

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 October 2, 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; Daniel J. McHugh, City Attorney; Lorrie Poyzer, City Clerk; Michael Reynolds, City Treasurer; Jim Bueermann, Police Chief; Jim Drabinski, Fire Chief; Steven H. Dukett, Interim Redevelopment Agency Director; Tina Kundig, Finance Director and Acting Administrative Services Director; Ronald C. Mutter, Public Works Director; Gary G. Phelps, Municipal Utilities Director; Robert Dalquest, Assistant Community Development Director; Kurt Smith, Chief Information Officer; Gary Van Dorst, Quality of Life Interim Director

The meeting was opened with an invocation by Mayor Harrison who noted the death of Frank Entler, II, father of Cheryl Williams, our Video Technician, and sent thoughts and prayers to her from the City family. The invocation was followed by the pledge of allegiance.

PRESENTATION

APWA Award - Orange Street and Alabama Street Bridges Project - The American Public Works Association has honored the Public Works Department by granting their Project of the Year Award to the Public Works Department for the Orange Street and Alabama Street Bridges Project.

CONSENT CALENDAR

Minutes - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the minutes of the regular meeting of September 18, 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 25, 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. 2680 - Zone Change No. 432 - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously adopted Ordinance No. 2680, an ordinance of the City of Redlands amending Title 18 of the Redlands Municipal Code by revising the City's Land Use Zoning Map by approving 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 for APN 298-062-01, APN 298-061-14, APN 298-061-20 and APN 298-061-21 (Stor-N-Lock, Applicant).

Development Agreement - Kaiser Foundation Hospitals - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously determined that the annual report for Kaiser Foundation Hospitals was complete and directed staff to prepare a Certificate of Compliance that can be recorded by the applicant.

Density Bonus Housing Agreement - Housing Authority Partners I, Inc. - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously acknowledged receipt and ordered filed the staff's report on the status of the density bonus agreement with Housing Partners I, Incorporated which indicates staff anticipates the agreement will return to the City Council at either the October 16, 2007, or the November 6, 2007, meeting.

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

Proclamation - Make A Difference Day - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously authorized issuance of a proclamation declaring October 27, 2007, as *Make a Difference Day* for the Points of Life.

Proclamation - Bi-National Health Week - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously authorized issuance of a proclamation declaring the week of October 13-21, 2007, as *Bi-National Health Week* for the Consul of Mexico, San Bernardino.

Proclamation - Arts and Humanities Month - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously

authorized issuance of a proclamation declaring October 2007 as *Arts and Humanities Month* for the Americans for the Arts.

Proclamation - ENERGY STAR Change a Light Day - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously authorized issuance of a proclamation declaring October 3, 2007, as *ENERGY STAR Change a Light Day* for the U. S. Environmental Protection Agency.

License Agreement - Master Storm Drain - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved a license agreement with San Bernardino Associated Governments for the construction of a master storm drain across the railroad right-of-way and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Amendment - Street Improvements - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved an amendment to Cooperative Agreement No. 04-1053 for the Barton-San Timoteo Street Improvements and Traffic Signal Project and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

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.

Settlement Agreement - Redlands Development 102 LLC - Municipal Utilities Director Phelps responded to questions from Shari Pence, CIFAC, regarding a Settlement and Release Agreement with Redlands Development 102 LLC for relocation of the City's 24-inch diameter water transmission pipeline into Wabash Avenue from Sunset Drive to 192 feet south of La Mirada Drive. Councilmember Harrison moved to approve the agreement and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City. Motion seconded by Councilmember Gilbreath and carried unanimously.

Agreement - Trimble Navigation Limited - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved a consulting services agreement with Trimble Navigation Limited for the purpose of implementing field operations software for the Municipal Utilities Department and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Resolution No. 6654 - Grant Funding - Groundwater Contaminant Treatment - Chris Diggs, Water Resources Manager, briefed Councilmembers regarding Proposition 50 funds being utilized to remove perchlorate in a more cost effective manner at the Texas Street Facility. The City is receiving \$1.7 million Proposition 50 grant funds and \$1.2 million is being contributed by Penn State with the City contributing only \$155,000.00 of in-kind expenses and services. Stating this project is a tremendous benefit to the community, Councilmember Harrison moved to adopt Resolution No. 6654, a resolution of the City Council of the City of Redlands authorizing signature of a funding agreement and related documents for funding under the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 (Proposition 50), for the City of Redlands Groundwater Contaminant and Treatment and Removal with Tailored GAC Project. Motion seconded by Councilmember Gilbreath and carried unanimously.

Trailer Purchase - Redlands Sports Park - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously authorized the purchase of a Turf Special HD Trailer, Zieman 1166 in the amount of \$8,051.08 from RDO Equipment Company for the maintenance of the Redlands Sports Park.

