

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 December 5, 2006, at 3:00 P.M.

PRESENT

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

ABSENT

None

STAFF

Sam J. Racadio, Interim City Manager; Daniel J. McHugh, City Attorney; Lorrie Poyzer, City Clerk; Michael Reynolds, City Treasurer; Jim Bueermann, Police Chief; Jim Drabinski, Fire Chief; Steven H. Dukett, Interim 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 Gilbreath followed by the pledge of allegiance.

PRESENTATIONS

Employee Service - Introductions were made by the department heads and Mayor Harrison presented five year service pins to: Kevin Morse, Municipal Utilities Department-Administration; Robert Carlin, Police Department-MIS Division; Terrill Coker, Police Department; Natasha Crawford, Police Department; Deborah Fredregill, Police Department; Eduardo Herrera, Police Department; Corinne Lane, Police Department; Michelle Maranan, Police Department; Jessica Mejia, Police Department; Derik Ohlson, Police Department; Tami Pope, Police Department; Richard Rincon, Police Department; Linda Stowell, Police Department-Community Services Division; and Bill Hemsley, Public Works Department-Administration.

Ten year service pins were presented to: Michael Howard, Fire Department; Shawn Heggi, Municipal Utilities Department-Solid Waste Division; Kenneth Lukondi, Municipal Utilities Department-Wastewater Division; Donald Quiel, Municipal Utilities Department-Water Division; Daniel Elton, Police Department; William Miller, Police Department-Animal Control; Nelson Rodriguez, Police Department; and Steven Resendez, Public Works Department-Street Division.

Fifteen year service pins were presented to: Timothy Mishodek, Municipal Utilities Department-Water Division; Gregory Holmer, Police Department; and Arthur LaMothe, Police Department-Animal Control.

Twenty year service pins were presented to: Jeff Shaw, Community Development Director; James Topoleski, Fire Department; Sandra Sanchez, A. K. Smiley Public Library; Alan Griffiths, Public Works Department-Administration; Terry Mongar, Public Works Department-Street Division; Robert Yost, Public Works Department-Parks/Street Trees Division; Richard Gaspers, Administrative Services-Equipment Maintenance; and John Silvia, Administrative Services-Equipment Maintenance.

Twenty-five year service pins were presented to: Daniel Crow, Fire Department and Fran Serrao, Police Department.

In recognition of thirty years of service, gold watches were presented to: Rick Bullard, Fire Department; Larry Egan, Fire Department; and Walter Harrison, Fire Department.

Redlands Passenger Rail Station Area Plan - A joint meeting with the Planning Commission was scheduled for this time and place. All Planning Commissioners were present: Chairman Jim Macdonald, Larry James, Eric Shamp, Paul Foster, Tom Osborne, Ruth Cook and Gary Miller. Chairman Macdonald called the special meeting of the Planning Commission to order and asked if anyone wanted to address the Planning Commission on the subject scheduled on their special meeting agenda. None were forthcoming.

Community Development Director Shaw introduced Mike Bair, SANBAG, and Elaine Carbrey, Gruen Associates, who presented the Redlands Passenger Rail Station Area Plan, a new passenger train service with stations in the cities of San Bernardino, Loma Linda and Redlands. The Redlands Passenger Rail, planned on an existing 9.1 mile railroad right-of-way owned by SANBAG, will operate between the proposed San Bernardino Transcenter at Rialto Avenue and E Street in the City of San Bernardino and a station adjacent to the University of Redlands with five other stations en-route. Metrolink service will be extended from the Santa Fe Depot in San Bernardino to the San Bernardino Transcenter site allowing convenient transfer for commuters to and from Omnitrans local bus, sbX rapid transit services and the Redlands Passenger Rail. George Krikorian expressed concerns about the proposed location of the downtown station on property he owns and asked that the station not be built in front of the lobby of the Krikorian Theatre. Edgar Khalatian, attorney for Mr. Krikorian, and Gary Koons also spoke on behalf of Mr. Krikorian. On behalf of The Redlands Association, Bill Cunningham expressed concern about the transfer of density in the Redevelopment Area, and their desire to retain the "village" feeling in downtown by limiting the height of buildings to three stories. Councilmember Gilbreath moved to receive and file the Redlands

