

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 May 2, 2000.

PRESENT

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

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  
Bonnie Johnson, Finance Director  
Ronald C. Mutter, Public Works Director  
Karen Olsen, Personnel Manager  
(afternoon session)  
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.

PRESENTATIONS

Fire Department Millennium Badge - On behalf of the Redlands Professional Fire Fighters, President Dan Crow presented each Councilmember the Fire Department's millennium badge which was designed by Captain James Cameron Teter.

San Bernardino Valley Water Conservation District - Bernie Cavender presented information explaining the purpose of San Bernardino Valley Water Conservation District which is to ensure that the waters of the Santa Ana River and its tributaries in the San Bernardino Valley are put to beneficial use and conserved in the Bunker Hill Groundwater Basin. Jack Woodbury, President of the SBVWCD Board, was also present.

CONSENT CALENDAR

Minutes - On motion of Councilmember George, seconded by Councilmember Freedman, the minutes of the regular meeting of April 18, 2000, and the adjourned regular meeting of April 24, 2000, were approved as submitted.

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

Planning Commission Actions - On motion of Councilmember George, seconded by Councilmember Freedman, the report of the Planning Commission meeting held on April 25, 2000, was acknowledged as received.

Ordinance No. 2403 - Density Bonuses - Ordinance No. 2403, an ordinance of the City of Redlands adding Chapter 18.226 to the Redlands Municipal Code to establish incentives (density bonus) for the production of very low income, lower income and senior housing, was adopted on motion of Councilmember Gilbreath, seconded by Councilmember Haws, by the following vote:

AYES: Councilmembers George, Peppler, Haws;  
Mayor Gilbreath  
NOES: Councilmember Freedman  
ABSENT: None

Ordinance No. 2436 - Electric Generation Uses - Ordinance No. 2436, an ordinance of the City of Redlands amending Chapters 18.108 and 18.116 of the Redlands Municipal Code relating to electric generation uses, was adopted on motion of Councilmember George, seconded by Councilmember Freedman, by the following vote:

AYES: Councilmembers George, Freedman, Peppler, Haws;  
Mayor Gilbreath  
NOES: None  
ABSENT: None

Ordinance No. 2438 - Code Update - Ordinance No. 2438, an ordinance of the City of Redlands adding Chapters 1.04 and 1.06 to the Redlands Municipal Code relating to general provisions and notices and appeals, and amending Chapter 2.04 and 2.10 of the Redlands Municipal Code relating to bonds for City officials, was adopted on motion of Councilmember George, seconded by Councilmember Freedman, by the following vote:

AYES: Councilmembers George, Freedman, Peppler, Haws;  
Mayor Gilbreath  
NOES: None  
ABSENT: None

Proclamations - Seniors/Student of Distinction - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council unanimously authorized issuance of proclamations honoring Plymouth Village's Seniors of Distinction Phyllis Clark, Gordon and Celia Edinger, Anthony (Tony) Jacinto, Jr. and Dr. Charles Swift, and Student of Distinction Amy K. Clark.

Proclamation - Water Awareness Month - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council unanimously

authorized issuance of a proclamation declaring the month of May 2000 as *Water Awareness Month* and acknowledged the involvement of those citizens who already practice water conservation techniques and urged all citizens to learn more about water conservation.

Proclamation - Dr. Luis S. Gómez - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council unanimously authorized issuance of a proclamation honoring Dr. Luis S. Gómez upon his retirement as President of Crafton Hills College.

Proclamation - National Salvation Army Week - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council unanimously authorized issuance of a proclamation declaring the week of May 14, 2000, as *National Salvation Army Week* and expressed appreciation and high commendation to its officers and volunteers for their dedication to those in need.

Proclamation - Blue Ribbon Week - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council unanimously authorized issuance of a proclamation declaring the week of May 7, 2000, as *Blue Ribbon Week* in recognition and support of all peace officers and law enforcement agencies.

Proclamation - Million Mom March - Mayor Pro Tem George introduced Marta Maciás Brown who urged the City Council to support the Million Mom March to be held on May 14, 2000. Million Mom March Mothers' Day 2000 is dedicated to the mission of educating children and the country about the life-threatening danger of guns. Mrs. Brown invited Councilmembers to one of the many rallies that will be held in California in addition to the march in Washington, D.C. Councilmember George moved to authorize issuance of a proclamation supporting this event. Motion seconded by Councilmember Haws and carried unanimously.

