

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 5, 2004, at 3:00 P.M.

PRESENT

Susan Pepler, Mayor
Gilberto Gil, Mayor Pro Tem
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; Cletus Hyman, Deputy Police Chief; Mel Enslow, Fire Chief; Tina Kundig, Finance Director; Ronald C. Mutter, Public Works Director; Marjie Pettus, Administrative Services Director; Gary G. Phelps, Municipal Utilities Director; and John Jaquess, Assistant Community Development Director

The meeting was opened with an invocation by Mayor Pro Tem Gil followed by the pledge of allegiance.

CONSENT CALENDAR

Minutes - On motion of Councilmember Harrison, seconded by Councilmember Gil, the minutes of the regular meeting of September 21, 2004, were approved as submitted.

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

Planning Commission Actions - Councilmember George asked the City Council to appeal the Planning Commission decision made on September 28, 2004, to approve Tentative Tract No. 16742 for the subdivision of approximately 9.86 gross acres into 15 residential lots and two common area lots for property located on the south side of Center Street, east of Burke Street (Mo Behzad, applicant). Councilmember George noted an appeal would provide the City Council an opportunity to discuss slope density requirements. City Attorney McHugh reported the slope density calculation issue relates to an ordinance which was adopted several years ago by the City Council which required a super-majority vote. The ordinance is still on the books and will remain there until the City Council changes it or the City is legally challenged. At this time, staff is comfortable with its recommendation for approval of this application. Assistant Community Development Director Jaquess reported the ordinance will again be reviewed in the near future by the Planning Commission and the City Council, and that regardless of the ordinance, the slope density for this

application was calculated independently. Councilmember Harrison said the City Council should deal with the ordinance in question as a separate issue and noted the neighbors still have the right to appeal the decision. Stating he thought the issue was sufficiently clouded, Councilmember George moved to appeal this decision. The motion died for lack of a second. Councilmember Gilbreath moved to acknowledge receipt of the report of the Planning Commission meeting held on September 28, 2004. Motion seconded by Councilmember Harrison and carried with Councilmember George voting NO.

Funds - Vehicles Purchase - On motion of Councilmember Harrison, seconded by Councilmember Gil, the City Council unanimously approved a request for an additional appropriation of \$7,000.00 to supplement the University of Redlands' contribution of \$15,000.00 to purchase two vehicles for the building inspectors.

Ordinance No. 2579 - Noise Control Regulations - Ordinance No. 2579, an ordinance of the City of Redlands adding Chapter 8.06 to the Redlands Municipal Code establishing regulations for noise control, was unanimously adopted on motion of Councilmember Harrison, seconded by Councilmember Gil.

Proclamation - Make a Difference Day - On motion of Councilmember Harrison, seconded by Councilmember Gil, the City Council unanimously authorized issuance of a proclamation declaring October 23, 2004, as *Make a Difference Day* and urging the citizens of Redlands to observe this day by connecting with friends, fellow employees, relatives and civic groups to engage in projects benefiting our community.

Resolution No. 6330 - East Valley Citrus Heritage Linear Park and Trail - On motion of Councilmember Harrison, seconded by Councilmember Gil, the City Council unanimously approved Resolutions No. 6330, a resolution of the City Council of the City of Redlands authorizing the submission of a joint application with the County of San Bernardino to the California Department of Transportation for a grant for a feasibility study for the East Valley Citrus Heritage Linear Park and Trail in an amount not to exceed \$100,000.00.

Funds - Agreement - Water Quality Management Plans - On motion of Councilmember Pepler, seconded by Councilmember Gil, the City Council unanimously authorized an appropriation in the amount of \$121,300.00, approved a consultant services agreement with AEI-CASC, Inc. to provide Water Quality Management Plan training and plan review, and authorized the Mayor and City Clerk to execute the document on behalf of the City. On motion of Councilmember Pepler, seconded by Councilmember Gil, the City Council unanimously continued Resolution No. 6315, a resolution of the City Council of the City of Redlands amending processing fees for the Public Works Department for review of Water Quality Management Plans, to October 19, 2004, meeting.

Resolution No. 6322 - Traffic - On motion of Councilmember Harrison, seconded by Councilmember Gil, the City Council unanimously adopted Resolution No. 6322, 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: create a no parking zone for approximately 60 feet on the south side of Colton Avenue between the driveways located at 519, 601 and 603 West Colton Avenue and create a no parking zone on both sides of Ford Street from Reservoir Road, north to Crestview Road.

