

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 May 17, 2005, 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; Beatrice Sanchez, Deputy City Clerk; Michael Reynolds, City Treasurer; Jim Bueermann, Police Chief; Mel Enslow, Fire Chief; Donald Gee, Redevelopment Agency Director; Tina Kundig, Finance Director; Ronald C. Mutter, Public Works Director; Marjie Pettus, Administrative Services Director; Gary G. Phelps, Municipal Utilities Director; and Jeffrey L. Shaw, Community Development Director

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

PRESENTATIONS

Sports Park Update - Senior Civil Engineer Bill Hemsley and Chief of Water Resources Doug Headrick proudly announced to the Council that they were in receipt of a new biological opinion from U. S. Fish and Wildlife Services which satisfies the requirement for San Bernardino Kangaroo Rat mitigation without compromising the needs for soccer facilities; thus, giving the go ahead on the City's Sports Park Project. Their joint presentation covered the project's history, current environmental status, the biological opinion, future mitigation plans, project grant status and anticipated construction schedule and ultimately. Councilmembers commended staff for their hard work and diligence in getting us to this point.

Redlands Boys and Girls Club Update - Mr. P. T. McEwen made a presentation on the building plans update for the Boys and Girls Club of Redlands new facility.

Christian Alcohol and Drug Counseling - Pastor Michael Belzman was placed on the agenda to make a presentation on Christian Alcohol and Drug Counseling as he presented to the Redlands Charitable Resource Coalition. However, he expounded a different presentation and, after 35 minutes, Councilmembers thanked Pastor Belzman for coming and continued with the set agenda.

CONSENT CALENDAR

Minutes - On motion of Councilmember Gil, seconded by Councilmember Gilbreath, the minutes of the regular meeting of May 3, 2005, were approved as submitted.

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

Schedule for 2005-06 Budget Study Sessions - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the schedule for the 2005-06 budget study sessions was unanimously approved as presented.

Planning Commission Actions - On motion of Councilmember Gil, seconded by Councilmember Gilbreath, the report of the Planning Commission meeting held on May 10, 2005, was acknowledged as received.

Annual Review - Approved Development Agreements - On motion of Councilmember Gil, seconded by Councilmember Gilbreath, the City Council unanimously accepted the Report for the Annual Review of Approved Development Agreements and directed staff to initiate the following actions:

1. Schedule a public hearing and notify surrounding property owners to consider termination of the development agreement with Bixby Land Company (Barton Development Company).
2. Notify Kaiser Foundation Hospitals, Mountainview Power Company, LLC, and Cities Pavillion Partners, LLC that their annual report submittal is incomplete and advise them they have thirty (30) days to provide a complete report or the City will initiate termination proceedings based on a Finding of Noncompliance.
3. Determine that the annual reports for Robertson's Ready Mix, Cemex, Redlands Health Services and Redlands Community Hospital are complete and direct staff to prepare a Certificate of Compliance that can be recorded by the applicant.

Donut Hole Projects - On motion of Councilmember Gil, seconded by Councilmember Gilbreath, the City Council unanimously accepted the report on the status of County development projects in the Donut Hole.

Easement - SCE - Centex Homes - On motion of Councilmember Gil, seconded by Councilmember Gilbreath, the City Council unanimously approved the granting of an easement to the Southern California Edison Company through the City-owned Lot "A" of Tract No. 16409, Centex Homes, and authorized the Mayor to execute, and the Deputy City Clerk to attest to, the document on behalf of the City.

Agreement - Bridges Construction Management Services - On motion of Councilmember Gil, seconded by Councilmember Gilbreath, the City Council unanimously approved a consultant services agreement with Caltrop Corporation to provide construction management services for the new bridges on Alabama Street and Orange Street at the Santa Ana River crossing and authorized the Mayor to execute, and the Deputy City Clerk to attest to, the document on behalf of the City.

Resolution No. 6398 - Traffic - Due to a potential conflict of interest, Councilmember Gil retired from the Council Chambers and did not participate in this matter. Councilmember Harrison suggested separating and continuing the matter of the speed survey for San Bernardino Avenue and proceed on the remaining two items in the traffic resolution. He then asked the Police Department and Public Works Department to study traffic calming devices instead of adjusting to the high speeds people are already driving. On motion of Councilmember Harrison, seconded by Councilmember Gilbreath, the City Council, by consensus, removed the section on San Bernardino Avenue from the resolution. Councilmember Gil then returned to the Council Chambers to participate in the revised resolution. On motion of Councilmember Harrison, seconded by Councilmember Gilbreath, the City Council unanimously adopted Resolution No. 6398, 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 a total of 130 feet on the north side of Lugonia Avenue at Karon Street beginning at the curb return heading east; and create a one-hour time limit parking zone, Monday through Friday, from 8:00 A.M. to 6:00 P.M. at 112 11th Street.

