

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 March 5, 2002.

PRESENT Karl N. (Kasey) Haws, Mayor
Susan Pepler, Mayor Pro Tem
(afternoon session)
Pat Gilbreath, Councilmember
Gary George, Councilmember
Jon Harrison, Councilmember

ABSENT None

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

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

PRESENTATION

Measure I - SANBAG - Ty Schuling, Director of Planning and Programming, San Bernardino Associated Governments, presented an overview of Measure I, the San Bernardino County's half-cent transportation sales tax adopted by the voters in November, 1989.

CONSENT CALENDAR

Minutes - On motion of Councilmember George, seconded by Councilmember Pepler, the minutes of the regular meeting of February 19, 2002, and the special meeting of February 26, 2002, were approved as submitted.

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

Planning Commission Actions - Councilmember Pepler asked if the City Council would see the facade and outside design proposed for the Redlands Mall. Community Development Director Shaw replied that the City Council will review the Socio-Economic Cost/Benefit Study for Planning Commission Review and Approval No. 324 (Revision No. 1) as well as an amendment to their Disposition and Development Agreement at which time they will see the

exterior architectural modifications proposed. Councilmember Haws moved to acknowledge receipt of the report of the Planning Commission meeting held on February 26, 2002. Motion seconded by Councilmember Pepler and carried unanimously.

Ordinance No. 2492 - C-2 Zoning District - Ordinance No. 2492, an ordinance of the City of Redlands amending Chapter 18.88 of the Redlands Municipal Code relating to drive through facilities and set back requirements within the C-2 Zoning District, was unanimously adopted on motion of Councilmember George, seconded by Councilmember Pepler.

Gazebo - Prospect Park - Public Works Director Mutter displayed a model made by Robert Carothers of the gazebos proposed to be constructed over benches on the Highland Avenue overlook at Prospect Park. The Friends of Prospect Park will pay all construction costs for the two gazebos and the permit fees will be waived. Drawings of the proposed construction and pictures of the view were also distributed. Public Works Director Mutter said Mr. Carothers is a valued member of the Parks Commission and the community; Councilmembers heartedly agreed. On motion of Councilmember Haws, seconded by Councilmember Pepler, the City Council unanimously approved the request by the Friends of Prospect Park for permission to construct two gazebo structures on the Highland Avenue overlook in Prospect Park.

Resolution No. 6010 - Street Lighting District No. 1 - On motion of Councilmember George, seconded by Councilmember Pepler, the City Council unanimously adopted Resolution No. 6010, a resolution of the City Council of the City of Redlands instituting proceedings, appointing an assessment engineer, and ordering the preparation of an engineer's report in the matter of Street Lighting District No. 1.

Building A Generation - Police Chief Bueermann explained that Building A Generation is a community-wide effort that seeks to help organize community programs and resources to increase their effectiveness, reduce duplication of effort, and facilitate data-driven decision making relating to the creation of a healthy environment in which our community's youth can grow to be contributing members of society. For several years, Building A Generation operated as a strictly volunteer effort under the auspices of the United Way of the East Valley. The Redlands YMCA, under contract with the City, provides office space. The leadership of both the United Way and Building A Generation believe it is now appropriate that the collaborative move on to another level of operation. It is proposed that Building A Generation move from the United Way to the City of Redlands. It is the intent of the collaborative's leadership to seek its own, independent, non-profit status in the coming year and would eventually separate from the City. Speaking in favor of this proposal were: Terrie Montminy, United Way of the East Valley; Perry Dyke, Building A Generation; Nancy Barnes, Y Alliance; and Lupe Sanchez,

Building A Generation. Following brief discussion, on motion of Councilmember Pepler, seconded by Councilmember Harrison, the City Council unanimously accepted the community collaborative Building A Generation as a City-related organization and directed the Police Department to serve as its City liaison department.

Contract - Building A Generation - On motion of Councilmember George, seconded by Councilmember Pepler, the City Council unanimously approved a contract with Maureen O'Keefe Hodge, doing business as Big Bright Idea, Inc., to provide management services to the Police Department's Valued Based Initiative/Building A Generation community collaborative, and authorized the Mayor and City Clerk to sign the document on behalf of the City.

