

MINUTES

of a regular meeting of the City Council of the City of Redlands held in the Council Chambers, Civic Center, 35 Cajon Street, at 3:00 P.M. on January 4, 2000.

PRESENT

Pat Gilbreath, Mayor
Gary George, Mayor Pro Tem
John L. Freedman, Councilmember
Susan Pepler, Councilmember
Karl N. "Kasey" Haws, Councilmember

Gary M. Luebbers, City Manager
Daniel J. McHugh, City Attorney
Lorrie Poyzer, City Clerk
Beatrice Sanchez, Deputy City Clerk
(evening session)
Michael Reynolds, City Treasurer
Jim Bueermann, Police Chief
Mel Enslow, Fire Chief
Rod Hill, Assistant Finance Director
Ronald C. Mutter, Public Works Director
Gary G. Phelps, Municipal Utilities Director
Jeffrey L. Shaw, Community Development Director

ABSENT

None

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

CONSENT CALENDAR

Minutes - On motion of Councilmember Freedman, seconded by Councilmember George, the minutes of the special meeting of December 3, 1999, the regular meeting of December 7, 1999, and the special meeting of December 16, 1999, were approved as submitted.

Bills and Salaries - On motion of Councilmember Freedman, seconded by Councilmember George, payment of bills and salaries was acknowledged with Councilmember Haws abstaining from the vote.

Planning Commission Actions - On motion of Councilmember Freedman, seconded by Councilmember George, the report of the Planning Commission meeting held on December 14, 1999, was acknowledged as received.

Environmental Review Committee - On motion of Councilmember Freedman, seconded by Councilmember George, the report of the Environmental Review Committee meeting held on December 28, 1999, and the agenda for the

Environmental Review Committee meeting to be held on January 10, 2000, were acknowledged as received.

Contract Award - Pacific Street Sewer Main - Bids were opened and publicly declared on December 2, 1999 by the City Clerk for the construction of the Pacific Street Sewer Main Replacement, Project No. 2-0027; a bid opening report is on file in the Office of the City Clerk. It was the recommendation of the Municipal Utilities Department that the responsible bidder submitting the bid for said project which will result in the lowest cost for the City was C. P. Construction Company, Inc. in the amount of \$163,378.00, and it would be in the best interest of the City that this contract be awarded to said firm. On motion of Councilmember Freedman, seconded by Councilmember George, this recommendation was unanimously approved and the Mayor and City Clerk were authorized to sign the contract on behalf of the City.

Contract Award - Well No. 39 - Bids were opened and publicly declared on December 2, 1999, by the City Clerk for the construction of Well No. 39 Pump and Electric Motor, Project No. 4-0080A; a bid opening report is on file in the Office of the City Clerk. It was the recommendation of the Municipal Utilities Department that the responsible bidder submitting the bid for said project which will result in the lowest cost for the City was Tri County Pump Company in the amount of \$34,992.00, and it would be in the best interest of the City that this contract be awarded to said firm. On motion of Councilmember Freedman, seconded by Councilmember George, this recommendation was unanimously approved and the Mayor and City Clerk were authorized to sign the contract on behalf of the City.

Appointments - Library Board of Trustees - On motion of Councilmember Freedman, seconded by Councilmember George, the City Council unanimously reappointed Dorothy Ziilch and Martin Davis to the A. K. Smiley Public Library Board of Trustees to serve another three-year term to January 1, 2003.

Contract - Financial System - On motion of Councilmember Freedman, seconded by Councilmember George, the City Council unanimously approved Amendment No. 1 to the professional services contract and systems selection services with Government Finance Officers Association (GFOA) to furnish consulting services for a new financial system. This amendment will allow GFOA to assist with the third phase of the acquisition of a new financial management computer system to complete a statement of work, software licensing agreement, and implementation services agreement.

Mutual Release Agreement - Civil Action - On motion of Councilmember Freedman, seconded by Councilmember George, the City Council unanimously approved a mutual release agreement with the Redlands Unified School District regarding the civil action filed by Aaron Van Mill.