Agreement - California Street Landfill - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously approved an agreement with 3D GeoServices, Inc. to furnish hydrogeologic support and technical analysis and groundwater quality reporting services for the California Street Landfill and authorized the Mayor and City Clerk to execute the agreement on behalf of the City.

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

Agreement - California Street Landfill - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously approved an agreement with Tom Dodson & Associates to furnish environmental consulting services for the California Street Landfill horizontal expansion and authorized the Mayor and City Clerk to execute the agreement on behalf of the City.

Agreement - Cost Recovery Services - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously authorized the City of Redlands Fire Department to enter into an agreement with the City of Colton to provide cost recovery services for emergency response related incidents and authorized the Mayor and City Clerk to execute the agreement on behalf of the City.

Fee Waiver - Showmobile - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously authorized a waiver of \$450.00 in fees for the Kingsbury Elementary School Parent Teacher Association for the one day use of the Showmobile providing that certain other requirements noted in the rental contract are met for towing, set-up, a deposit, insurance coverage, and rental period.

Change Order - Colton/Wabash Intersection - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously approved Change Order No. 3 to the contract for the Colton/Wabash Intersection Improvements Project and authorized staff to execute the change order.

Settlement Agreement - Arron Van Mill - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously accepted and ratified a settlement agreement with Arron Van Mill which reflects the terms and conditions agreed upon by the City Council in closed session discussion.

Settlement Agreement - Gary M. Luebbers - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously acknowledged an executed settlement agreement and general release of all claims between the City of Redlands and Gary M. Luebbers.

Right-of-Way Contract - State Water Project - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously approved a perpetual nonexclusive easement and right-of-way contract with the Department of Water Resources for a portion of the City-owned Assessor's Parcel No. 168-362-03 for the sum of \$500.00. The East Branch Extension is being constructed to convey supplemental State Project Water to Mentone, Yucaipa, and Beaumont areas and requires an access road off State Route 38

near Mentone that crosses the corner of this City-owned parcel of land. The total land required for the access road is only 48 square feet of the City's parcel.

Fee Waiver - Chamber of Commerce - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously waived all City service fees associated with the Redlands Chamber of Commerce's Chili Cook-Off and Summer Fest scheduled for July 15, 2000, at the University of Redlands.

Resolution Nos. 5746-5747 - Improvement Area B - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously adopted Resolution No. 5746, a resolution of the City Council of the City of Redlands giving preliminary approval of the annual report for Parking and Business Improvement Area B for fiscal year 2000-2001. On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously adopted Resolution No. 5747, a resolution of the City Council of the City of Redlands declaring its intention to levy and collect assessments for improvements and activities occurring within the boundaries of Parking and Business Improvement Area B, and setting May 16, 2000, as the date of the public hearing to consider the assessments.

Resolution No. 5755 - Animal Control Fees - This resolution was continued to May 16, 2000.

Honeywell Maintenance Services - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously authorized staff to extend the maintenance and operations service support by Honeywell for heating, ventilation and air conditioning (HVAC) and related services on a month-to-month basis until a new contract, based on bid, is approved.

CDBG Agreement - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously approved a Delegate Agency Agreement with the County of San Bernardino which specifies the procedures, sequences, responsibilities and forms to be used to administer Community Development Block Grant (CDBG) activities.

Herald Street Rehabilitation Project - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously approved Change Order No. 1 to the contract for the Herald Street Rehabilitation Project in the amount of \$18,725.62.

Tract No. 15937 - Standard Pacific Homes - This request for a subdivision improvement agreement and final approval for Tract No. 15937 was continued to May 16, 2000.

Model Home Agreement - Tract No. 15937 - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously approved a model home agreement for Tract No. 15937, located northwesterly

of Lugonia Avenue and Dearborn Street, and accepted the associated faithful performance bond in the amount of \$80,000.00 to allow the development of a four unit model home complex prior to the recordation of the final map subject to the conditions included the staff report.