CDBG Change of Scope - On motion of Councilmember George, seconded by Councilmember Pepler, the City Council unanimously authorized a change in scope of \$21,000.00 in Community Development Block Grant money designated for demolition to be used by code enforcement during community clean-up activities and authorized staff to submit the modification to the San Bernardino County Department of Economic and Community Development.

Funds - DOJ Grant - On motion of Councilmember George, seconded by Councilmember Pepler, the City Council unanimously accepted the Police Department's Value Based Initiative grant from the U. S. Department of Justice, Office of Community Oriented Policing Services, and authorized an additional appropriation of \$175,000.00 to the Police Department.

Fee Waiver - Showmobile - On motion of Councilmember George, seconded by Councilmember Pepler, the City Council unanimously authorized a waiver of \$1,100.00 in fees for the use of the Showmobile by the American Cancer Society for their third annual Relay for Life to be held on April 27-28, 2002, providing that certain other requirements noted in the rental contract are met for towing, set-up, a deposit, insurance coverage, and rental period.

Funds - Library Decision Software - On motion of Councilmember George, seconded by Councilmember Pepler, the City Council unanimously approved an additional appropriation in the amount of \$48,000.00, as authorized by the City Council on May 15, 2001, by its approval of a contract with Civic Technologies, Inc., to purchase "Library Decision" software to assist the City in determining the community need for a branch library.

Agreement - Topographic Mapping - On motion of Councilmember George, seconded by Councilmember Pepler, the City Council unanimously approved an agreement with Southwest Mapping Technologies to furnish aerial topographic mappings for the Municipal Utilities Department to be used for engineering and Geographic Information System (GIS) purposes.

Funds - Automated Recycling Containers - On motion of Councilmember George, seconded by Councilmember Pepler, the City Council unanimously authorized the purchase of automated recycling containers from Rehrig Pacific Company in the amount of \$800,000.00.

Contract Award - Electricity Co-Generation Facility - Bids were opened and publicly declared on February 21, 2002, by the City Clerk for the Redlands Electricity Co-Generation Facility Project; a bid opening report is on file in the Office of the City Clerk. It was the recommendation of the Municipal Utilities Department that the responsible bidder submitting the bid for said project which will result in the lowest cost for the City was Ecology Construction, Inc. in the amount of \$784,311.00, and it would be in the best interest of the City that this contract be awarded to said firm. On motion of Councilmember George, seconded by Councilmember Pepler, the City Council unanimously approved this recommendation and authorized the Mayor and City Clerk to sign the construction contract on behalf of the City.

Outside City Utility Connection - On motion of Councilmember George, seconded by Councilmember Pepler, the City Council unanimously determined that Outside City Case (OSC) 02-03, Lot 2, Tract No. 14009, is consistent with the City of Redlands General Plan, and that the public health, safety, and welfare, and the best interests of the citizens of Redlands are served by the City's continued processing of the application.

Contract - Electricity Cogeneration Facility - On motion of Councilmember George, seconded by Councilmember Pepler, the City Council unanimously approved a Self-Generation Incentive Program contract with Southern California Edison in support of the electricity cogeneration facility.

CLOSED SESSION

The City Council meeting recessed at 3:43 P.M. to a Redevelopment Agency meeting and reconvened at 3:44 P.M. to a closed session to discuss the following:

1. Conference with real property negotiator - Government Code § 54956.8
Property: APNs 169-151-20, 21, and 27
Negotiating parties: Linda Emmerson and David S. Christensen
Under negotiation: Terms and price
2. Conference with legal counsel: Existing litigation - Government Code § 54956.9(a): The Redlands Association v City of Redlands/County of San Bernardino - SCVSS 086680
3. Conference with legal counsel: Anticipated litigation - Government Code § 54956.9(c) - Two cases
4. Conference with labor negotiator - Government Code § 54957.6
Agency negotiator: John Davidson
Employee organization: Redlands Professional Fire Fighters, Local 1354

5. Conference with labor negotiator - Government Code § 54957.6
Agency negotiator: John Davidson
Employee organization: Redlands Association of Management Employees

The meeting reconvened at 7:00 P.M. Councilmember Peppler was not present.

