

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 April 18, 2006, at 3:00 P.M.

PRESENT

Jon Harrison, Mayor
Pat Gilbreath, Mayor Pro Tem
Gilberto Gil, Councilmember
Mick Gallagher, Councilmember

ABSENT

None

STAFF

John Davidson, City Manager; Daniel J. McHugh, City Attorney; Lorrie Poyzer, City Clerk; Michael Reynolds, City Treasurer; Jim Bueermann, Police Chief; Jim Drabinski, Fire Chief; Don 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 Councilmember Gallagher followed by the pledge of allegiance.

DEPARTMENTAL INFORMATION REPORT

City Clerk - City Clerk Poyzer gave a speech entitled "What is a City Clerk?" describing the duties and responsibilities of her office. She also unveiled a new mug featuring the City's new logo which is available for sale in her office.

Proclamation - City Clerks Week - At the conclusion of her speech, City Clerk Poyzer asked the City Council to consider issuing a proclamation declaring the week of April 30 through May 6, 2006, as *City Clerk's Week*. Councilmember Gil moved to authorize issuance of this proclamation. Motion seconded by Councilmember Gilbreath and carried unanimously.

CONSENT CALENDAR

Minutes - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the minutes of the regular meeting of April 4, 2006, were approved as submitted.

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

Resolution No. 6498 - TRANS - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously adopted Resolution No. 6498, a resolution of the City Council of the City of Redlands authorizing and approving the borrowing of funds for Fiscal Year 2006-07; the

issuance and sale of a 2006-07 Tax and Revenue Anticipation Note therefore; and participation in the California Communities Cash Flow Financing Program. This resolution authorizes a not-to-exceed \$14,500,000.00, 2006 TRANs which is to include a not-to-exceed \$5,000,000.00 tax-exempt TRANs as well as not-to-exceed \$9,500,000.00 Discount Prepayment Notes in order to increase available cash balances which provide operating funds to cover cash shortfalls and enable the City to prepay its pension obligations to PERS thereby achieving a discount on the total obligation due.

Planning Commission Actions - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the report of the Planning Commission meeting held on April 11, 2006, was acknowledged as received.

Agreement - Downtown Tree Lighting - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved an agreement for public improvement project with Rymax for the installation of lights on the Indian Laurel and Carrotwood trees on State Street between Orange and Ninth Streets and on Fifth Street between State Street and Citrus Avenue, and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Agreement - Planning Services - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved a agreement to provide professional planning services with PZL, Inc. to provide contract planning services to the Community Development Department on an as needed basis for large projects that are subject to the preparation of an Environmental Impact Report, and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Pre-Annexation Agreement 05-06 - Gale - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved Pre-Annexation Agreement 05-06 as revised with Henry L. and Judy E. Gale for a 6,930 square foot parcel located on the south side of Anzio Avenue, approximately 120 feet west of Crafton Avenue in the Mentone area, and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Truck Purchase - Public Works Department - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved the purchase of a 2006 Chevrolet Silverado 2500, 2WD pickup from Crest Chevrolet of San Bernardino for \$21,141.76 for use by the Public Works Department, Street Maintenance Division.

Funds - Agreement - Engineering Consulting Services - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved a consultant services agreement with AEI-CASC, Inc. to

provide plan and map review services, authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City and authorized an appropriation in the amount of \$128,000.00 which will be recouped through the plan/map review fees to be charged to the developers.

Report - Tate Water Treatment Plant Effluent Pipeline Replacement Project - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the report on the Tate Water Treatment Plant Effluent Pipeline Replacement Project was acknowledged as received.

Aquastream Sand Control Device Purchase - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously authorized the purchase of one Aquastream Sand Control Device for the Rees Well for a total amount of \$19,800.00.

Agreement - Tennis Program - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved an agreement with Gabriel Jacob to develop and conduct a tennis program for the City's Recreation Bureau and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Contract - Assistance League of Redlands Project - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously awarded a contract for architectural and design services to Jonathan L. Zane for the Assistance League of Redlands Project under the CDBG program and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Agreement - Employment Relations Consortium - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved an agreement for special services with Liebert Cassidy Whitmore to continue membership in the East Inland Empire Employment Relations Consortium and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

MOU Amendment - RASME - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved Amendment No. 2 to the Memorandum of Understanding with the Redlands Association of Safety Management Employees relating to the Chief of Police (Termination and Severance) and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Proclamation - Architecture Week - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously authorized the issuance of a proclamation declaring the week of April 23-29, 2006, as *Architecture Week*.

