

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 November 20, 2001, at 3:00 P.M.

PRESENT

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

ABSENT

None

STAFF

John Davidson, 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; John Habant, Deputy Fire Chief; Bonnie Johnson, Finance Director; Ronald C. Mutter, Public Works Director; Karen Olsen, Personnel Director; Gary G. Phelps, Municipal Utilities Director; and Jeffrey L. Shaw, Community Development Director.

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

Mayor Gilbreath announced Mayor Emeritus Swen Larson is in Redlands Community Hospital with some health challenges.

CONSENT CALENDAR

Minutes - On motion of Councilmember Haws, seconded by Councilmember Freedman, the minutes of the regular meeting of November 6, 2001, were approved as submitted.

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

Contract - CFD 2001-1 - On motion of Councilmember Haws, seconded by Councilmember Freedman, the City Council unanimously approved a contract with The Heath Group for appraisal services relating to Community Facilities District (CFD) No. 2001-1.

Lease-Purchase Agreement - Police Cars - On motion of Councilmember Haws, seconded by Councilmember Freedman, the City Council unanimously approved a lease-purchase agreement with Ford Motor Credit Company for four black and white police patrol units and two unmarked units and authorized the Mayor and City Clerk to sign the agreement on behalf of the City.

Planning Commission Actions - On motion of Councilmember Haws, seconded by Councilmember Freedman, the report of the Planning Commission meeting held on November 13, 2001, was acknowledged as received.

Front Yard Setback Coverage for Driveways - Dana and Sharon Robie supported the staff's recommendation to prepare an amendment to address driveway changes. Councilmember Gilbreath moved to direct staff to bring back a Zoning Ordinance Text Amendment to address changes to the maximum driveway coverage in the front yard setback area. Motion seconded by Councilmember Freedman and carried unanimously.

Resolution No. 5979 - Traffic - On motion of Councilmember Haws, seconded by Councilmember Freedman, the City Council unanimously adopted Resolution No. 5979, a resolution of the City Council of the City of Redlands establishing the following traffic regulations pursuant to Title 10 of the Redlands Municipal Code: extend the red curb on the westerly side of Terracina Boulevard at Redlands Community Hospital from the exit driveway to approximately 60 feet south and extend the no parking zone on the southeast side of Ford Street from the I-10 Freeway overpass to Redlands Boulevard.

Control Panel - Landfill Flare Station - On motion of Councilmember Haws, seconded by Councilmember Freedman, the City Council unanimously authorized the purchase of a control panel from Control Technologies for the California Street Landfill flare station. Funding for this purchase was included in the this year's budget for the Solid Waste Division.

Mutual Water Company Stock Purchase - Mayor Gilbreath submitted a public disclosure of potential conflict of interest and abstained from voting on the following item. On motion of Councilmember Pepler, seconded by Councilmember George, the City Council unanimously approved the purchase of 100 shares of Bear Valley Mutual Water Company stock from the Dorothy O. Chiesman Trust for a total price of \$12,500.00.

Agate Reservoir Booster Pump - On motion of Councilmember Haws, seconded by Councilmember Freedman, the City Council unanimously authorized the purchase of one short-coupled vertical turbine booster pump for use at Booster 1953 located at the Agate Potable Water Reservoir site. Funding for this purchase was included in this year's budget under Water Production Maintenance.

Resolution No. 5980 - Recycled Water Project - On motion of Councilmember Haws, seconded by Councilmember Freedman, the City Council unanimously adopted Resolution No. 5980, a resolution of the City Council of the City of Redlands, County of San Bernardino, State of California, establishing a

dedicated source of revenue for the State Revolving Fund Loan Program for the recycled water project.

Rate Study - Utility Advisory Committee - On motion of Councilmember Haws, seconded by Councilmember Freedman, the City Council unanimously authorized the formation of a Utility Advisory Committee, as a working group composed of members of the community, to assist the City Council and staff with the water and wastewater utilities rate study.

Resolution No. 5978 - CNG Vehicles Purchase - On motion of Councilmember Gilbreath, seconded by Councilmember Freedman, the City Council unanimously adopted Resolution No. 5978, a resolution of the City Council of the City of Redlands authorizing participation in the Alternative Fuels Local Government Match Program and allocating 2002/03 subvention funds for the purchase of compressed natural gas (CNG) vehicles.