Agreement - California Street Landfill - On motion of Councilmember Freedman, seconded by Councilmember George, the City Council unanimously approved an engineering services agreement with Vector Engineering, Inc. to furnish engineering services for California Street Landfill operations and authorized the Mayor and City Clerk to execute the document on behalf of the City.

Agreement - Water Treatment Plants - On motion of Councilmember Freedman, seconded by Councilmember George, the City Council unanimously approved Amendment No. 1 to the agreement with Resource Management Services, Inc. (RMS) to furnish engineering services for preparation of risk management plans for the Henry Tate and Horace Hinckley Water Treatments Plants.

Contract - Recreation Bureau - On motion of Councilmember Freedman, seconded by Councilmember George, the City Council unanimously approved an independent contractor agreement between the City of Redlands Recreation Bureau and Stephanie DeWitt to provide line dancing classes at the Community Center and authorized the Mayor and City Clerk to execute the document on behalf of the City.

Kimberly Crest and Carriage Barn Sign - On motion of Councilmember Freedman, seconded by Councilmember George, the City Council unanimously approved installation of a sign for Kimberly Crest in Prospect Park at the southeast corner of Highland Avenue and Alvarado Street as recommended by the Parks Commission.

Change Order - Community Center Renovations - On motion of Councilmember Freedman, seconded by Councilmember George, the City Council unanimously approve Change Order No. 1 to the contract for the Community Center Renovations, Phase III project in the amount of \$32,753.00 for rehabilitation of all four public restrooms in the building, and authorized staff to execute the change order.

CDBG Funds - Code Enforcement Software - On motion of Councilmember Freedman, seconded by Councilmember George, the City Council unanimously approved revocation of \$6,733.83 of Community Development Block Grant funds from Project No. 111-19527, Graffiti Abatement Program, City Target Areas, and reallocate those funds to CDBG Administration Project No. 111-03000 for future use in the purchase of code enforcement software; and further authorized reallocation of the unused balance of \$11,511.88 from Project No. 112-4109, Storm Drain Curb and Gutter Improvements, City Target Areas Intersections, to CDBG Administration Project No. 111-03000 for future use in the purchase of code enforcement software.

LATE BREAKING ITEM

Councilmember Gilbreath moved to add the following item to the agenda which arose subsequent to the agenda being posted: "Discussion and possible action - Agreement between the West Redlands Water Company and the City of Redlands to provide domestic and irrigation water." Motion seconded by Councilmember Haws and carried unanimously. City Attorney McHugh explained this agreement was brought to his attention by Deputy City Clerk Sanchez. Water Resources and Utility Operations Chief Huffstutler requested the City Clerk's Office to complete execution of the document prior to his retirement on January 6, 2000. City Attorney McHugh explained that on May 21, 1996, the City Council delegated the Municipal Utilities Department authority to enter into irrigation water agreements with various mutual water companies. This document was apparently lost in the shuffle of a prior administration; City Attorney McHugh pointed out several inconsistencies, i.e. date of agreement, date of signatures, several typographic errors including the spelling of Mayor Pro Tem Geni Banda, suggested further investigation by his staff. Councilmember Haws moved to refer this matter back to staff for a report on January 18, 2000, or as soon thereafter as possible. Motion seconded by Councilmember Pepler and carried unanimously.

PLANNING AND COMMUNITY DEVELOPMENT

Conditional Use Permit No. 683 - Time Extension - A request has been received from Redlands Christian Home for a time extension on their conditional use permit to construct a 200,000 square foot senior living facility on 20.34 acres located on the east side of Wabash Avenue between Highland and Fifth Avenues in Specific Plan No. 54. This project consists of 30 single units, 102 assisted living units, 84 independent living units and a 24 bed Alzheimer's senior care facility with a maximum population of 400 persons. On motion of Councilmember Freedman, seconded by Councilmember George, the City Council unanimously determined that no subsequent environmental documents are necessary for the City Council's one year extension of Conditional Use Permit No. 683 which is consistent with the previous Negative Declaration adopted by the County of San Bernardino on April 10, 1997, for Conditional Use Permit No. 96-0037, based on the following findings: (a) no substantial changes are proposed in the project which will require major revisions of the previously approved Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; (b) no substantial changes have occurred with respect to circumstances which under the project was undertaken which will require major revisions of the previously approved Negative Declaration due to the involvement of new significant environmental effects or substantial increase in the severity of previously identified significant effects; and (c) no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the

time the previous Negative Declaration for Conditional Use Permit No. 683 was approved, has been identified. Councilmember Freedman moved to approve a one year time extension for Conditional Use Permit No. 683, extending approval until January 12, 2001. Motion seconded by Councilmember George and carried unanimously.

