

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 1, 2001.

PRESENT

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

John Davidson, City Manager
Daniel J. McHugh, City Attorney
Lorrie Poyzer, City Clerk
Michael Reynolds, City Treasurer
Jim Bueermann, Police Chief
Mel Enslow, Fire Chief
Bonnie Johnson, Finance Director
Ronald C. Mutter, Public Works Director
Gary G. Phelps, Municipal Utilities Director
(afternoon session)
Douglas Headrick, Water Resources Chief
(evening session)
Jeffrey L. Shaw, Community Development Director

ABSENT

None

The meeting was opened with an invocation by Councilmember Freedman followed by the pledge of allegiance.

PRESENTATIONS

Retirement Recognitions - Mayor Gilbreath presented plaques with the City seal honoring three employees who are retiring from Municipal Utilities Department, Water Division. Ruben C. Pasillas has worked for the City of Redlands since August 31, 1966, over 34 years; Charles G. (Jerry) Wyatt has worked for the City of Redlands since July 27, 1967, over 33 years; and Stephen C. Dickey has worked for the City of Redlands since November 5, 1979, over 21 years.

Mission Aviation Fellowship - Gary Bishop, CEO of Mission Aviation Fellowship, explained with the assistance of a slide show, the service they have been providing for the past 55 years. MAF's World Headquarters has been located in the Redlands Municipal Airport since 1982 and operates the world's largest fleet of private aircraft used to support evangelists and teachers by delivering food, seed and livestock. They also transport sick and injured villagers, ferry doctors, medicine, and relief supplies and in general carry the materials for a better life to people who need it the most.

Proclamation - Mayor Gilbreath presented a proclamation to Mr. Bishop congratulating them on their 55 years of exemplary service and, on behalf of the City Council, wished them continued success.

CONSENT CALENDAR

Minutes - On motion of Councilmember Haws, seconded by Councilmember Freedman, the minutes of the regular meeting of April 17, 2001, were approved as submitted.

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

Planning Commission Actions - On motion of Councilmember Haws, seconded by Councilmember Freedman, the report of the Planning Commission meeting held on April 24, 2001, was acknowledged as received.

Tract No. 14790-2 - Final Approval - Improvement Agreement - On motion of Councilmember Haws, seconded by Councilmember Freedman, the City Council unanimously approved the Public Works Department's subdivision improvement agreement for Tract No. 14790-2, a planned residential development on property located on the east side of Alessandro Road between San Timoteo Canyon Road and West Sunset Drive (Sunset Hills Estates, LLC, applicant). On motion of Councilmember Haws, seconded by Councilmember Freedman, the City Council unanimously accepted Tract No. 14690-2 and granted final approval for authorization to record the documents with the San Bernardino County Recorder.

Resolution Nos. 5858 and 5859 - Parking and Business Improvement Area - On motion of Councilmember Haws, seconded by Councilmember Peppler, the City Council adopted Resolution No. 5858, a resolution of the City Council of the City of Redlands giving preliminary approval of the annual report for Fiscal Year 2001-2001 for Parking and Business Improvement Area B, with Councilmember Gilbreath abstaining due to a potential conflict of interest. On motion of Councilmember Haws, seconded by Councilmember Peppler, the City Council adopted Resolution No. 5859, a resolution of the City Council of the City of Redlands declaring its intention to levy and collect assessments for Fiscal Year 2001-2002 in Parking and Business Improvement Area B, and setting May 15, 2001, as the date of the public hearing to consider the assessments, with Councilmember Gilbreath abstaining due to a potential conflict of interest.

CUP No. 673 - Minor Subdivision No. 249 - Time Extension - Councilmember Haws moved to determine that no subsequent environmental documents are necessary for a one year extension for Conditional Use Permit No. 673 and

Minor Subdivision No. 249 for a senior assisted living/Alzheimer's facility to be located on the northwest corner of Nevada Street and Orange Avenue (Creekside Gardens, L.P., applicant) which are consistent with the previous Mitigated Negative Declaration adopted by the City on May 4, 1999, based on the findings contained in the staff report. Motion seconded by Councilmember Freedman and carried unanimously. Councilmember Haws moved to approve a one-year time extension for Conditional Use Permit No. 673 and Minor Subdivision No. 249 extending approval until May 4, 2002. Motion seconded by Councilmember Freedman and carried unanimously.