Proclamation - Days of Remembrance of the Victims of the Holocaust - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously authorized issuance of a proclamation declaring the week of April 23-30, 2006, as *Days of Remembrance of the Victims of the Holocaust*.

Proclamation - Crime Victims' Rights Week - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously authorized issuance of a proclamation declaring the week of April 23-29, 2006, as *Crime Victims' Rights Week*.

Settlement Agreements - Orbaker v. Barnes, et al - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously acknowledged Settlement and Release Agreements relating to the lawsuit entitled "Richard and Jan Orbaker v Richard Joseph Barnes, Gerald Zeller, City of Redlands, et al." The City Council authorized settlement of this lawsuit/claim and these agreements reflect the Council's terms and conditions for settlement.

COMMUNICATIONS

Meeting Attendance - In accordance with Government Code Sections 53232.2 and 53232.3, Mayor Harrison reported on attendance at the State of the County Address on April 12, 2006.

Appointment - Airport Advisory Board - Mayor Harrison moved to appoint John G. Egan to serve a four-year term beginning May 1, 2006, on the Airport Advisory Board. Motion seconded by Councilmember Gallagher and carried unanimously.

Reappointments - Citrus Preservation Commission - Mayor Harrison moved to reappoint J. Richard Leonard, John Gardner and Robert S. Marsel to the Citrus Preservation Commission to serve four-year terms expiring April 16, 2010. Motion seconded by Councilmember Gilbreath and carried unanimously.

JOINT MEETING - CITY COUNCIL AND REDEVELOPMENT AGENCY

Resolution No. 6496 - Conflict of Interest Code - City Attorney McHugh presented proposed resolutions for the City of Redlands and Redevelopment Agency updating the Conflict of Interest Codes. Councilmember Gilbreath moved to adopt Resolution No. 6496, a resolution of the City Council of the City of Redlands amending the Conflict of Interest Code pursuant to the Political Reform Act of 1974 by repealing Resolution No. 6347 in its entirety. Motion seconded by Councilmember Gallagher and carried unanimously. (Also see Redevelopment Agency minutes for April 18, 2006.)

The meeting reconvened at 6:00 P.M.

PRESENT

Jon Harrison, Mayor
Pat Gilbreath, Mayor Pro Tem
Gilberto Gil, Councilmember
Mick Gallagher, Councilmember

ABSENT

None

STAFF

John Davidson, City Manager; Daniel J. McHugh, City Attorney; Lorrie Poyzer, City Clerk; Teresa Ballinger, Assistant City Clerk; Michael Reynolds, City Treasurer; Jim Bueermann, Police Chief; Jim Drabinski, Fire Chief; Don Gee, Redevelopment Agency Director; Tina Kundig, Finance Director; Ronald C. Mutter, Public Works Director; Marjie Pettus, Administrative Services Director; Doug Headrick, Chief of Water Resources; and Jeffrey L. Shaw, Community Development Director

CITY COUNCIL VACANCY

A vacancy exists on the City Council due to the resignation of Councilmember Susan Pepler. At the meeting of April 4, 2006, the City Council voted to fill the vacancy through an appointment process on or before May 4, 2006. On April 5, 2006, the City issued a Notice of Intention to fill the vacancy on the City Council by appointment. Interested applicants were invited to submit applications to the Office of the City Clerk by 5:00 P.M. on April 14, 2006. Eleven (11) applications were received from: Peter R. Aguilar, George D. Bartch, Roy S. Cencirulo, Eric Robert Fraser, James G. (Jim) Macdonald, Dennis John Mullenix II, Reyes L. Quezada, Brian Roche, Mark Stanson, Eddie Tejada and William E. (Bill) Turnpaugh. Voter registration has been confirmed for each applicant. Mayor Harrison explained the process to the applicants and audience.

At this time, he opened the meeting to public comments from the audience regarding the presentation and appointment process. Wayne Stair urged the City Council to consider appointing Pete Aguilar. Speaking in support of appointing Bill Turnpaugh were Brad Easter and Larry James.

A random drawing was conducted by City Clerk Poyzer, assisted by Assistant City Clerk Teresa Ballinger, to determine the order the applicants would speak. Five minutes presentations were made by: Peter R. Aguilar, Eddie Tejada, Mark Stanson, Dennis John Mullenix II, Eric Robert Fraser, James G. (Jim) Macdonald, Roy S. Cencirulo, George D. Bartch, Brian Roche, William E. (Bill) Turnpaugh and Reyes L. Quezada.