COMMUNICATIONS

1999 State Legislative Year - *The 1999 Legislative Year: Analysis and Summary*, prepared by the League of California Cities, was presented to the City Council for their review.

Removal of Planning Commissioner - At the City Council meeting held on December 16, 1999, Councilmember Haws announced the City Council would discuss the term of Planning Commissioner Rufus A. (Tex) Moore and asked him to consider submitting his resignation in consideration of his participation in the Cities Pavillion investigation by the District Attorney. Speaking in support of Mr. Moore's continued service on the Planning Commission were: Steve Denton, Ray Beggs, Dr. Durand F. Jacobs, Bill Cunningham, Geni Banda, and Dora W. Morris. Harold Hartwick stated he felt the Planning Commission must be above approach and urged the City Council to adopt a Code of Ethics to preclude this happening again. Mr. Moore was allowed unlimited time to address the City Council; he thanked the City Council for the opportunity to place the facts as he saw them at this meeting. Councilmembers expressed their viewpoints at length. Councilmember Haws moved to thank Mr. Moore for his service and to excuse him from further service on the Planning Commission and to remove him as a member of the Planning Commission. Motion seconded by Councilmember Pepler and carried with Councilmember Freedman voting NO.

Property Maintenance - Country Club and Fairway Drives - Mike and Irene Richardson submitted a letter asking to the City to investigate and verify ownership of the property on the corner of Country Club and Fairway Drives to resolve an ongoing issue as to whose responsibility it is to maintain the property. Their title report indicates they do not own the subject property and are not responsible to maintain it. Public Works Director Mutter reported that the subject property is considered public right-of-way and in accordance with Section 12.12.120 of the Redlands Municipal Code, maintenance of this easement is the responsibility of the adjacent property owners. The City Council directed staff to communicate with the Richardsons.

Mountainview Power, LLC. - Community Development Director Shaw presented a status report on the ordinance text amendment and development agreement application for Mountainview Power, LLC. Robert Klotz, attorney for the project, assured Councilmembers they felt they would be able to work through the process.

Trolley Survey - Dr. Fazelli, University of Redlands, reviewed the results of the recent survey regarding the proposed trolley service. Councilmember George thanked her for her efforts stating we now have a very complete picture.

Trails Development Guidelines and Standards - Public Works Director Mutter reported the Trails Committee has been developing a set of standards to be used as a guide in developing, designing and construction community trails throughout Redlands. The Trails Committee presented the proposed standards to the Parks Commission at their meeting of November 17, 1999, and the Parks Commission recommended adoption of these trail guidelines and standards. Caroline Laymon answered Councilmembers' questions. Thanking the Trails Committee members for their efforts, Councilmember George moved to adopt the trail guidelines and standards as prepared by the Trails Committee. Motion seconded by Councilmember Freedman and carried unanimously.

Litigation Report - As requested by Councilmember Haws, a five-year report on resolved litigation for the City of Redlands was prepared and presented at this meeting.

Planning Commission Duties - City Attorney McHugh reported he had determined that the City Council has the ability to delegate authority to the Planning Commission for administrative approvals. It was noted that Planning Commission decision can be appealed by anyone but that there is an appeal fee required and the City Council can appeal a decision but that in the past it has been done by a majority vote. Councilmember Haws moved to direct staff to meet with interested Planning Commissioners to look at alternatives to expand the role of the Planning Commission. Councilmember Freedman seconded the motion which carried unanimously. Planning Commissioner George Weber welcomed the opportunity to come up with some thresholds.