Contract - SCE - Mission Gables Bowl House - On motion of Councilmember Gil, seconded by Councilmember Gilbreath, the City Council unanimously approved a contract with Southern California Edison for the extension of electric distribution line for work on the Mission Gables Bowl House project and authorized the Mayor to execute, and the Deputy City Clerk to attest to, the document on behalf of the City.

Funds - Design Change - Fire Station 264 - On motion of Councilmember Gilbreath, seconded by Councilmember Harrison, the City Council unanimously authorize a change in the design from a 3x2 bay station to a 3x3 bay station, approve an appropriation of \$37,425.00 from the Public Facilities Development fund, and awarded a contract to Claremont Environmental Design Group to complete the design for Fire Station No. 264.

Amendment - STB Landscape Architects - On motion of Councilmember Gilbreath, seconded by Councilmember Pepler, the City Council unanimously approved the sixth amendment to an agreement with STB Landscape Architects to provide construction drawings to relocate four soccer fields at the Redlands Sports Park in the amount of \$11,000.00 and authorized the Mayor to execute, and the Deputy City Clerk to attest to, the document on behalf of the City.

Amendment - Hick & Hartwick, Inc. - On motion of Councilmember Gil, seconded by Councilmember Gilbreath, the City Council unanimously approved a second amendment to an agreement with Hicks & Hartwick, Inc. for street improvement plans for San Bernardino Avenue and Wabash Avenue near the Redlands Sports Park property in the amount of \$5,000.00 and authorized the Mayor to execute, and the Deputy City Clerk to attest to, the document on behalf of the City.

Agreement - Michael Brandman Associates - On motion of Councilmember Gilbreath, seconded by Councilmember Pepler, the City Council unanimously approved a consultant services agreement with Michael Brandman Associates to ensure compliance of the Redlands Sports Park project with the conditions of the U.S. Fish and Wildlife Service Biological Opinion for an amount not to exceed \$45,000.00 and authorized the Mayor to execute, and the Deputy City Clerk to attest to, the document on behalf of the City.

Resolution No. 6394 - Agreement - Water Quality Management Plan - On motion of Councilmember Gil, seconded by Councilmember Gilbreath, the City Council unanimously adopted Resolution No. 6394, a resolution of the City Council of the City of Redlands authorizing the Mayor and Deputy City Clerk to execute the stormwater treatment device access and maintenance agreements relative to water quality management plan requirement.

Agreement - San Bernardino Avenue Well - On motion of Councilmember Gil, seconded by Councilmember Gilbreath, the City Council unanimously approved a cooperative well use agreement with San Bernardino Valley Municipal Water District for the San Bernardino Avenue well as a backup water supply source and authorized the Mayor to execute, and the Deputy City Clerk to attest to, the document on behalf of the City.

Roadway Easement - Pennsylvania Avenue - On motion of Councilmember Gil, seconded by Councilmember Gilbreath, the City Council unanimously approved a grant of roadway easement for street purposes along Pennsylvania Avenue for the City's municipal citrus grove operation and authorized the Mayor to execute, and the Deputy City Clerk to attest to, the document on behalf of the City.

Roadway Easement - Texas Street - On motion of Councilmember Gil, seconded by Councilmember Gilbreath, the City Council unanimously accepted a grant of roadway easement for street purposes along Texas Avenue for the City municipal water utility and authorized the Mayor to execute, and the Deputy City Clerk to attest to, the document on behalf of the City.

Amendment - 2003 Water Recycling Project - On motion of Councilmember Gil, seconded by Councilmember Gilbreath, the City Council unanimously approved Amendment No. 1 to an agreement with Carollo Engineers to furnish construction management and engineering services for the 2003 Water Recycling project and authorized the Mayor to execute, and the Deputy City Clerk to attest to, the document on behalf of the City.

Resolution No. 6397 - Water Recycling Grant - On motion of Councilmember Gil, seconded by Councilmember Gilbreath, the City Council unanimously adopted Resolution No. 6397, a resolution of the City Council of the City of Redlands authorizing submission of an application for water recycling grant funds and designating the authorized agents pursuant to the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002, Water Code Section 79550 (g) *et seq.*, (Proposition 50).

Cingular Wireless service Facility - On motion of Councilmember Gil, seconded by Councilmember Gilbreath, the City Council unanimously authorized the Mayor to sign a letter of consent to allow Cingular to co-locate on a Verizon wireless service facility at Hillside Memorial Park.