Facility Use Agreement - Boys and Girls Club of Redlands - On motion of Councilmember Haws, seconded by Councilmember Freedman, the City Council unanimously approved a facility use agreement with the Boys and Girls Club of Redlands on a month-to-month basis until they complete renovations to the Clay Street property and are able to relocate their operations and authorized the Mayor and City Clerk to sign the agreement on behalf of the City.

Funds - Police Customer Service Representative - On motion of Councilmember Haws, seconded by Councilmember Freedman, the City Council unanimously approved one additional full-time Customer Service Representative position to convert a part-time clerk position assigned to the north substation for the Redlands Police Department and authorized an additional appropriation of \$12,500.00.

Funds - California Law Enforcement Equipment Program - On motion of Councilmember Haws, seconded by Councilmember Freedman, the City Council unanimously accepted funds in the amount of \$50,125.00 from the California Law Enforcement Equipment Program and authorized an additional appropriation in the same amount.

MOU Amendment - RPFA - On motion of Councilmember Haws, seconded by Councilmember Freedman, the City Council unanimously ratified an amendment to the existing Memorandum of Understanding (MOU) with the Redlands Professional Firefighters Association (RPFA) relating to a change in their health insurance plans.

Proclamation - Stan and Ellen Weisser - Mayor Pro Tem George announced the Grayback Council of the Boy Scouts of America have named Stan and Ellen Weisser "Citizens of Distinction" and will honor them at a dinner on

December 7, 2001, at the University of Redlands. He moved to authorize issuance of a proclamation recognizing this honor. Motion seconded by Councilmember Pepler and carried unanimously.

COMMUNICATIONS

Appointment - Street Tree Committee - Upon recommendation of Councilmember Haws, Mayor Gilbreath moved to appoint Shelli Stockton to fill the unexpired term of Heather Baugh to February 16, 2003, on the Street Tree Committee. Motion seconded by Councilmember George and carried unanimously.

Redlands Sports Complex - Rick Odekirk, Big League Dreams, presented information about sports park and entertainment complexes built by his organization. He was accompanied by 5 members of their team. Following the video and PowerPoint presentation, he told Councilmembers they were prepared to get specific information for Redlands and believe they can be of service to us. Councilmembers discussed the process and Councilmember Haws moved to direct staff to continue negotiations with Big League Dreams and come back to the City Council with a contract for a sports park to include softball fields, high-end soccer fields, and other items within their options, and directed staff to move ahead immediately to develop soccer fields in the "duck's head" (detention basin area). Motion seconded by Councilmember Pepler and carried unanimously.

PUBLIC HEARING

Best and Fast Redlands Taxi Service - City Attorney McHugh reported he has reviewed the application for a taxi service operating permit from Peter Samu, Best and Fast Redlands Taxi which was continued to this time and place and believes the application complies with the Redlands Municipal Code. Police Chief Bueermann reported his department has conducted a background investigation of Mr. Samu in accordance with Chapter 5.64 of the Redlands Municipal Code and found he has complied with all requirements except proof of insurance. Mr. Samu has stated that due to the high cost, he had not purchased the insurance at this point but will fully comply with the insurance requirements upon approval of his operating permit. The Police Department has no objection to the permit being issued, subject to the applicant obtaining the required insurance. Mayor Gilbreath declared the meeting open as a public hearing for any questions or comments. Mr. H. Makhmoor, Redlands Taxi, again addressed the City Council noting he has two cars but only needs to use one for his taxi service and does not feel there is a need for another taxi service in town. Mr. Scott Schaffer, Yellow-Bell Taxi, urged denial as the applicant does not have the required insurance and will displace service; he also distributed information prepared for the International Taxicab Foundation relating to deregulation and re-regulations of taxicabs. Mr. and Mrs. Samu addressed the City Council assuring them they would obtain the additional insurance if their permit was approved. City Clerk Poyzer reported no written comments concerning this matter had been received. Mayor Gilbreath declared the public hearing closed. Councilmember Freedman did not think all three

services could survive and moved to deny the application. His motion did not receive a second. Councilmember Haws moved to approve a taxicab service operating permit to Best and Fast Redlands Taxi Service, effective only upon the applicant providing evidence of satisfactory insurance to the Chief of Police in the amounts required by law. Motion seconded by Councilmember Pepler and carried with Councilmember Freedman voting NO.