Consultant Contract - Mountainview Power Plant - On motion of Councilmember Haws, seconded by Councilmember Freedman, the City Council unanimously authorized a contract with Berryman & Henigar to provide plan check, inspection service, and other related duties for the expansion to the Mountainview Power Plant located on San Bernardino Avenue (Mountainview Power Company, LLC, applicant).

Release of Lien Agreement - On motion of Councilmember Haws, seconded by Councilmember Freedman, the City Council unanimously authorized the release of a lien agreement dated April 8, 1983 for improvements to a portion of an alley located between Sixth Street and Olive Avenue as the required alley improvement have been completed (William A. and Diane L. McCalmon, applicants).

Funds - Contract Award - Street Resurfacing - Bids were opened and publicly declared on April 19, 2001, in the City Clerk's Office for street resurfacing improvements; a bid opening report is on file in the Office of the City Clerk. It was the recommendation of the Public Works Department that the responsible bidder submitting the bid for said project which will result in the lowest cost for the City was Matich Corporation, San Bernardino, and it would be in the best interest of the City that this contract be awarded to said firm. This project is financed by special "one time" money from the State through the AB-2928 program that must be used for roadway surface maintenance and repairs. On motion of Councilmember Freedman, seconded by Councilmember Haws, the City Council appropriated the full amount of \$483,058.27 received from AB-2928 funds and awarded the contract to Matich Corporation as recommended, with Councilmember Gilbreath abstaining due to a potential conflict of interest.

Contract Award - Fire Department Temporary Apparatus Structure - Bids were opened and publicly declared on April 19, 2001, in the City Clerk's Office for the design and construction of the Fire Department's temporary apparatus structure to be located in the City's Corporate Yard; a bid opening report is on file in the Office of the City Clerk. It was the recommendation of staff that the responsible bidder submitting the bid for said project which will result in the lowest cost for the City was Parkwest Construction Company, Redlands, in the

amount of \$146,559.00, and it would be in the best interest of the City that this contract be awarded to said firm. On motion of Councilmember Haws, seconded by Councilmember Freedman, the City Council unanimously approved this recommendation.

Resolution No. 5878 - Street Tree Committee - As the City Council liaison to the Street Tree Committee, Councilmember Pepler expressed concern about dissolving the Street Tree Committee as it was intended that the committee continue its work but under less restrictive conditions as required under the Brown Act. Following discussion, it was a consensus of the Councilmembers that staff conduct a comprehensive review with the committee of its structure and financing of an arborist either as a full-time employee or a consultant and return to the City Council with a recommendation in 30-45 days. Mayor Gilbreath noted that Alan Dangermond has made himself available on a volunteer basis to provide assistance to the Street Tree Committee and staff. No action was taken on Resolution No. 5878.

Mutual Water Company Stock Purchase - On motion of Councilmember Haws, seconded by Councilmember Pepler, the City Council approved the purchase of 5.3 shares of East Redlands Water Company stock from Lawrence A. Luebke for a total price of \$6,545.50, with Councilmember Gilbreath abstaining due to a potential conflict of interest.

Mutual Water Company Stock Leases - On motion of Councilmember Haws, seconded by Councilmember Pepler, the City Council approved leases for Bear Valley Mutual Water Company stock from San Bernardino Valley Municipal Water District (14,500 shares), Western Water Company (4,950 shares), David Knight (1,000 shares), Arnold and Margaret Wright (918 shares), and Tom Slemmer (275 shares) for the 2001-02 water delivery season, with Councilmember Gilbreath abstaining due to a potential conflict of interest. On motion of Councilmember Haws, seconded by Councilmember Pepler, the City Council also approved the lease of 60 shares of Crafton Water Company stock to R. Craig Wesson for the 2001-02 water delivery season, with Councilmember Gilbreath abstaining due to a potential conflict of interest.

Resolution No. 5882 - Hinckley Water Treatment Plant - On motion of Councilmember Haws, seconded by Councilmember Freedman, the City Council unanimously adopted Resolution No. 5882, a resolution of the City Council of the City of Redlands declaring that the project to install effluent troughs at the Hinckley Water Treatment Plant can be performed more economically by the City's Water Division crews.