Sideloaders Purchase - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously authorized the purchase of two LNG 2008 automated sideloaders from Carmenita Ford Truck Sales, Inc. in the amount of \$470,686.48.

Truck Purchase - Redlands Sports Park - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously authorized the purchase of a 2008 Fleet/Non-Retail 2WD Regular 133" work truck in the amount of \$24,736.89 from Crest Chevrolet for the maintenance of the Redlands Sports Park.

Truck Purchase - Redlands Sports Park - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously authorized the purchase of a 2008 CC20753 Chevrolet Silverado 2500 HD 2WD extension cab in the amount of \$22,630.87 from Crest Chevrolet for the maintenance of the Redlands Sports Park.

Funds - Land Acquisition Grants - Redlands Conservancy - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously authorized reprogramming \$3,100.00 for the identification of grants for land acquisition by the Redlands Conservancy.

Funds - Disaster Preparedness Program - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously authorized acceptance of the FY2007 Emergency Management Assistance

Program grant award of \$9,788.00 from the San Bernardino County Operational Area Office of Emergency Services and authorized the expenditure of that amount for the City of Redlands Disaster Preparedness Program administered by the Fire Department.

Funds - Agreement - Safety Hall Retrofitting - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved a consultant agreement with W. Tan Engineering and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City. On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved an additional appropriation not to exceed \$33,000.00 from the Public Facilities Development Fund to fund the engineering services for the retrofitting of Safety Hall, 212 Brookside Avenue.

Settlement Agreement - Ruptured Water Main - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved a Settlement and Release Agreement with State Farm General Insurance Company, USAA Casualty Insurance Company, Mary Deborah Johns and Kurtis F. Barnes for a ruptured water main located near the corner of a residential construction site bordered by San Canyon Road and 16th Street in Yucaipa and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

PLANNING AND COMMUNITY DEVELOPMENT

Residential Development Allocations - Third Quarter - Assistant Community Development Director Dalquest reviewed the following application for residential development allocations for the third quarter of 2007 as recommended by the Planning Commission, the Historic and Scenic Preservation Commission, the Housing Commission, City departments and the Redlands Unified School District:

1. RDA 2007-III-01 - Zigrossi Company, Inc., Applicant - Tentative Tract No. 17693, an approved 77-unit TOWNHOME RESIDENTIAL DEVELOPMENT project on a 6.7 acres site located on the northeast corner of Alabama Street and Orange Avenue in the EV2500-RM (Multiple-Family Residential - 2500) District of the East Valley Corridor Specific Plan.

Assistant Community Development Director Dalquest reported the applicant did not receive the minimum 90 points making them ineligible for an allocation of building permits. On behalf of the applicant, the architect addressed the City Council at length reviewing their proposed project and additional points he felt they should be granted. Councilmembers discussed the new process that will be implemented for the fourth quarter allocations and reviewed the proposed point changes. Bud Thatcher, Thatcher Engineering, answered several questions about their underground drainage system. Councilmember Gilbreath moved to

grant additional points as follows: Storm and Flood Drainage: plus one, Architectural Design: plus three and Site and Grading Design: plus two and to approve the allocation of 77 units to RDA 2007-III-01, Zigrossi Company, Inc. Motion seconded by Councilmember Aguilar and carried unanimously.

COMMUNICATIONS

Meeting Attendance - No reports forthcoming from Councilmembers.

Appointment - Human Relations Commission - Mayor Pro Tem Gilbreath moved to appoint Jo Ann Von Wald to serve a four-year term on the Human Relations Commission. Motion seconded by Councilmember Aguilar and carried unanimously.

Public Safety Advisory Commission/Police Advisory Commission - Police Chief Bueermann reported that several months ago the City Council directed staff to evaluate the possibility of creating a citizens' Public Safety Advisory Commission. Police and Fire staff have completed an initial review of the broader view of a commission that encompasses both the Police and Fire Departments. Fire Chief Drabinski voiced his opposition to the formation of a Public Safety Advisory Commission at this time because of the level of oversight by the City Manager and City Council, but noted that if the management study in process shows otherwise, he may change his position. Police Chief Bueermann reported he has been interested in the City Council forming a Police Advisory Commission for quite some time and is supportive of a police-specific commission as is the police union. Oscar Sepp urged the City Council to table this discussion for further analysis and review. Councilmembers discussed this subject with Police Chief Bueermann at length. Councilmember Gilbreath indicated she did not support formation of another commission at this time. Councilmember Gil's motion to direct staff to prepare an ordinance for the creation of a Police Advisory Commission died for lack of a second. Councilmember Aguilar moved to continue this discussion to October 16, 2007, for further review by the City Manager and the consultant preparing the management study. This motion was seconded by Councilmember Gil. Before the vote was taken, Debra Nester expressed confusion about the authority of the City Council over the Police Department and stated there is not a problem at this Police Department. Agreeing with Councilmember Gil, Joe Gonzales supported the formation of this commission as he felt it was needed for the residents on the north side of town. The motion to continue the discussion carried with Councilmember Gilbreath voting NO.