JOINT MEETING - CITY COUNCIL AND REDEVELOPMENT AGENCY

Resolution No. 5982 - First Time Home Buyer Program - Councilmember Freedman moved to adopt Resolution No. 5982, 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 a First Time Home Buyer loan agreement which will be acted upon by the Board of Directors of the Redevelopment Agency. Motion seconded by Councilmember George and carried unanimously. (Also see Redevelopment Agency minutes for November 20, 2001.)

CLOSED SESSION

The City Council meeting recessed at 4:25 P.M. to a Redevelopment Agency meeting and reconvened at 4:35 P.M. to a closed session to discuss the following:

1. Conference with real property negotiator - Government Code Section 54956.8
 - a. Property: APNs 169-141-01, 20, and 22
Negotiating parties: CalFed and John Davidson
Under negotiation: Terms and price
 - b. Property: APNs 169-281-47, 48, 49, and 50
Negotiating parties: Howard Floyd and John Davidson
Under negotiation: Terms and price

The meeting reconvened at 7:00 P.M.

LAND USE AND PUBLIC HEARINGS

Pre-Annexation Agreement No. 01-01 - Guy Yocom, Applicant - Public notice was advertised for this time and place to consider a Draft Mitigated Negative Declaration as well as public hearings for a Socio-Economic Cost Benefit Study and Pre-Annexation Agreement No. 01-01 for 3.77 acres located in the Redlands Sphere of Influence on the east side of Opal Avenue between Eastern Lane and 7th Avenue. Community Development Director Shaw described the proposed project. Mayor Gilbreath declared the meeting open as a public hearing for any questions or comments. Representing the applicant, Mark Stanson was available for questions. City Clerk Poyzer reported no written comments concerning this project were received. Mayor Gilbreath declared the

meeting closed as a public hearing. Councilmember Haws moved to approve the Environmental Review Committee's Negative Declaration for Pre-Annexation Agreement No. 01-01 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 Freedman and carried unanimously. Councilmember Haws moved to approve the Socio-Economic Cost/Benefit Study for Pre-Annexation Agreement No. 01-01 as it has been determined that this project will not create unmitigable physical blight or overburden public services in the community and that no additional information or evaluation is needed. Motion seconded by Councilmember Freedman and carried unanimously. Councilmember Haws moved to approve Pre-Annexation Agreement No. 01-01. Motion seconded by Councilmember Freedman and carried unanimously.

Street Vacation No. 117 and CUP 739 - Cypress Villas, LLC, Applicant - Public notice was advertised for this time and place to consider a Draft Mitigated Negative Declaration as well as public hearings for a Socio-Economic Cost Benefit Study for Resolution No. 5790, Street Vacation No. 117, a resolution of the City Council of the City of Redlands declaring its intention to vacate approximately 185 linear feet of an alley located north of Cypress Avenue and east of Hibiscus Drive in the R-2-2000 (Multiple Family Residential) District and set the public hearing for December 4, 2001, and for Conditional Use Permit No. 739, for the development of an 82-unit two-story apartment complex on approximately 4.74 acres, located on the north side of Cypress Avenue, approximately 180 feet west of Redlands Boulevard in the R-2-2000 (Multiple Family Residential) District. Community Development Director Shaw described the proposed project noting Resolution No. 5790, declaring the City's intent to vacate the alley right-of-way and setting the public hearing on December 4, 2001, for the order to vacate, is the only matter under consideration at this meeting. If the City Council wishes to proceed with the alley vacation, Conditional Use Permit No. 739, the Mitigated Negative Declaration and Socio-Economic Cost/Benefit Study for the project will need to be continued to the December 4, 2001, meeting. Mayor Gilbreath declared the meeting open as a public hearing for any questions or comments. On behalf of the applicant, Mr. Spencer urged the City Council to move forward with this project with the proposed changes. Attorney Bryant MacDonald informed Councilmembers the agreement with Mrs. Wilson, an adjacent neighbor, would be completed tomorrow. Responding to Councilmember Pepler's, Mr. MacDonald reviewed the contents of the agreement which will pay for heating and air conditioning and the installation of a circular driveway on her property at 347 East Cypress Avenue. Margaret Ann Matich-Kaney said the project has not been planned thoroughly and needs to be addressed in critical detail and asked the City Council to scrutinize in depth certain design criteria. City Clerk Poyzer reported

an e-mail was received from David Goodwin supporting the proposed complex and the letter from Margaret Wilson which addressed several concerns including parking, increased pedestrian and car traffic, and improvements promised for her property to address her living conditions. At this time, Councilmember Pepler moved to adopt Resolution No. 5790, declaring the City's intent to vacate that portion of an unimproved alley as set forth in Street Vacation No. 117, and directed the City Clerk to publish said resolution setting the public hearing for December 4, 2001, at 7:00 P.M. Motion seconded by Councilmember Haws and carried with Councilmember Freedman voting NO. Councilmember Gilbreath moved to continue this public hearing for Conditional Use Permit No. 739 and the associated Socio-Economic Cost/Benefit Study and the hearing on the Mitigated Negative Declaration to December 4, 2001, at 7:00 P.M. Motion seconded by Councilmember Pepler and carried unanimously.