Agreement - California Street Landfill - On motion of Councilmember Haws, seconded by Councilmember Freedman, the City Council unanimously authorized an agreement with Janecheck and Associates to furnish landfill gas engineering services for the California Street Landfill.

Funds - Vehicles Purchase - On motion of Councilmember Haws, seconded by Councilmember Freedman, the City Council unanimously approved an additional appropriation in the amount of \$34,500.00 to purchase two vehicles for mobile recreation programs; funds to be used for this purchase are available in the drug asset seizure account.

Proclamation - Redlands Day Nursery - On motion of Councilmember Haws, seconded by Councilmember Freedman, the City Council unanimously authorized issuance of a proclamation congratulating the Redlands Day Nursery on 95 years of outstanding service to the children and families of the greater Redlands community.

Proclamation - Blue Ribbon Week - On motion of Councilmember Haws, seconded by Councilmember Freedman, the City Council unanimously authorized issuance of a proclamation declaring the week of May 13, 2001, as Blue Ribbon Week in recognition and support of all peace officers and law enforcement agencies.

Proclamation - National Arbor Day - Councilmember Freedman introduced Air Force ROTC students from Redlands High School who assisted in planting replacement palm trees at Palm Avenue and Lytle Street to commemorate Arbor Day. He also thanked the Haverty family, Eric Kasarjian and Chris Sedmack of the Street Tree Committee, and Fritz Bromberger from the Redlands Horticultural and Improvement Society for their assistance. Councilmember Freedman then moved to authorize the issuance of a proclamation declaring April 28, 2001, as National Arbor Day and encouraged all residents to observe this day and the following week by planting trees which are horticulturally and aesthetically appropriate for this area. Motion seconded by Councilmember Haws and carried unanimously.

Chamber of Commerce Business Expo - On motion of Councilmember Haws, seconded by Councilmember Freedman, the City Council unanimously approved the request of the Redlands Chamber of Commerce to use the Citrus Avenue parking structure on Tuesday, June 12, 2001, for the purpose of hosting their annual Business Expo.

COMMUNICATIONS

Mayor's Prayer Breakfast - Mayor Gilbreath announced the annual Mayor's Prayer Breakfast will be held on May 3, 2001, at 7:30 A.M. in the Casa Loma Room, University of Redlands.

Water and Sewer Fee Policy - Councilmember Haws asked Councilmembers to consider directing staff to do a new study of our water and sewer fees, specifically with regards to the fees for restaurants. Community Development

Director Shaw provided a verbal overview of the procedure of processing an application and offered to conduct a survey of fees charged in other cities. Mayor Gilbreath announced Monty Dill of the Redlands Chamber of Commerce and students from the University of Redlands have developed a survey to be mailed to 2,000 residents to learn what type of businesses we should be attracting. This matter was continued to June 19, 2001.

Charter City - Councilmember Haws asked the City Attorney to provide information regarding the pros and cons of a charter city versus general law city government. City Attorney McHugh noted a charter is whatever is decided upon and presented to the voters and did not necessarily mean a strong mayor position or district elections. Charter cities can avoid some of the state laws such as competitive bidding, the prevailing wages and bond requirements, ordinance processing, noticing requirements, and setting Councilmembers' salaries. He offered to provide copies of examples of several charters for the Councilmembers' review and, if the City Council desired, prepare a report for further analysis and discussion. Councilmember George expressed concerns in regards to the prevailing wage problems that could occur. Councilmember Pepler echoed these concerns but indicated she was willing to study this issue again. Councilmember Freedman indicated he would be willing to review the information to be provided by the City Attorney but wished to put the issue aside for now. Councilmember Haws wanted the discussion to be meaningful and requested this matter be scheduled on the June 5, 2001, agenda for further discussion. Councilmember George voted NO on this request.