CLOSED SESSION

The City Council meeting recessed at 4:26 P.M. to a closed session to discuss the following:

1. 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, Steve Dukett and Prologis

Under negotiation: Terms and price for possible property exchange

The meeting 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; Daniel J. McHugh, City Attorney; Lorrie Poyzer, City Clerk; Michael Reynolds, City Treasurer; Jim Bueermann, Police Chief; Jim Topoleski, Fire Battalion Chief; Tom Steele, Assistant Finance Director; Ronald C. Mutter, Public Works Director; Gary G. Phelps, Municipal Utilities Director; Robert Dalquest, Assistant Community Development Director; and Kurt Smith, Chief Information Officer

CLOSED SESSION REPORT

None forthcoming.

LAND USE AND PUBLIC HEARINGS

Derek and Cynthia Peel, Applicant - Public notice was advertised for this time and place to approve a Draft Mitigated Negative Declaration for Minor Subdivision No. 315, (Tentative Parcel Map No. 18486) a minor subdivision to subdivide approximately 4.64 acres into two (2) lots located on the north side of San Bernardino Avenue at 1305 East San Bernardino Avenue; for a public hearing for a Socio-Economic Analysis and Cost/Benefit Study for Minor Subdivision No. 315 as described above; a public hearing to consider introduction and reading of the title of Ordinance No. 2681, Zone Change No. 431, a change of zone from A-1 (Agricultural) District to R-E (Residential Estate) District on approximately 4.64 acres located on the north side of San

Bernardino Avenue at 1305 East San Bernardino Avenue; consideration of Resolution No. 6653, Agricultural Preserve Removal No. 117, the removal from the Agricultural Preserve of approximately 4.64 acres located on the north side of San Bernardino Avenue at 1305 East San Bernardino Avenue in the A-1 (Agricultural) District (proposed change to R-E, {Residential} District); and consideration of Minor Subdivision No. 315 as described above. Mayor Harrison declared the meeting open as a public hearing. Assistant Community Development Director Dalquest reviewed the proposed project. 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 Zone Change No. 431, Agricultural Preserve Removal No. 177 and Minor Subdivision No. 315 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 Zone Change No. 431, Agricultural Preserve Removal No. 177 and Minor Subdivision No. 315 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. 2681 - Zone Change No. 431 - Ordinance No. 2681, 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. 431, 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. 2681 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for October 16, 2007.

Resolution No. 6652 - Agricultural Preserve Removal No. 117 - Councilmember Gilbreath moved to adopt Resolution No. 6652, a resolution of the City Council of the City of Redlands removing property from the City's Agricultural Preserve and approving Agricultural Preserve Removal No. 117. Motion seconded by Councilmember Gallagher and carried unanimously.

Minor Subdivision No. 315 - Councilmember Gilbreath moved to approve Minor Subdivision No. 315 subject to the conditions of approval and based on the findings contained in the staff report. Motion seconded by Councilmember Gallagher and carried unanimously.

PUBLIC COMMENTS

The Rock Church - Leanora Sims said she was insulted by the Planning Commissioners during the meeting held September 25, 2007, for The Rock Church and World Outreach Center in that the commissioners never referred to Pastor Jim Cobrea as "pastor" and she felt some of the commissioners were rude. She asked Councilmembers to apologize to her pastor.

North Redlands Vision Committee - On behalf of the North Redlands Vision Committee, Mario Saucedo reminded Councilmembers of their priority list: participation in the General Plan review; research and recognize cultural districts in Redlands through the Preserve America Grant; City Council Resolution No. 5851 to establish a library on the north side of town; adoption and implementation of the North Redlands Revitalization Project; and The Terrace Project. He submitted a proposal from STB Landscape Architects, Inc. with a generous offer to provide professional services for preparation of a conceptual design of The Terrace. This proposal was referred to staff for study and recommendation.

Graffiti - Adrian Asencio complained about graffiti blighting our City which includes advertising signs. He also complained about the weeds and debris along the streets at the entrance to the City and the repair of sidewalks with asphalt. He urged the City Council to improve our image. City Manager Martinez reviewed the improvements that have been made recently but explained the City does not have the resources to do as much as we would like to do.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 7:29 P.M. in memory of John Runkel who owned and operated Lange and Runkel Chevrolet for many years. Mr. Runkel was active in community affairs having served over 20 years on the Planning Commission, having served on the Airport Advisory Commission and being a member of the Rotary Club among some of his volunteer efforts.

The next regular meeting will be held on October 16, 2007.