Agreement - Alabama and Orange Streets Bridges - On motion of Councilmember Harrison, seconded by Councilmember Gil, the City Council unanimously approved a consultant services agreement with CALTROP to meet the Federal guidelines in acquiring right-of-way for the Alabama Street bridge and the Orange Street bridge and to perform a constructability review an amount not to exceed \$10,000.00 for the Orange Street bridge and \$40,000.00 for the Alabama Street bridge. These funds will be reimbursed with Federal and State funds.

Agreement - IBM - Customer Information System - On motion of Councilmember Harrison, seconded by Councilmember Gil, the City Council unanimously approved an agreement for service with International Business Machines (IBM) for the Customer Information System for utility billing.

California Air Resources Board Report - Solid Waste Truck Fleet - On motion of Councilmember Harrison, seconded by Councilmember Gil, the City Council unanimously acknowledged receipt and filing of the report on California Air Resources Board requirements to replace and retrofit the City's Solid Waste heavy truck fleet.

Resolution No. 6323 - Waste Tire Amnesty Day - On motion of Councilmember Harrison, seconded by Councilmember Gil, the City Council unanimously adopted Resolution No. 6323, a resolution of the City Council of the City of Redlands authorizing submission of a grant application to the California Integrated Waste Management Board for waste tire amnesty collection events.

Agreement - Integrated Management Program Demonstration Project - On motion of Councilmember Harrison, seconded by Councilmember Gil, the City Council unanimously approved an agreement with San Bernardino Valley Water Conservation District, San Bernardino Valley Municipal Water District, Western Municipal Water District, City of San Bernardino Municipal Water Department, and East Valley Water District for the Integrated Management Program Demonstration Project and authorized the Mayor and City Clerk to execute the document on behalf of the City.

Funds - COMPASS Initiative - On motion of Councilmember Harrison, seconded by Councilmember Gil, the City Council unanimously approved acceptance of a \$494,739.00 grant from the National Institute of Justice for the East Valley COMPASS Initiative, approved an additional appropriation of the same to the Police Department to fund management and personnel costs of this initiative, and authorized the Mayor and City Clerk to sign all necessary documents related to this subject.

Funds - Police Vehicle - On motion of Councilmember Harrison, seconded by Councilmember Gil, the City Council unanimously approved an additional appropriation of \$18,967.50 using asset forfeiture funds and authorized the purchase of one unmarked police vehicle.

Funds - Operation Grace - Cool Center for Seniors - On motion of Councilmember Harrison, seconded by Councilmember Gil, the City Council unanimously accepted and authorized the expenditure of a \$6,900.00 grant from Operation Grace, acting as administrator for the California Public Utilities Commission to provide a Cool Center for senior citizens.

Contract - Animal Control Trucks - On motion of Councilmember Harrison, seconded by Councilmember Gil, the City Council unanimously awarded a bid for the purchase of two animal control trucks and accessories to Redlands Ford in the amount of \$73,117.22.

MOU - RAME - On motion of Councilmember Harrison, seconded by Councilmember Gil, the City Council unanimously ratified the Memorandum of Understanding (MOU) with the Redlands Association of Management Employees (RAME) and authorized the Mayor and City Clerk to execute the document on behalf of the City.

MOU - RAMME - On motion of Councilmember Harrison, seconded by Councilmember Gil, the City Council unanimously ratified the Memorandum of Understanding (MOU) with the Redlands Association of Mid-Management Employees (RAMME) and authorized the Mayor and City Clerk to execute the document on behalf of the City.

MOU - RCSEA - On motion of Councilmember Harrison, seconded by Councilmember Gil, the City Council unanimously ratified the Memorandum of Understanding (MOU) with the Redlands Civilian Safety Employees Association (RCSEA) and authorized the Mayor and City Clerk to execute the document on behalf of the City.

Compensation - City Treasurer and City Clerk - On motion of Councilmember Harrison, seconded by Councilmember Gil, the City Council unanimously approved the requests from the City Treasurer and City Clerk and granted them the same salary increases and benefits as were approved for the members of the

Redlands Association of Management Employees. Approval included \$25,000.00 life insurance, \$225.00 yearly for vision care, and salary increases as follows: 5 percent effective July 2004, 3 percent effective July 2005, 2 percent effective July 2006, 2 percent effective July 2007, and 5 percent effective July 2008.

Agreement - Non-Burn Training - On motion of Councilmember Harrison, seconded by Councilmember Gil, the City Council unanimously approved an agreement/license for entry upon land for use of property as a training site with The Quiet Hour, Inc. to conduct non-burn training at their facility located at 10 Center Street (APN 0171-391-01-0000) in Redlands.