Appointment - Nominations were opened by City Clerk Poyzer for an appointment to the City Council to complete a term ending on December 4,

2007. Councilmember Gilbreath nominated Pete Aguilar, Councilmember Gil nominated Reyes L. Quezada and Councilmember Gallagher nominated Bill Turnpaugh. The random roll call vote was as follows:

Aguilar: Councilmember Gilbreath

Quezada: Councilmember Gil

Turnpaugh: Councilmembers Gallagher and Harrison

There not being a majority vote for any one nominee, nominations were re-opened by City Clerk Poyzer for the appointment to the City Council to complete a term ending on December 4, 2007. Councilmember Gilbreath nominated Eric Fraser, Councilmember Gil nominated Reyes L. Quezada and Councilmember Harrison nominated Bill Turnpaugh. The random roll call vote was as follows:

Turnpaugh: Councilmembers Harrison and Gallagher

Fraser: Councilmember Gilbreath

Quezada: Councilmember Gil

There not being a majority vote for any one nominee, nominations were re-opened by City Clerk Poyzer for the appointment to the City Council to complete a term ending on December 4, 2007. Councilmember Gallagher nominated Pete Aguilar. Councilmember Gil nominated Reyes L. Quezada. The random roll call vote was as follows:

Aguilar: Councilmembers Gallagher, Gilbreath, Harrison and Gil

Quezada: None

By unanimous vote, Pete Aguilar was appointed to the City Council to complete a term ending on December 4, 2007, and the Oath of Allegiance was administered to Mr. Aguilar by City Clerk Poyzer. Councilmember Aguilar expressed his appreciation for having been appointed to this position and pledged to do a good job of representing the citizens of Redlands.

The City Council meeting recessed at 7:17 P.M. and reconvened at 7:30 P.M.

PRESENT

Jon Harrison, Mayor

Pat Gilbreath, Mayor Pro Tem

Gilberto Gil, Councilmember

Mick Gallagher, Councilmember

Pete Aguilar, Councilmember

PRESENTATION

North Redlands Vision Plan - Due to a potential conflict of interest, Councilmember Gil retired from the Council Chambers and did not participate in this matter; a Public Disclosure of Potential Conflict of Interest form is on file in the City Clerk's Office. On behalf of the North Redlands Visioning Committee, Mario Saucedo presented the North Redlands Vision Plan. The Committee has been holding meetings twice a month at the Community Senior Center since February 2005 in reaction to a proposed redevelopment area in the North Redlands area. After several community members and community groups, including the Northside Advisory Committee and the Lugonia Community Association, expressed their concerns regarding the implementation of the City's action, the City Council reconsidered their process and abandoned all actions associated with the North Redlands Redevelopment Project and authorized the initiation of a community visioning process for the area located north of Interstate 10, east of State Route 30 and west of Church Street. The North Redlands Visioning Committee held meetings where educational information was presented from various City departments such as Public Works, Municipal Utilities, Community Development, Public Safety, Recreation, Finance, Redevelopment, and also the Redlands Unified School District. Focus groups were held to establish a mission statement and to address the areas of Public Works, Land Use, Recreation and Public Safety. As priorities were defined, the Executive Committee reviewed and compiled the priorities into rough draft form. The rough draft reports were presented to the committee-at-large as they were completed, and suggestions and comments were incorporated into the report as they were received. At this time, Mr. Saucedo presented a PowerPoint presentation of the North Redlands Vision Plan. Councilmember Gilbreath told committee members they had done a good job. Mayor Harrison suggested the committee apply for grants that are available through the Preserve America community for projects such as improvements recommended for The Terrace. By consensus, the City Council asked staff to review the North Redlands Vision Plan, evaluate it and report back to the City Council in 60 days.