CMAQ Grant Report - Councilmember George presented copy of a Response to Request for Proposals to the San Bernardino County South Coast Air Basin Congestion Mitigation/Air Quality Program grant report for *The City of Redlands Alternative Fuels Community Project* to Councilmembers and explained why this grant was written. This application and project was authorized by the adoption of Resolution No. 5706 on November 2, 1999.

Hotel Development - The City Council concurred with Councilmember Pepler's request to ask Jim Appleton, University of Redlands, to set up a committee to review the need for an up-scale hotel in Redlands.

Northside Library Branch - The City Council concurred with Councilmember Pepler's request to establish a committee to study the feasibility of a library facility on the northside of Redlands.

JOINT MEETING - CITY COUNCIL AND REDLANDS FINANCING AUTHORITY

Minutes - The minutes of the regular meeting of the Governing Board of the Redlands Financing Authority of the City of Redlands of June 1, 1999, were unanimously approved as submitted. There being no further business to consider, the meeting was adjourned. (Also see Redlands Financing Authority minutes dated January 4, 2000.)

JOINT MEETING - COUNCIL AND REDEVELOPMENT AGENCY

Resolution No. 5718 - Great Neighborhoods Program - Councilmember Freedman moved to adopt Resolution No. 5718, a resolution of the City Council of the City of Redlands authorizing the use of low- and moderate-income housing funds outside the Redlands Project Area for the Great Neighborhoods Program to implement an additional three participant agreements which will be acted upon by the Board of Directors of the Redevelopment Agency. Motion seconded by Councilmember Pepler and carried unanimously. (Also see Redevelopment Agency minutes for January 4, 2000.)

First Time Homebuyer - Subordination Agreement - Councilmember George moved to approve a subordination agreement between Ms. Colleen Caddy and the Redevelopment Agency of the City of Redlands in the amount of \$6,650.00 for a home purchased at 908 Stillman Avenue, and authorized the Mayor and City Clerk of the City of Redlands to execute the document. Motion seconded by Councilmember Pepler and carried unanimously. (Also see Redevelopment Agency minutes for January 4, 2000.)

CLOSED SESSION

The City Council meeting recessed at 5:13 P.M. to continue the Redevelopment Agency meeting and reconvened at 5:15 P.M. to a closed session to discuss the following:

1. Conference with legal counsel: Anticipated litigation - Government Code Section 54956.9(c) - one case
2. Conference with legal counsel: Existing litigation - Government Code Section 54956.9(a)
 - City of Redlands v. County of San Bernardino/Majestic Realty - Case No. E021447
 - FERC administrative proceedings for power plant relicensing
 - State Water Resources Board proceedings regarding application to redesignate fully appropriated status of Santa Ana River

The meeting reconvened at 7:00 P.M.

PUBLIC HEARINGS

Tentative Tract No. 15469 - Gresham (Ross) Roskamp - Public hearing was continued to this time and place to consider Socio-Economic Cost Benefit Study, Tentative Tract No. 15469, and an accompanying Negative Declaration for the subdivision of 110.3 acres into 24 residential lots located south of the terminus of Sutherland Drive, Ashforth Drive and South Lane in Specific Plan No. 47 (Gresham [Ross] Roskamp, applicant). Development Director Shaw reviewed the application and the Planning Commission's recommendation for approval. Mayor Gilbreath declared the meeting open as a public hearing for any questions or comments. Speaking in favor of the project were: Leon Armantrout and Pat Meyer, the planner for the project. On behalf of the Redlands Association, William E. Cunningham presented a letter outlining reasons the City Council should not approve the Mitigated Declaration for this project. Craig Banta and Teddy Banta addressed the issue of protection and preservation of the oak trees within the property. Geni Banda urged elimination of Lots 10 and 11 to provide a visual entrance to the park which will be donated to the City. There being no further comments, the public hearing was closed. Councilmembers thanked the applicant for the donation of the seven acres as a City park and discussed the project at length. Councilmember Freedman's motion to send this application back to the applicant and staff to redesign the project by eliminating Lots 10 and 11 and the cul-de-sac was not seconded. Councilmember Haws moved to continue this matter to January 18, 2000, to allow further review the goals of the General Plan in relation to this project. Motion seconded by Councilmember George and carried unanimously.