Agreement - Tower Foundations and Arinc/Cybertime - On motion of Councilmember Gil, seconded by Councilmember Gilbreath, the City Council unanimously approved an estoppel and assignment and consent to assignment agreement with Tower Foundations and Arinc/Cybertime to allow the construction of a wireless internet antenna on a metal pipe attached to the City's Crafton Hills College Water Reservoir Tank and authorized the Mayor to execute, and the Deputy City Clerk to attest to, the document on behalf of the City.

Independent Contractor Agreement - Nick Telford - On motion of Councilmember Gil, seconded by Councilmember Gilbreath, the City Council unanimously approved an independent contractor agreement with Nick Telford to provide youth soccer camps for the Redlands Recreation Bureau and authorized the Mayor to execute, and the Deputy City Clerk to attest to, the document on behalf of the City.

Appointment - Planning Commission - On motion of Councilmember Gil, seconded by Councilmember Gilbreath, the City Council unanimously reappointed Gary Miller to another four-year term on the Planning Commission as recommended by Mayor Pepler.

Release of Claims Agreement - On motion of Councilmember Gil, seconded by Councilmember Gilbreath, the City Council unanimously acknowledged a release of all claims agreement with Prudential Property and Casualty Insurance Company as subrogee of Elizabeth Rivera for property damage.

COMMUNICATIONS

Lease of City-Owned Property - Chief of Water Resources Doug Headrick reported on January 7, 1986, the City Council approved the purchase of approximately ten acres of land located near the southeast corner of San Bernardino Avenue and Judson Street for a future park using park acquisition funds. Subsequently, approximately five acres of the property was sold to the San Bernardino County Schools to be used for educational purpose in conjunction with a Redlands Unified School District elementary school that is currently being built on an adjacent parcel. The remaining parcel has been used to grow trees for the holiday season. However, in March, 2003, the agreement for the farming of the trees on the City's property was terminated. Since that time, the City has been evaluating various options for use of the property until a park facility could be built on the site as originally planned. At the present time, staff anticipates park development to begin sometime after 2010. Therefore, in an effort to provide some type of economic return on its investment in the property, staff requested the City Council consider authorizing staff to solicit bids and negotiate lease terms for renewed operation of the tree farm. The site is currently overgrown with weeds and contains some dead trees that need to be cleared. It is staff's desire to find a tree farm operator who would be willing to clean up the property and make it more presentable and continue to operate a tree farm under a land lease with the City of Redlands. Councilmember Harrison moved to authorize City staff to solicit bids and negotiate a land lease for the City-owned Assessor's Parcel No. 168-121-03. Motion seconded by Councilmember Pepler and carried unanimously.

Policy - Re-broadcasting of Meetings - Deputy Police Chief Clete Hyman reported that for several years, City staff has been broadcasting City Council and Planning Commissions live on the City's Cable Channel 3 (RTV3). To provide better service to the viewing public, staff has discussed for some time a reasonable re-broadcasting schedule of these meetings so citizens unable to watch the meetings in "real time" could view them later. This is consistent with almost every city in the region that re-broadcasts their City Council meetings. Staff is recommending that the City Council and Planning Commission meetings be re-broadcast at least twice: once each on the two days following the meetings (9:00 A.M. Wednesdays and 7:00 P.M. Thursdays). This will allow

citizens unable to watch missed meetings, due to their own scheduling conflicts, thereby fulfilling the City Council's intent to facilitate public openness in local governmental affairs. Deputy Police Chief Hyman suggested that this could also serve as a vehicle for airing public service programs (i.e. repairing pot holes, how water is distributed to homes or describing the services each department provides). Mayor Pepler stressed that the schedule must be adhered to. The only meeting to be re-broadcast is the one that just occurred because tapes of prior meetings are available for purchase through the Police Department's Media Unit. Councilmember Gil added that all City Council and Planning Commission meetings will be re-broadcast -- no matter how inconsequential. Councilmember Pepler moved to approve the re-broadcasting schedule specifically determined is 9:00 A.M. Wednesdays and 7:00 P.M. Thursdays on Cable Channel 3 (RTV3) immediately following each City Council and Planning Commission meeting and to add public service programming. Motion seconded by Councilmember Harrison and carried unanimously.

JOINT MEETING - CITY COUNCIL AND REDEVELOPMENT AGENCY

Audit Services - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved an auditing services contract with Conrad & Associates, LLP for fiscal years 2004-05, 2005-06, and 2006-07 with an option for two additional years and authorized the Mayor to execute, and the Deputy City Clerk to attest to, the document on behalf of the City. (Also see Redevelopment Agency minutes dated May 17, 2005.)