Letter from The Redlands Association - A letter dated April 12, 2001, was received from The Redlands Association citing City Council actions alleged to be in violation of the Redlands' General Plan and State law. Councilmember Freedman responded to the allegation that City Council was considering allowing a developer to complete certain street improvements in conjunction with his project in lieu of paying the required park and open space fees by referring to City Council minutes dated January 16, 2001, reporting the park fees had been paid. Councilmember Freedman then asked the City Attorney to respond to the remaining questions. Regarding the Granite Grove's designation as a heritage grove to be preserved, City Attorney McHugh felt this was a policy question rather than a legal issue. Councilmember Haws noted the City Council was committed to making up the total acreage for heritage groves as designated by a resolution of the City Council. City Attorney McHugh noted the storm water detention basin was part of the Standard Pacific project which complied with the California Environmental Quality Act; an environmental impact report is being prepared for the sports park. The Redlands Association felt the diversion of lands in question to another use was a violation of State law. Deferring to staff, City Attorney McHugh said this was also a policy question. Councilmember Freedman moved to ask staff to respond, in writing, to this letter; motion seconded by Councilmember George. Councilmember Haws felt the City Attorney had already answered the questions and he did not

feel it was necessary to respond again. Motion failed with Councilmembers Gilbreath, Pepler, and Haws voting against it.

Sports Park EIR - Councilmember Freedman asked the City Council to revisit the Environmental Impact Report for the Redlands Sports Complex based on his attendance at the April 24, 2001, meeting of the Citrus Commission. Councilmember George summarized the Citrus Commission's issues. Member of the Citrus Commission, Mike Huffstutler reminded Councilmembers the Granite Grove is one of the better producers and it has always been the commission's desire to maintain large plots of citrus in order to turn a profit. Councilmember George moved to direct the EIR consultant to proceed to fully implement the CEQA study; the study should include at least a no project alternative, a full project alternative, and a limited alternative maintaining all citrus east of the west border of the "newly planted" Valencia grove, along a line running north and south through the project area; and to instruct the Citrus Commission to continue farming operations on the same (east of the west boundary of "newly planted") area. Motion seconded by Councilmember Freedman. Bob Roberts cautioned Councilmembers not to ignore the voters who passed Measure O. Bill Cunningham urged Councilmembers to review the original intent of the voters in relation to Measure O. The motion then carried unanimously.

JOINT MEETING - CITY COUNCIL AND REDEVELOPMENT AGENCY

Resolution No. 5879 - Great Neighborhood Program - Councilmember George moved to adopt Resolution No. 5879, 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 Neighborhood Program to implement three additional 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 May 1, 2001.)

CLOSED SESSION

The City Council meeting recessed at 4:48 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 real property negotiator -
Government Code Section 54956.8
 - Property: APN 171-481-02
 - Negotiating parties: John Davidson and Lisa Mueller
 - Under negotiation: Terms and price
2. Conference with legal counsel: Existing litigation -
Government Code Section 54956.9(a)

a. County of San Bernardino v. City of Redlands and Spring Pacific -
SCVSS 74079

The meeting reconvened at 7:00 P.M.

PRESENTATION

Cinco de Mayo Celebration - Cinco de Mayo will be celebrated in downtown Redlands on Saturday, May 5, 2001, beginning with a parade at 10:00 A.M. A scholarship pageant will start at noon and the celebration will conclude at 6:00 P.M.

PUBLIC HEARING

Resolution No. 5804 - Street Vacation No. 118 - Public hearing was continued to this time and place for the vacation of a portion of Bryn Mawr Avenue in Concept Plan No. 2 of the East Valley Corridor Specific Plan (Spring Pacific Properties, applicant). This public hearing was unanimously continued to May 15, 2001, on motion of Councilmember Freedman, seconded by Councilmember George, as recommended by staff.

LAND USE

Tentative Tract No. 16139 - Michael Novak - A notice of the preparation of a Draft Mitigated Negative Declaration and public hearings were continued to this time and place for Tentative Tract No. 16139 and its accompanying Socio-Economic Cost/Benefit Study for the subdivision of 7.2 acres into 21 residential lots located north of Cypress Avenue, east of Heather Lane, and west of Linda Vista Avenue in the R-S (Suburban Residential - 10,000 square foot lots) District. Community Development Director Shaw reviewed the history of this project which was continued from the April 3, 2001, meeting in order for traffic issues to be reevaluated with the modification of the site plan. The analysis for the Socio-Economic Cost/Benefit Study and Mitigated Negative Declaration have been reviewed by the Environmental Review Committee and Planning Commission and previously by the City Council. The applicant has reduced the number of lots by one. Since this is less than the original request, a revision to either of the above mentioned studies is not required since they were based on 21 lots which has a more intense land use than the current proposal. The applicant has also redesigned the subdivision by moving the access to the extreme western edge of the property. Community Development Director Shaw described how this has impacted the subdivision. Public Works Director Mutter reported he had received revised sight line maps which he did not feel met minimum standards. Mayor Gilbreath declared the meeting open as a continued public hearing. Mr. Novak and his traffic engineer Mr. Mayer addressed the City Council. Mr. Mayer thought they had a solution and that the project could be conditioned to implement a right-turn-only with the use of a median within Cypress Avenue. Mr. Novak briefly reviewed the meeting held the night before with the neighbors and informed Councilmembers they had tried to address all the issues. Continuing to express concerns were Jane Hawkins, Edward Perry, Kay Wood, Rosemary Rendell-Baker, Greg Thomas and Steve Becker. Expressing appreciation to Mr. Novak and the neighbors for their efforts,