Councilmember George excused himself from the meeting at 3:13 P.M. and was unable to return for the remainder of the afternoon and evening sessions.

COMMUNICATIONS

Appointments - Parks Commission - Mayor Pepler moved to reappoint Ray Savage to an additional four-year term on the Parks Commission. Motion seconded by Councilmember Harrison and carried by AYE votes of all present (Councilmember George was absent). Mayor Pepler moved to appoint Patricia S. Holohan to a four-year term on the Parks Commission. Motion seconded by Councilmember Gil and carried by AYE votes of all present (Councilmember George was absent).

CLOSED SESSION

The City Council meeting recessed at 3:08 P.M. to a closed session to discuss the following:

1. Conference with legal counsel: Existing litigation - Government Code Section 54956.9(a)
 - a. Harmon v City of Redlands
 - b. The Redlands Association v City of Redlands, SCVSS 102032
2. Conference with real property negotiator - Government Code Section 54956.8
 - a. Property: APNs 292-044-05, 08, 09, 10, 11, and 12,
APNs 292-041-17, 169-011-21, 22, and 36
Negotiating parties: John Davidson and
Security Trust Company, Trust No. 00736
Under negotiation: Terms and price

The meeting reconvened at 7:00 P.M.

ANNOUNCEMENTS/REPORTS

Councilmembers reported on their activities and attendance at meetings during the past two weeks.

LAND USE AND PUBLIC HEARINGS

General Plan Amendment No. 2004-3-A - Public notice was advertised for this time and place to consider a draft mitigated negative declaration and public hearing for Resolution No. 6316(A), a General Plan amendment to amend Policy 5.31(d) of the Circulation Element regarding residential access on arterial streets (City of Redlands, Applicant). Assistant Community Development Director Jaquess reviewed the proposed General Plan amendment. Mayor Pepler declared the meeting open as a public hearing for any questions or comments. None being forthcoming, the public hearing was declared closed.

General Plan Amendment No. 2004-3-A - Councilmember Harrison moved to approve the Environmental Review Committee's negative declaration for General Plan Amendment No., 2004-03-A 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 Gilbreath and carried by AYE votes of all present (Councilmember George was absent). Councilmember Harrison moved to indicate the City Council's support for this component of Resolution No. 6316 for General Plan Amendment No. 2004-3-A and amend Policy 5.31(d) of the circulation Element regarding residential access on arterial streets as described in the staff report. Motion seconded by Councilmember Gilbreath and carried by AYE votes of all present (Councilmember George was absent).

General Plan Amendment No. 2004-3-B and Zone Change No. 407 - Public notice was advertised for this time and place to consider a draft mitigated negative declaration and public hearings for Resolution No. 6316(B), a General Plan amendment to change the land use designation from Public/Institutional to Office on a 0.66 acre City-owned parcel located on the south side of Barton Road, approximately 300 feet west of Lakeside Avenue and Ordinance No. 2588, Zone Change No. 407, a change of zone from C-1 (Neighborhood Stores) District to A-P (Administrative and Professional Office) District on a 0.66 acre City-owned parcel located on the south side of Barton Road, approximately 300 feet west of Lakeside Avenue (City of Redlands, applicant). Assistant Community Development Director Jaquess reviewed the proposed General Plan amendment and the zone change. Mayor Pepler declared the meeting open as a public hearing for any questions or comments. None being forthcoming, the public hearing was declared closed.

General Plan Amendment No. 2004-3-B - Ordinance No. 2588 - Councilmember Gilbreath moved to approve the Environmental Review Committee's negative declaration for General Plan Amendment No. 2004-3-B and Zone Change No. 407 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 Harrison and carried by AYE votes of all present (Councilmember George was absent). Councilmember Gilbreath moved to indicate the City Council's support for this component of Resolution No. 6316 for General Plan Amendment No. 2004-3-B, changing the designation of the subject property from Public/Institutional to Office as depicted in Exhibit "A" of Resolution No. 6316. Motion seconded by Councilmember Harrison and carried by AYE votes of all present (Councilmember George was absent). Ordinance No. 2588, 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. 407, a change of zone from C-1 (Neighborhood Stores) District to A-P (Administrative and Professional Office) District on a 0.66 acre City-owned parcel located on the south side of Barton Road, approximately 300 feet west of Lakeside Avenue, was read by title only by City Clerk Poyzer, and on motion of Councilmember Gilbreath, seconded by Councilmember Harrison, further reading of the ordinance text was waived, and Ordinance No. 2588 was introduced by AYE votes of all present (Councilmember George was absent) and laid over under the rules with adoption scheduled for October 19, 2004.