Passenger Rail Station Area Plan as presented by San Bernardino Associated Governments (SANBAG). Motion seconded by Councilmember Aguilar and carried unanimously. The Planning Commission unanimously concurred with this action. Councilmember Gilbreath moved to accept the Redlands Passenger Rail Station Area Plan in concept with the understanding the location of the stations would continue to be refined. Motion seconded by Councilmember Aguilar and carried unanimously. The Planning Commission unanimously concurred with this action. At this time, Planning Commission Chairman Macdonald provided an opportunity for the public to address the Planning Commission on any subject, within the jurisdiction of the Planning Commission, which was not already scheduled on their agenda. No comments were forthcoming. The Planning Commission meeting adjourned at 4:53 P.M. and the City Council continued its meeting.

City Manager Recruitment - Bobbie Peckham, Peckham & McKenney, updated Councilmembers on the recruitment process for a permanent City Manager. She met with each Councilmember individually and the management team earlier today. A community forum will be held on December 7, 2006, at 6:30 P.M. in the City Council Chambers. She will then prepare a profile of the community and what type of candidates we are seeking for this position. The deadline for filing applications will be January 29, 2007. Finalist interviews will be held in late February/early March.

Human Relations Commission - John Walsh, Chairperson of the Human Relations Commission, reported on the recent activities of the Human Relations Commission. The Human Relations Commission wants to play an active and proactive role in the community. Human Relation Commissioners John Farley and Sue Greenfeld were also present.

CONSENT CALENDAR

Minutes - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the minutes of the regular meeting of November 21, 2006, were approved as submitted.

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

Agreement - Finance Information System - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved the annual support agreement for customer support and software updates with SunGard Bi-Tech, Inc. for the period of November 20, 2006, to November 19, 2007, for the finance information system and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Planning Commission Actions - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the report of the Planning Commission meeting held on November 28, 2006, was acknowledged as received.

Notice - Annual Review - Development Agreements - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously acknowledged and accepted the notice that the following development agreements, currently in effect, will be subject to an annual review: Kaiser Foundation Hospitals; Cities Pavilion Partners, a California Limited Liability Corporation; Mountainview Power Company; Robertson Ready Mix, Ltd.; Cemex Construction Materials, L.P.; Redlands Community Hospital; and Redlands Health Services and AV Associates.

Habitat Enhancement - San Timoteo Canyon - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously authorized the use of City-owned Assessor's Parcel Nos. 0175-011-77, 0175-011-62, 0175-122-11, 0175-131-01, 0175-131-18, 0175-131-124 and 0294-121-31 to serve as the required 45 percent match for the EPA Grant application submitted by the Riverside Land Conservancy for open space land acquisition and habitat enhancement for land along the San Timoteo Creek in the City of Redlands.

Grant Application - Orange Blossom Trail - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously authorized staff to explore the possible preparation of a grant application under the Transportation Development Act Article 3 for possible funding of the Orange Blossom Trail's bicycle and pedestrian facilities.

Waiver of Application Procedures - Redevelopment Agency Projects - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously authorized waiver of application procedures so as to permit the City to allow other entities to file development applications when the application is a Redevelopment Agency project.

Strategic Planning Ad-Hoc Committee - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved the formation of a Strategic Planning Ad-Hoc Committee of the City Council to assist the Interim City Manager with strategic planning issues during the transition to a permanent City Manager. On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously appointed Mayor Jon Harrison and Mayor Pro Tem Pat Gilbreath to serve on the Strategic Planning Ad-Hoc Committee.