CLOSED SESSION

The City Council meeting recessed at 4:12 P.M. to a closed session to discuss the following:

1. Conference with labor negotiators
Agency negotiators: John Davidson, Marjie Pettus and Tina Kundig
Employee organizations: Redlands Professional Firefighters Association;
Redlands Association of Fire Management Employees; Redlands Association of Safety Management Employees; and Redlands Police Officers' Association
2. Conference with legal counsel: anticipated litigation - Government Code Section 94956.9(c)

The meeting reconvened at 7:00 P.M.

ANNOUNCEMENTS/REPORTS

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

PUBLIC HEARING

Resolution No. 6380 - Street Vacation No. 127 - New York Street - Due to a potential conflict of interest, Councilmember Harrison retired from the Council Chambers and did not participate in this matter. Public hearing was advertised for this time and place for the vacation of a portion of New York Street extending approximately 405 feet northerly of State Street. Community Development Director Shaw reported that on April 19, 2005, the City Council approved General Plan Amendment No. 2005-2-B and Zone Change No. 401 to designate the ESRI campus for office use and set a hearing date to consider the proposed vacation of a portion of New York Street located north of the intersection of State Street and New York Street. The proposed street vacation is to vacate a portion (approximately 405 linear feet) of New York Street. As proposed, New York Street would end in a cul-de-sac approximately in the middle of the ESRI campus in order to integrate the campus without a City public street bisecting it into two halves and to facilitate the increase of pedestrian traffic as employees and customers traverse the campus. As the project will not include any new buildings or facilities, the conditions of approval are minimal. The only construction generated by the project will be that associated with the removal of the vacated section of New York Street and the provision of a cul-de-sac at its new terminus. The requirements for intersection improvements and traffic signals at the intersections of Tennessee Street/State Street and Tennessee Street/Park Avenue, and the pedestrian access sidewalk are included as conditions of approval attached to the street vacation that must be met prior to the recordation of the resolution approving the street vacation. Mayor Pepler declared the meeting open as a public hearing for any questions or comments concerning this street vacation. In response to Mayor Pepler's inquiry, Community Development Director Shaw stated that the input he received from the New York Street Post Office Post Master was that she is concerned with the number of carriers and large trucks that come in from the main facility that would have to make left turns on Redlands Boulevard where there is no signal. Representing the applicant, Pat Meyer described the project to integrate two campuses that contain 2,000 employees. In response to Mayor Pepler's inquiry about security/theft issues, which makes this request not just for the convenience of the employees, Mr. Meyer stated he did not want to focus on security issues but there have been burglaries. Don Berry, ESRI's Executive Operations Officer, agreed they have had a rash of thefts, as substantiated by Deputy Police Chief Hyman. Speaking in opposition to the street vacation were: John Kerr, Kay Austin, Eleanor Dombrowski, Phil Heller, Marjorie Hickman, Peggy Hartzell, Robert Frost, Al Robertson, Teddy Banta, Mario Salcedo, and William Cunningham. In rebuttal, Pat Meyer said that

ESRI is sensitive to the issues raised but the street vacation is essential to their operation and ESRI agrees with all conditions of approval as presented. There being no further comments, the Mayor declared the public hearing closed. Deputy City Clerk Sanchez reported 15 communications opposing the street vacation were received. Councilmember George stated he also met with Linda Crawford, Post Master, she stated she had great concern with vehicles and scheduling routes; he also thought that each post office box customer should have been notified of this proposed action. Also concerned about the traffic making a left turn on Redlands Boulevard, Mayor Pepler asked if this could be continued in order bring this back with some resolutions and options to look at traffic controls. Public Works Director Mutter stated that he had been sketching ideas on how to modify the intersection to address the public's concerns with Redlands Boulevard which is probably best addressed with creating a signalized T-intersection at Redlands Boulevard and New York Street. Because of the steep incline of the northern part of New York Street, that would have to be closed. Don Berry stated that ESRI is prepared to finance a traffic signal at Redlands Boulevard and New York Street if determined by the City Council. Councilmember Pepler moved to continue Resolution No. 6380, a resolution of the City Council of the City of Redlands ordering the vacation of a portion of New York Street extending approximately 405 feet northerly of State Street, to June 21, 2005. Motion seconded by Councilmember Gil and carried by AYE votes of all present.

PUBLIC COMMENTS

Councilmember Gilbreath took this opportunity to invite the public to a SANBAG/Riverside Transportation Association Workshop addressing transportation corridors on June 2nd.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 8:19 P.M. to an adjourned regular meeting to be held on June 7, 2005, at 9:00 A.M. in the City Council Chambers, 35 Cajon Street, Redlands, California.

/s/ Beatrice Sanchez, Deputy City Clerk
Redlands, California