ANNOUNCEMENTS/REPORTS

Mayor Haws reported the Friday and Saturday Downtown Redlands Urban Design Workshop was a wonderful opportunity and thanked Councilmember Harrison for his efforts. Mayor Haws attended the Cops and Clergy Summit held at the University of Redlands on February 27, 2002. Mayor Haws announced a ribbon cutting, open house and tour will take place at the Hershey Foods' new Southern California Distribution Center on March 6, 2002. Mayor Haws reminded everyone the 18th Annual Redlands Bicycle Classic, a magnificent event, will take place March 13-17, 2002. Councilmember Harrison said the Redlands Urban Design Workshop was very successful. Over a hundred people participated and it is expected a report from the consultant will be on the April 2, 2002, City Council agenda.

LAND USE AND PUBLIC HEARINGS

Resolution No. 6003 - Street Vacation No. 123 - Public notices was advertised for this time and place to consider a draft negative declaration for Street Vacation No. 123, ordering the vacation of an unimproved right-of-way which extends in a north to south direction between Alta Vista Drive and Knoll Drive and generally located between Hilltop Drive and Mesa Drive. Community Development Director Shaw reported this vacation request is the result of a petition (copy attached to staff report) submitted to the City Council by a group of homeowners adjacent to this unnamed right-of-way which appears to have been originally intended as a public alley or trail when Tracts 3311 and 3457 were recorded in the late 1950's while this area was under San Bernardino County's jurisdiction. The petition was signed by the majority of the property owners who own property abutting this public right-of-way. They indicated that the alley/trail is not being maintained and constitutes a fire hazard. They also indicated that this alley/trail is being used as a place for people to congregate for unsafe and potentially unlawful activities. This public right-of-way (alley/trail) is not identified on the City's General Plan as being one which the City would want to retain and fully develop to current City standards. This segment is not shown on the existing trails map nor on the proposed trails map which was recently initiated by the City Council for consideration as a General Plan amendment. The vacation of this right-of-way does not appear to have a direct impact on the City's streets and trail system. Approval of this street vacation would only affect the eight property owners abutting this public right-of-way (alley/trail). Mr. Shaw noted that six of these eight property owners signed the petition to vacate this public right-of-way area. The two property owners who did not sign the petition do have access to their yards directly from Knoll Drive. Based on this information and staff's on-site evaluation, it was staff's conclusion that it would be appropriate for the City Council to approve this street vacation. Community Development Director Shaw reported a letter

was received from Benjamin Kelly this afternoon as he was not able to attend this meeting. Mr. Kelly signed the original petition but is now requesting the City Council to table or deny this vacation. Mayor Haws declared the meeting open as a public hearing for any questions or comments concerning this street vacation. Property owners, Charles Frye and Mark Koonz addressed the City Council with many questions regarding their property rights and what they should do to provide access to their properties while "closing" the alley to public access. This was discussed at length with Councilmembers agreeing to do what the property owners desired but suggesting continuance of the matter until the property owners were able to come up with a recordable document to insure all parties would be satisfied. Continuing the public hearing process, City Clerk Poyzer reported a letter was received from Southern California Edison asking that an easement be reserved for their facilities; she noted said easement is included in Resolution No. 6003. Metropolitan Water District indicated, in writing, they have no objection to this vacation. Councilmember Haws moved to continue this matter to the first meeting in May (May 7, 2002). Motion seconded by Councilmember Harrison and carried by AYE votes of all present (Councilmember Pepler was absent from the evening session.)

PUBLIC COMMENTS

Grading Permit - Clive Hinckley, 106 East Sunset Drive South, complained to the City Council about what he considers continual harassment by code enforcement about a landfill on his property at Sunset Drive and Edgemont. He requested relief from the requirement that he provide a topographical map and grading project with a 30 percent slope.

Redlands Bowl - On behalf of the Redlands Community Music Association, Miles Miller thanked the City Council and staff for their continued support over the years. At this time, he requested assistance to address a termite problem and the need to replace the doors at the back of the Bowl Prosellis. Public Works Director Mutter said he was planning to include this work in his 2002-03 budget which would be presented to the City Council for their consideration this spring.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 7:49 P.M. The next regular meeting will be held on March 19, 2002.

City Clerk