Contract - Redlands Sports Park Landscaping - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously determined that approval to award the contract to construct the Sports Park Landscaping, also known as a part of Conditional Use Permit No. 781, does not require further environmental processing, pursuant to Section 15162 of the California Environmental Quality Act Guidelines, based on the following findings: the proposed construction contract would not result in new significant environmental effects or a substantial increase in the severity of previously identified effects for the Sports Park Project; no substantial changes have occurred with respect to the circumstances under which the Sports Park Project will be undertaken since approval; and there is no new information of substantial importance with respect to this project's environmental consequences that was not known at the time the Environmental Impact Report was adopted. Bids were opened and publicly declared on November 16, 2006, by the City Clerk; a bid opening report is on file in the Office of the City Clerk. On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously awarded a construction contract between the City of Redlands and America West Landscape, Inc., to construct the landscaping improvements for the Redlands Sports Park in the amount of \$1,524,865.81 and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Substitute Securities - Boys and Girls Club of Redlands Project - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved an agreement with GC Builders for the substitution of securities in an escrow account in lieu of retention for the Boys and Girls Club of Redlands project and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Funds - Agreement - Engineering Consulting Services - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved an appropriation in the amount of \$95,000.00 and approved a consultant services agreement with AEI-CASC, Inc. to provide plan and map review services for the Engineering Division of the Public Works Department and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Alabama Street Right-of-Way Acquisition - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved two agreements for purchase and sale of an easement with PE Boulder, LLC regarding the purchase of easements on Alabama Street for the Redlands Boulevard, Alabama Street and Colton Avenue Improvement Project and authorized the Mayor to execute, and the City Clerk to attest to, the documents on behalf of the City.

Purchase - LNG Automated Sideloaders - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously authorized the purchase of a 2006/2007 LNG automated sideloader from Carmenita Truck Center in the amount of \$226,683.64 for the Municipal Utilities Department.

Purchase - LNG Automated Frontloaders - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously authorized the purchase of two 2007 LNG frontloaders from Carmenita Ford Truck Sales, Inc. in the amount of \$404,388.96 for the Municipal Utilities Department.

Waive Dry Sewer Requirement - CUP No. 818 - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously determined that the waiver of the dry sewer requirement for Conditional Use Permit No. 818, Revision 1, is categorically exempt under Section 15061(b)(3) based on the finding that it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously waived the dry sewer requirement for Conditional Use Permit No. 818, Revision 1, for the Redlands Bible Church.

Agreement - Mentone Boulevard - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved a utility agreement with Caltrans for water facility relocation work in Mentone Boulevard in the amount of \$275,490.00 and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Water Facility Relocation - Mentone Boulevard - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved the additional water facility relocation work in Mentone Boulevard for the Water Capital Improvement Program Pipeline Replacement Project in the amount of \$360,490.00.

Donation - Fire Engine - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved the donation of an out-of-service 1981 Crown Fire Coach fire engine from the Redlands Fire Department to Crafton Hills College Fire Academy, San Bernardino Community College District.

Agreement - Bank of America - City Treasurer Reynolds answered Councilmember Gil's questions regarding this matter. Councilmember Gil moved to approve a confidentiality and non-disclosure agreement with Bank of America, National Association, to allow the City to release certain information about our payors for the sole purpose of helping the bank attempt to recover a missing deposit and authorized the Mayor to execute, and the City Clerk to

attest to, the document on behalf of the City. Motion seconded by Councilmember Gilbreath and carried unanimously.

PUBLIC HEARING

Fees and Service Charges - Public hearing was advertised for this time and place to consider Ordinance No. 2650, an ordinance of the City of Redlands amending Chapter 3.16 of the Redlands Municipal Code relating to fees and service charges, and Resolution No. 6560, a resolution of the City Council of the City of Redlands establishing a schedule of user fees sufficient to meet the cost recovery levels established by Ordinance No. 2650. Mayor Harrison declared the meeting open as a public hearing. Finance Director Kundig explained the City contracted with Public Resource Management (PRM) in March, 2005, to undertake a detailed cost of services study in order to accurately report the true cost of providing various fee-related services and to explore the possibility that fees should be modified to reflect the increasing cost of providing these services over time. PRM has incorporated the City's fiscal year 2006-2007 budget figures and staffing information into its calculations of user fees for the City. After many months of working with City staff to review the City's existing fee structure and to complete a cost allocation plan, an intricate part of determining the amount and appropriateness of user fees, PRM presented the results of its findings at a City Council Workshop on November 7, 2006. Finance Director Kundig reviewed the highlights of the study. Fees not included in the PRM study but recommended for inclusion in the ordinance and resolution included library fees for late book return/book loss, reservations of library materials and fees for janitorial services for the Mission Gables restrooms. PRM recommends that comprehensive reviews of fees be made every three to five years, with minor cost of living adjustments made on an annual basis. For departments such as Recreation and Fire, where the cost recovery rate is lower than those for the Recreation and Fire Departments of some of PRM's other clients, the City Council may wish to review the fees for these departments, annually, and determine whether a phasing-in of fees would be appropriate up to a desired cost recovery rate. Councilmembers concurred with these recommendations. Mayor Harrison called for a public comments. There being no verbal or written comments, the public hearing was declared closed.