Funds - Resolution No. 5758 - Equipment Purchase Program - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously adopted Resolution No. 5758, a resolution of the City Council of the City of Redlands accepting the California Law Enforcement Technology Equipment Purchase Program grant; approved an additional appropriation of \$80,000.00 to the Police Department to fund the grant program; and approved the use of the funds as described:

Surveillance Equipment	\$45,520.00
Car Video System	19,040.00
Computer Equipment	7,268.00
Radio Equipment	<u>8,172.00</u>
Total	\$80,000.00

## COMMUNICATIONS

Proposed Budget Study Sessions - Finance Director Johnson presented a tentative schedule for the City Council proposed budget study sessions with the first meeting scheduled for May 16, 2000, at 9:00 A.M. A revised schedule will be prepared based on availability of each Councilmember. Mayor Gilbreath reported a balanced budget will be presented to the City Council but that she has also asked the department heads to present other items not included in the proposed budget in order for the City Council to establish a priority listing and to come up with a financing plan.

Bridges Report - Public Works Director Mutter presented a chronology of events and a cost analysis for the development, engineering and construction of the bridges over the Santa Ana River at Alabama Street and at Orange Street. He indicated a definite schedule cannot be determined until all environmental work is completed and approved. This will largely rely on the review and approval from various agencies such as the Corps of Engineers, the U. S. Fish and Wildlife Service, the Federal Highway Administration, Caltrans, and a public review.

Commemorative Plaque - Community Field - Dave Eason, Redlands Baseball for Youth, explained that Tanya Osborn, who has been involved in Redlands Baseball for Youth as scorekeeper for most of her life, has been told recently that she is dying of cancer. Redlands Baseball for Youth desires to honor her on May 13, 2000, with a ceremony dedicating the scorebooth on Field No. 1 to her with a bronze plaque mounted on the outside wall. On behalf of the three Kiwanis Clubs in Redlands, Lionel Arnold informed Councilmembers they would fund the purchase, installation, and maintenance of this plaque. Also

urging approval of this request was Judy Miller. Councilmember Freedman moved to grant an exception to the policy that requires the use of a "donor wall" in City parks and allow placement of the plaque as requested. Motion seconded by Councilmember George and carried unanimously.

City Manager Position - Councilmember Freedman read his viewpoint about releasing Gary M. Luebbers from his position as City Manager which he and Councilmember George opposed. Councilmember Freedman felt Mr. Luebbers had been doing an excellent job for the City and its citizens and documented some of his efforts. Councilmember George did not feel the City should have fired its City Manager when things were going well.

Recruitment - Interim City Manager - Personnel Manager Olsen presented a list of six candidates who are interested in serving as an interim City Manager: Richard Rowe, Chino; Steve West, Hesperia; George Truppelli, Palm Springs; Dave Cole, Morrow Bay; Stephen Harding, Murrieta; and Jack Ratelle, San Diego. Following discussion, Councilmember Gilbreath moved to appoint Councilmembers Freedman and Pepler to serve on a selection panel to review their resumes, interview the applicants, and report back to the City Council on May 16, 2000. Motion seconded by Councilmember George and carried unanimously. Mayor Gilbreath offered to serve as an alternate on this selection panel.

Recruitment - City Manager - Personnel Manager Olsen distributed proposals from six executive search firms for the recruitment of a City Manager: DMG-Maximus, Shannon and Associates, LB Hayhurst and Associates, Ralph Anderson and Associates, The Davis Company, and Avery Associates. Councilmembers concurred to have Councilmembers Freedman and Pepler evaluate these proposals and report back to the City Council on May 16, 2000. Councilmembers also concurred they needed to establish screening criteria and decide who would serve on an interview board. It was noted it would be a 14-16 weeks process to fill this position.

Resolution No. 5757 - Position on State Fiscal Reform - Councilmember Pepler asked to continue this resolution to the May 16, 2000, meeting as the League of California Cities is revising the language.

Soundwalls and Truck Lanes - Noting there were no funds available at this time for soundwalls along the I-10 Freeway in the Sylvan Park area, Councilmember George felt we should write to Caltrans and ask them for their assistance to address our needs. He also felt we should ask the California Highway Patrol to enforce the "slow truck to the right" law in the area from Ford Street to Yucaipa Boulevard. Councilmembers George and Pepler reported they had attended the meeting in Riverside earlier in the day at which time the corridors to Riverside County were discussed. Another meeting will be held on May 9, 2000, with a decision to be made on June 6, 2000.