Councilmember Haws moved to continue this public hearing for two weeks (May 15, 2001) to allow staff to further analyze the traffic issue. Motion seconded by Councilmember Pepler and carried unanimously.

UNFINISHED BUSINESS

Rule 20-A - Undergrounding of Utilities - Public Works Director Mutter provided a report as requested by the City Council, on March 20, 2001, showing how much funding is allocated to the City of Redlands under the Rule 20-A program (undergrounding of utilities), information on what can be done with the funds, a list of potential areas that could be improved with the funds, and a record of what has been done since 1970 when the program was implemented in the City. He estimated it now costs \$1 million per mile to underground utilities. Councilmember Freedman moved to direct staff to work with the Historic and Scenic Preservation Commission, the Parks Commission, and the Street Tree Committee to identify and prioritize areas to be done and, if they concur with the City Council's desire, directed staff to start the process to establish an underground utilities district on Terracina Boulevard between Brookside and Olive Avenues. Motion seconded by Councilmember Haws and carried unanimously.

Agreement - Civic Technologies - Councilmember Pepler moved continue the discussion to May 15, 2001, on an agreement with Civic Technologies, Inc. for the provision of providing consulting services and an update to the GIS software program known as "Library Decision" in order to prepare a concise contract which would reflect her negotiated fee of \$48,000.00 (rather than \$65,000.00 which was reflected in the proposed contract presented at this meeting). Motion seconded by Councilmember Freedman and carried unanimously.

NEW BUSINESS

The Church of Jesus Christ of Latter-Day Saints' Temple - The Church of Jesus Christ of Latter-Day Saints recently announced plans to construct a temple in Redlands. Councilmember Haws explained that temples are highly unique and important structures within The Church of Jesus Christ of Latter-Day Saints and are of the greatest and most sacred significance to church members. Although he had no previous knowledge of this announcement, Councilmember Haws contacted church officials in Salt Lake City and learned that the temple will be smaller than the stake located on Fifth and Wabash Avenues. It is unknown at this time what the temple will look like but he was assured local architects would be employed and architecture would blend with community. The site for the temple has not yet been selected. Councilmember Haws concluded noting he was grateful for the decision to construct a temple in Redlands.

Community Peace Rally - Mayor Gilbreath announced the Human Relations Commission will sponsor a community peace rally to be held in the Redlands Bowl on Saturday, May 12, 2001, from 9:00 A.M. to 10:00 A.M. Speakers will include herself, Mayor Pro Tem George, and Police Chief Bueermann to send a positive message to the citizens of Redlands and show our concern about racist graffiti.

PUBLIC COMMENTS

Cul-de-sac - Herrington Drive - Mr. and Mrs. Lawrence A. Luebbe again approached the City Council requesting a waiver of the requirement to construct a cul-de-sac at the east end of Herrington Drive to be replaced with a "hammer head" turn around at the proposed residence site. Speaking in support of this appeal were: Christopher Cantilena, William G. Holman, LaKay A. Holman, and J. J. Orf. Noting it was premature to take action on this request as the revised plans had only recently been filed and needed to be reviewed by staff, Mayor Gilbreath made the conciliatory offer to Mr. Luebbe, that at the proper time for the filing of an appeal, the City Council would waive the appeal fee. In accordance with State law, no action was taken on this matter at this time.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 8:52 P.M. The next regular meeting will be held on May 15, 2001.

City Clerk