Specific Plan No. 40 (Amendment No. 20) - CUP No. 741 - K-Z Holdings, LLC, Applicant - Public notice was advertised for this time and place to consider a Draft Mitigated Negative Declaration as well as public hearings for a Socio-Economic Cost Benefit Study for Ordinance No. 2486, Specific Plan No. 40 (Amendment No. 20), to amend Section EV3.0620(h)(6) of the East Valley Corridor Specific Plan No. 40 by deleting the requirement for auto service stations to connect the canopy over the pump area to the main building, and Conditional Use Permit No. 741 for the construction of an auto service station and convenience store consisting of a 2,940 square foot building and a 3,864 square foot canopy on a 1.04 acre site located on the southeast corner of Lugonia Avenue and Tennessee Street in the EV/CG (General Commercial) District of the East Valley Corridor Specific Plan. Community Development Director Shaw described the proposed project. Mayor Gilbreath declared the meeting open as a public hearing for any questions or comments. Mark Zimmerman, K-Z Holdings, urged the City Council to approve their project. He asked also for their consideration to issue a letter to the ABC regarding his liquor license to compress the review period from 90 days to 30 days. Councilmembers concurred to address this request at the December 4, 2001, meeting and asked staff to review the City Council's past actions for other service stations for policy and consistency. Scott Greenwall, Westec Security, was also available to answer security questions. City Clerk Poyzer reported no written comments were received regarding this proposal. Mayor Gilbreath declared the public hearing closed. Councilmember Haws moved to approve the Environmental Review Committee's Mitigated Negative Declaration for Specific Plan No. 40 (Amendment 20) and Conditional Use Permit No. 741 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 Pepler and carried unanimously. Councilmember Haws

moved to approve the Socio-Economic Cost/Benefit Study for Conditional Use Permit No. 741 as it has been determined that this project will not create unmitigable physical blight or overburden public services in the community and that no additional information or evaluation is needed. Motion seconded by Councilmember Pepler and carried unanimously. Ordinance No. 2486, an ordinance of the City of Redlands adopting Amendment No. 20 to Specific Plan No. 40 (East Valley Corridor Specific Plan) and amending Ordinances Nos. 2320, 2321, 2322, 2364, 2432, 2444, 2473 and 2479, was read by title only by City Clerk Poyzer, and on motion of Councilmember Haws, seconded by Councilmember George, further reading of the ordinance text was unanimously waived, and Ordinance No. 2486 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for December 4, 2001. Councilmember Haws moved to approve Conditional Use Permit No. 741, effective upon adoption of Ordinance No. 2486, and subject to the conditions of approval and findings contained in the staff report. Motion seconded by Councilmember Pepler and carried unanimously.

NEW BUSINESS

Senior Transportation Program - Seven months ago, the City Council approved the creation of the Senior Transportation Program under the auspices of the Police Department's Never Alone Program when the Dial-A-Ride program was discontinued by Omnitrans. Police Chief Bueermann reported that since the buses hit the road on March 12, 2001, there have been 3,795 riders. The buses were donated by Omnitrans but are constantly having to be serviced. Speaking in support were Mary Paul, Colette Reilly, and Les Woodin. The service is provided Monday through Friday from 8:00 A.M. to 5:00 P.M. and Police Chief Bueermann would like to expand the hours and service to meet the needs of our senior citizens. He explained his department has applied for grants for CNG vans but they need \$96,000.00 in matching. Councilmembers discussed funding for this program and several alternatives that might be available and directed staff to look into this further and report back to the City Council.

PUBLIC COMMENTS

Appreciation - Councilmember Freedman expressed his appreciation to Mayor Gilbreath for her character and compassion shown him and said he had enjoyed working with her during his four years of service on the City Council.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 8:09 P.M. The next regular meeting will be held on December 4, 2001.

City Clerk