Sign Conditional Use Permit No. 2 - Public hearing was advertised for this time and place to consider Sign Conditional Use Permit No. 2 and an accompanying Negative Declaration for two freeway signs with an area of 608 square feet each located in the existing Tri-City Shopping Center in the EV/CG (General Commercial) District of the East Valley Corridor Specific Plan; National Signs, applicant. On motion of Councilmember Gilbreath, seconded by Councilmember Freedman, the City Council unanimously continued this public hearing to January 18, 2000, at the request of the applicant.

UNFINISHED BUSINESS

Solid Waste Rate Option - Municipal Utilities Director Phelps and Solid Waste Manager Valorie Shatynski presented a communication providing information regarding solid waste rate options, as requested by the City Council at their October 5, 1999, meeting for persons who claim they are required to pay for disposal service when they do not generate any trash. The City Council did not take any action on this matter.

NEW BUSINESS

Voting Machine - City Manager Luebbers reported that in the past, staff has received comments from the public regarding the televised Council meetings. The most predominant question has been how each Councilmember voted on agenda items. A voting machine would eliminate this problem and allow the public to see the votes on television. Staff has found two companies that have products on the market with a cost range generally between \$12,000.00 and \$17,000.00 to purchase and install a system. This action was previously presented to the City Council on October 6, 1998. At that time, the City Council directed staff to return with suggestions other than a voting machine in an effort to better utilize the TCI funding. Other equipment funded through this program included the various cameras, tripods, enhanced lighting, etc. Records indicate that approximately \$17,000.00 remains in the TCI account. Councilmember George moved to authorize staff to seek bids for the purchase and installation of a voting machine for the City Council Chambers and to investigate enhancement of the sound system. Motion seconded by Councilmember Haws and carried with Councilmember Freedman voting NO.

Fire Station No. 264 - City Manager Luebbers and Fire Chief Enslow reported that at a recent meeting, which included all Redlands Fire Department Chief Officers, Staff Assistant and Fire Marshall, much consideration was given to current and future methods of their delivery system. At this time, staff is recommending the following: complete the remodel program of Station No. 261 on Redlands Boulevard and Citrus Avenue; sell the unneeded fire station site locations currently owned by the City; reconfigure Building C at the Corporate Yard for the new Fire Station No. 264; and study future site possibilities for a fire station on the far easterly end of the City. As it is anticipated the rehabilitation of Fire Station No. 261 could take 12-18 months to complete, it was recommended that the reconfiguration plan for Building C be completed first to house current Fire Station No. 261 personnel and equipment during the construction at that site. Ray Beggs expressed concerns about the shortage of fire stations in Redlands. Councilmember Freedman moved to complete the remodel of Fire Station No. 261; to approve the sale of the City-owned property at Bellevue and Brookside Avenues and at the southeast corner of Lugonia Avenue and Nevada Street; and to utilize the proceeds of these sales for the reconfiguration of Building C at the Corporate Yard into Fire Station No. 264 with the understanding that Fire Station No. 261 would not be occupied during the rehabilitation project. Motion seconded by Councilmember Pepler and carried unanimously.

Fire Station No. 261 Rehabilitation - Councilmember Freedman moved to authorize an amendment to the Agreement to Furnish Consulting Services for Design of Improvements for the Rehabilitation of Fire station No. 261, with Leon Armantrout of Armantrout Architects, to include upgrades outlined in Schedule 3 of the project summary which includes restroom facilities,

communications systems, offices, and major improvements to the day room and dormitory. Motion seconded by Councilmember Gilbreath and carried unanimously.

Majestic Realty Company Negotiations - Councilmember Haws abstained from this discussion due to a potential conflict of interest. Mayor Gilbreath reported she, Mayor Pro Tem George, City Manager Luebbers and City Attorney McHugh have met with Majestic officials twice and will meet again next week. The discussions are positive and they are moving forward.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 8:40 P.M. A special City Council meeting will be held on Tuesday, January 18, 2000, at 9:00 A.M. in the City Council Chambers, 35 Cajon Street, Redlands, California.

City Clerk