General Plan Amendment No. 2004-3-C and Zone Change No. 408 - Public notice was advertised for this time and place to consider a draft mitigated negative declaration and public hearings for Resolution No. 6316(C), a General Plan amendment to change the land use designation from Parks/Golf Courses to Public Institutional on a five-acre parcel owned by the San Bernardino County Board of Education located approximately 630 feet east of Judson Street and 650 feet south of San Bernardino Avenue and Ordinance No. 2589, Zone Change No. 408, a change of zone from A-1 (Agricultural) District to E (Educational) District on two contiguous parcels totaling 14.5 acres owned by the Redlands Unified School District and the San Bernardino County Board of Education located on the northeast corner of Judson Street and Pennsylvania Avenue (City of Redlands, applicant). Assistant Community Development Director Jaquess reviewed the proposed General Plan amendment and zone change. Mayor Pepler declared the meeting open as a public hearing for any questions or comments. None being forthcoming, the public hearing was declared closed.

General Plan Amendment No. 2004-3-C and Ordinance No. 2589 - Councilmember Gilbreath moved to approve the Environmental Review Committee's negative declaration for General Plan Amendment No. 2004-3-C and Zone Change No. 408 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 Harrison and carried by AYE votes of all present (Councilmember George was absent). Councilmember Gilbreath moved to indicated the City Council's support for this component of Resolution No. 6316 for General Plan Amendment No. 2004-3-C, changing the designation of the subject property from Parks/Golf Courses to Public/Institutional, as depicted in Exhibit "B" and to adjust Table 1 of the Open Space and Conservation Element as depicted in Exhibit "C" of resolution No. 6316. Motion seconded by Councilmember Harrison and carried by AYE votes of all present (Councilmember George was absent). Ordinance No. 2589, 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. 408, a change of zone from A-1 (Agricultural) District to E (Educational) District on two contiguous parcels totaling 14.5 acres owned by the Redlands Unified School District and the San Bernardino County Board of Education located on the northeast corner of Judson Street and Pennsylvania Avenue, was read by title only by City Clerk Poyzer, and on motion of Councilmember Gilbreath, seconded by Councilmember Harrison, further reading of the ordinance text was waived, and Ordinance No. 2589 was introduced by AYE votes of all present (Councilmember George was absent) and laid over under the rules with adoption scheduled for October 19, 2004.

Resolution No. 6316 - General Plan Amendment No. 2004-3 - Councilmember Gilbreath moved to approve Resolution No. 6316, a resolution of the City Council of the City of Redlands adopting General Plan Amendment No. 2004-3 to the Redlands General Plan including the three components (A, B, and C) described above. Motion seconded by Councilmember Harrison and carried by AYE votes of all present (Councilmember George was absent).

Pre-Annexation Agreement No. 03-08 - DeSousa Development, Applicant - Public hearing was advertised for this time and place to consider a draft negative declaration and public hearing for Pre-annexation Agreement No. 03-08 for a 2.7 acres site which is proposed for 17 dwelling units located on the north side of Nice Avenue, approximately 300 feet east of Crafton Avenue. Councilmember Harrison moved to continue to matter to October 19, 2004. Motion seconded by Councilmember Peppler and carried by AYE votes of all present (Councilmember George was absent).

PUBLIC COMMENTS

Parking - Mission Gables - Sylvan Park - Since the existing parking structure on Citrus Avenue, between Fifth and Sixth Streets cannot be expanded by adding a level to the top, Emery Milroy suggested the City Council consider building a parking structure on the vacant land between Kinko's and the packing house. He asked what the status was on the renovation of the Mission Gables Bowl

House. He asked the City Council to look at children's playground area in Sylvan Park as he was concerned there was a big bulldozer there; Mayor Pepler informed Mr. Milroy the playground equipment was being replaced with new equipment. Public Works Director Mutter noted that playground areas in eight parks are being currently being renovated with State grant funds.

Domestic Situation - Cynthia Huckelberry-Hotchner asked the City Council for assistance with a family situation involving her divorced husband and her two sons; She alleged her husband was physically abusing, molesting, and neglecting her two sons. Mayor Pepler referred her to Deputy Police Chief Hyman and City Manager Davidson.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 7:31 P.M. The next regular meeting will be held on October 19, 2004.

City Clerk