LAND USE AND PUBLIC HEARINGS

Walton Development, LLC - Applicant - Public hearings were continued to this meeting to consider introduction and first reading of the title of Ordinance No. 2628, Zone Change No. 396, a change of zone from A-1 (Agricultural) District to R-E (Residential Estate) District on three contiguous parcels totaling 30.4 gross acres located north of San Bernardino Avenue, south of Pioneer Avenue, and west of Judson Street in the A-1 (Agricultural) District; a public hearing to consider of Resolution No. 6453, Agricultural Preserve Removal No. 104, an agricultural preserve removal of approximately 30.4 gross acres on property located north of San Bernardino Avenue, south of Pioneer Avenue and west of Judson Street in the A-1 (Agricultural) District; a public hearing to

consider Conditional Use Permit No. 809, a conditional use permit for a Planned Residential Development (PRD) on 30.4 gross acres consisting of 61 residential lots and multiple common open space lots located north of San Bernardino Avenue, south of Pioneer Avenue and west of Judson Street in the A-1 (Agricultural) District; to consider Tentative Tract No. 16465, a tentative tract map to subdivide 30.4 gross acres into 61 residential lots and multiple common open space lots located north of San Bernardino Avenue, south of Pioneer Avenue and west of Judson Street in the A-1 (Agricultural) District (proposed R-E District); public hearing to consider introduction and first reading of the title of Ordinance No. 2629, Zone Change No. 399, a change of zone A-1 (Agricultural) District to R-E (Residential Estate) District on 12.1 gross acres located at the southeast corner of Pioneer Avenue and Judson Street in the A-1 (Agricultural) District; a public hearing to consider Resolution No. 6454, Agricultural Preserve Removal No. 105, an agricultural preserve removal of approximately 12.1 gross acres on property located at the southeast corner of Pioneer Avenue and Judson Street in the A-1 (Agricultural) District; a public hearing to consider Conditional Use Permit No. 819, a conditional use permit for a Planned Residential Development (PRD) on 12.1 gross acres consisting of 20 residential lots and multiple common open space lots located at the southeast corner of Pioneer Avenue and Judson Street in the A-1 (Agricultural) District (proposed R-E District); and to consider Tentative Tract No. 16627, a tentative tract map to subdivide 12.1 gross acres into 20 residential lots and multiple common open space lots located at the southeast corner of Pioneer Avenue and Judson Street in the A-1 (Agricultural) District (proposed R-E District).

Mayor Harrison declared the meeting open as a public hearing for this project which was continued from the January 17, 2006, meeting. Community Development Director Shaw explained this project was continued to this time and place to allow the City Council to review the project based on the pending preparation of the Airport Master Plan update and the related Airport Land Use Compatibility Plan. Delays to the Airport Master Plan update have been caused by lengthy FAA grant approval procedures. In view of the FAA process, on March 7, 2006, the City Council authorized Municipal Utilities staff to issue a purchase order to cover costs to move forward with the chosen consultant, Coffman Associates. The consultants has been working with Municipal Utilities staff to review the Airport Land Use Compatibility Plan sections that impact the Walton project along the southerly B2 line in order to provide information to the City Council on which to determine the appropriateness of Walton's proposed development prior to June 30, 2006. A scoping workshop has been scheduled for April 27, 2006, to receive input from the public, developers and the airport community on the issue of the B2 line and other land use issues. The consultant will then prepare a preliminary review report to assist the City Council on Walton and other projects in the area, while the Airport Master Plan update process will proceed separately from preliminary review. The second regularly scheduled City Council meeting in June falls on the 20th; therefore, this would be the target date to present the preliminary

review report along with a recommendation on the Walton's proposal. This would allow a ten-day "cushion" if more time is needed to meet the June 30, 2006, deadline. Gary Van Dorst, Municipal Utilities Department, gave a status report on the Coffman study and indicated his department supported the staff recommendation. The applicant, Everett Hughes asked the City Council to approve their applications as he felt strongly that their project and the airport could co-exist. Supporting the staff recommendation for a continuance were: Bill Ingraham, Eric Paul, David Crosswhite and Eric Fraser. Attorney Dean Dennis, representing the Walton project, reviewed the positive aspects of the project and urged the City Council to approve it. Mayor Harrison asked Mr. Van Dorst to review the scope of the Coffman study. Councilmember Gallagher moved to continue all applications associated with these projects for a 60-day period to June 20, 2006, to allow the City Council to review the project based on the pending preparation of a letter report of review and recommendations including, but not limited to, the location of the B2 Compatibility Zone boundary and open space requirements related to the Airport Land Use Compatibility Plan. Motion seconded by Councilmember Gil and carried unanimously.

PUBLIC COMMENTS

Benefit Concert - Reverend Felix Jones invited Councilmembers to a benefit concert supporting Jean Lafitte, Louisiana, a city devastated by Hurricane Katrina. The community gospel benefit concert will be held on April 22, 2006, at 6:00 P.M. at the University of Redlands Memorial Chapel.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 8:37 P.M. The next regular meeting will be held on May 2, 2006.

City Clerk