## JOINT MEETING - CITY COUNCIL AND REDEVELOPMENT AGENCY

Neighborhood Initiative Program - Police Chief Bueermann gave a status report on the Neighborhood Initiative Program. The Department of Veterans Affairs, Housing and Urban Development, and Independent Agencies Appropriations Act 1998 appropriated \$15,000,000.00 in Federal Department of Housing and Urban Development (HUD) funds to the County of San Bernardino for the purpose of neighborhood preservation in the cities of Highland, Redlands, and San Bernardino. This bill, known as the Neighborhood Initiative Program, is designed to promote innovative and transferable strategies to eradicate blight and revitalize neighborhoods. Redlands identified an area located in the northern portion of the city bounded by streets south of Lugonia Avenue, east of Orange Street, west of Church Street, and north of Colton Avenue. Initial improvements, Phase I, have concentrated on Herald Street between Brockton and Lugonia Avenues; expansion in later phases will include properties abutting Herald Street between Sixth and Tribune Streets.

Resolution No. 5756 - Great Neighborhoods Program - Councilmember Gilbreath moved to adopt Resolution No. 5756, 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 two additional participant agreements which will be acted upon by the Board of Directors of the Redevelopment Agency. Motion seconded by Councilmember Freedman and carried unanimously. (Also see Redevelopment Agency minutes for May 2, 2000.)

### CLOSED SESSION

The City Council meeting recessed at 4:38 P.M. to continue the Redevelopment Agency meeting and reconvened at 4:49 P.M. to a closed session to discuss the following:

1. Conference with legal counsel: Anticipated litigation - Government Code Section 54956.9(c)  
Property: That portion of vacant land bordering Lugonia Terrace Tract No. 4808 east of Texas Street, west of Calhoun Street, and south of Pennsylvania Avenue, north of Lugonia Avenue  
Negotiating parties: Deborah Craney and Dean Papapetru for Dean Properties  
Under negotiation: Terms and price
2. Conference with legal counsel: Existing litigation - Government Code Section 54956.9(a)

The meeting reconvened at 7:00 P.M.

## PRESENTATIONS

Proclamation - Public Service Recognition Week - By consensus, the City Council authorized issuance of a proclamation declaring April 30-May 6, 2000, as *Public Service Recognition Week* to recognize and honor our City employees for the valuable services rendered to the community. Mayor Gilbreath presented the proclamation to Kim Braun, President of the General Employees Association of Redlands.

Redlands Historical Museum - On January 28, 2000, the City Council authorized the formation of a committee to study the feasibility of establishing an historical museum. The committee was formed with Liz Beguelin and Nelda Stuck serving a co-chairpersons. Ms. Beguelin reported the committee has met with Larry Burgess, Director of the A. K. Smiley Public Library, and Bill Hardy, President of the A. K. Smiley Public Library Board of Trustees. The Board of Trustees will govern the museum under a structure similar to the Lincoln Shrine with a separate staff to run the museum. The committee will file for non-profit status under the name Redlands Historical Museum Association. Ms. Stuck gave an overview of her studies of other museums in the area and on behalf of the committee asked the City Council to designate the old City Hall, currently utilized as the Police Annex located at 30 Cajon Street, as a future site for the museum. The old City Hall is centrally located and architecturally beautiful. In the interim, they are looking for a store front to display some of their artifacts to make people aware of the museum's existence. Applauding the committee's efforts, Councilmember Pepler moved to designate the old City Hall building at 30 Cajon Street as a museum site and directed staff to indicate that on our records. Motion seconded by Councilmember Freedman and carried unanimously.

## PUBLIC HEARING

Appeal - Minor Exception Permit No. 144 - Fence - Public hearing was advertised for this time and place to hear an appeal to the Advisory Committee's decision to deny a request for the placement of a six foot high wrought-iron fence and related gates within the front yard setback area for property located at 4 East Cypress Avenue; Dwight and Susanne Montgomery, appellant. Councilmember Freedman moved to continue this appeal to June 6, 2000, as requested by the appellant. Motion seconded by Councilmember Haws and carried unanimously.

## UNFINISHED BUSINESS

Transit Center - Citing a potential conflict of interest, Councilmember George left the City Council Chambers. Community Development Director Shaw briefly reviewed the report from the Redlands Allies submitted to the City Council on March 21, 2000. The report identifies 10 recommendations; the first

four recommendations pertain to the location, design and review of the transit facility. There are also recommendations pertaining to the preservation and enhancement of the historic fabric of downtown, the physical environment of downtown, provisions for a mix of uses and building types, encouraging "park once" facilities, and developing a master plan and action plan for downtown development. Councilmember Haws thanked the Redlands Allies for their efforts and moved accept the concept as contained in their report included in the agenda packet for this meeting and to authorize staff to proceed with the transit center on Redlands Boulevard as indicated with all possible speed with regards to the various steps that need to be taken including but not limited to the hiring of the consultant and coming back to the City Council with further recommendations. Motion seconded by Councilmember Freedman and carried by AYE votes of all present. Councilmembers concurred with Mayor Gilbreath that staff should also proceed on the other recommendations.

