - Specific Plan Amendment - Ordinance No. 2705, an ordinance of the City of Redlands amending Specific Plan No. 23 to establish sign standards consistent with the C-3 (General Commercial) District, 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. 2705 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for July 15, 2008.

Ordinance No. 2706 - Specific Plan No. 45 Amendment - Public notice was advertised for this time and place to consider approval of a Draft Mitigated Negative Declaration for Ordinance No. 2706, an ordinance of the City of Redlands amending Specific Plan No. 45 and Ordinance No. 2185 relating to parking standards for the Town Center Historic District and to hold a public hearing to consider Ordinance No. 2706. Mayor Harrison declared the meeting open as a public hearing. Project Planner Tabitha Kevari reviewed the proposed project. Redevelopment Agency Director Hobbs urged approval of this proposal. 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 Negative Declaration for Ordinance No. 2706 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.

Ordinance No. 2706 - Ordinance No. 2706 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. 2706 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for July 15, 2008.

PUBLIC COMMENTS

None forthcoming.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 8:55 P.M. The next regular meeting will be held on July 15, 2008.