Lot Line Adjustment No. 393 - 1145 West Highland Avenue - Community Development Director Shaw reported that on March 21, 2000, the City Council considered a recommendation from the Historic and Scenic Preservation Commission regarding a lot line adjustment approved for the property located at 1145 West Highland Avenue. The lot line adjustment took five non-conforming lots and reduced the number of lots, forming three conforming lots. The City Council received considerable public input at the hearing opposed to the lot line adjustment action. Staff reviewed the project as submitted, completed a site inspection, and conducted a survey relying on established survey stakes and the structures on site. Based on the initial site inspection, which was then verified by detailed measurements, staff has determined that the application for Lot Line Adjustment No. 393 was submitted with inaccurate information and as a result the lot line adjustment is not in compliance with zoning setback standards. Specifically, the measurements verify that while the foundation of the first floor meets the minimum 10 foot side yard set back for the R-S zone, the second story portion of the residence projects 12-14 inches into the required 10 foot side yard setback. This is in conflict with the zoning provision for the R-S zone. The second story projection was not shown on the plans submitted for the lot line adjustment action. Based on a review of the plans submitted by the applicant, the inspections and verification of measurements in the field, staff has determined that the lot line adjustment is not in compliance with the zoning code and, therefore, should be revoked. In a letter dated May 2, 2000, the property owner, in recognition of the community's concerns, has elected to voluntarily retract and expunge the lot line adjustment in order to return the property to its pre-lot adjustment condition. Moreover, the property owner agreed not to sell or lease the property until such time as the lot line adjustment has been expunged which they expect to complete in the next several weeks. Based on the information received in this letter, Councilmember Freedman moved to direct staff to initiate proceedings, if necessary, to revoke Lot Line Adjustment No. 393 for property located at 1145 West Highland Avenue in accordance with the staff recommendation. The motion was seconded by

Councilmember Gilbreath. On behalf of the neighbors, Phillip Livoni expressed their gratitude to the City Council, staff, the Historic and Scenic Preservation Commission, and the property owners for resolution of this situation. The motion then carried unanimously.

Historic and Scenic Preservation Ordinance - City Attorney McHugh assured Councilmembers that staff is reviewing the historic and scenic preservation ordinance.

## NEW BUSINESS

Ordinance No. 2434 - Taxicabs - City Attorney McHugh explained that as part of the ongoing process of reviewing and updating the Redlands Municipal Code and with the input of the City Clerk and the Police Department, staff has prepared an update to the Redlands Municipal Code provisions governing taxicabs. Assistant City Attorney Les Murad reviewed the proposed amendment in detail. Scott Schaffer, Bell Cab Company, has expressed concerns about the liability insurance limits and asked for a two week continuance. Councilmember Gilbreath moved to grant this request and continue Ordinance No. 2434, an ordinance of the City of Redlands amending Chapter 5.64 of the Redlands Municipal Code relating to taxicabs, to May 16, 2000. Motion seconded by Councilmember George and carried unanimously.

## PUBLIC COMMENTS

Soundwalls - Mr. Chris Johnson asked about the soundwall on the I-10 Freeway in the area of Sylvan Park. He and his neighbors had submitted a petition about a year ago. Noting we had discussed this subject earlier in the meeting, Public Works Director Mutter offered to met with Mr. Johnson after the meeting to bring him up to speed.

Dismissal of City Manager - Councilmember Pepler reiterated the action taken by the City Council on April 24, 2000, to terminate the City Manager's contract was a confidential personnel matter and that it would not be discussed in public. She stated it was not an overnight decision and that this subject had been brought up to Mr. Luebbers several times. She concluded her remarks noting the "sky is falling" doomsday remarks are uncalled for.

## ADJOURNMENT

There being no further business, the City Council meeting adjourned at 7:57 P.M. to an adjourned regular meeting to be held on Tuesday, May 16, 2000, at 9:00 A.M. in the City Council Chambers, 35 Cajon Street, Redlands, California.

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City Clerk