Ordinance No. 2650 - Ordinance No. 2650, an ordinance of the City of Redlands amending Chapter 3.16 of the Redlands Municipal Code relating to fees and service charges, was read by title only by City Clerk Poyzer, and on motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, further reading of the ordinance text was unanimously waived, and Ordinance No. 2650 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for December 19, 2006.

Resolution No. 6560 - Councilmember Gilbreath moved to adopt Resolution No. 6560, a resolution of the City Council of the City of Redlands

establishing a schedule of user fees sufficient to meet the cost recovery levels established by Ordinance No. 2650. Motion seconded by Councilmember Gallagher and carried unanimously.

COMMUNICATIONS

Meeting Attendance - In accordance with Government Code Sections 53232.2 and 53232.3, Mayor Harrison reported on his attendance at the League of California Cities' Inland Empire dinner meeting held on November 30, 2006.

Commendation - Councilmember Gil reported he was the first person on the scene of a pedestrian versus vehicle accident Monday evening and commended the safety personnel for a job well done that evening as, he noted, they do everyday.

Clean-Up Date and Adopt-A-Street Program - Mayor Harrison asked the City Council to consider the organization of a citywide clean-up in April, 2007, and the development of an Adopt-A-Street program. He summarized the concepts for both programs. Councilmember Aguilar moved to authorize staff to proceed with organizing a citywide clean-up in April, 2007, and the development of an Adopt-A-Street program. Motion seconded by Councilmember Gilbreath and carried unanimously.

CLOSED SESSION

The City Council meeting recessed at 5:20 P.M. to a closed session to discuss the following:

1. Conference with labor negotiators - Government Code Section 54957.6
Agency negotiator: Sam Racadio, Interim City Manager
Employee organization: Redlands Association of Safety Management Employees

Corey Hunt, President of the Redlands Police Officers Association, said they understood the City Council would be discussing, in this closed session, a severance package for Police Chief Jim Bueermann, and that the membership of the RPOA fully supported Police Chief Bueermann. This statement was applauded by approximately 30 members of the Redlands Police Department who were in attendance during the afternoon session.

The meeting reconvened at 7:00 P.M.

PRESENT

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

ABSENT

None

STAFF

Sam J. Racadio, Interim 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; Steven H. Dukett, Interim 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

CLOSED SESSION REPORT

None forthcoming.

PRESENTATION

State Parks - Riverside Land Conservancy - On behalf of the Riverside Land Conservancy, Pete Dangermond presented a PowerPoint reviewing the history of the Riverside Land Conservancy which serves as a bridge between government agencies, private landowners and concerned citizens; the San Timoteo Canyon State Park; resource values of San Timoteo Canyon and its connections to the *Emerald Necklace*.

Resolution No. 6562 - Following the presentation, Councilmember Harrison moved to adopt Resolution No. 6562, a resolution of the City Council of the City of Redlands expressing the City Council's support for forming the new state park system in the San Timoteo Badlands area and requesting Assemblyman Cook, Assemblyman Emmerson and Senator Dutton to seek State Park Proposition 84 funding to complete the acquisition of the required parklands. Motion seconded by Councilmember Gallagher and carried unanimously.

UNFINISHED BUSINESS

Skateboard Park Site - Public Works Director Mutter reviewed the information presented at the last City Council by SK8PARK members regarding the consideration of approval of a location for a skateboard park. SK8PARK would like to continue with fundraising and more detailed conceptual drawings. In order to proceed, they would like to have a site located and approved for this type of use. The Parks Commission and Recreation Advisory Commission met jointly on November 9, 2006, and recommended the City-owned parcel located

south of Park Avenue and adjacent to Sylvan Park be designated as the site for the proposed skateboard park. On behalf of SK8PARK, Eric Anwar addressed the City Council thanking them and staff for their assistance. Councilmember Gilbreath moved to approve the recommendation of the Parks Commission and the Recreation Advisory Commission to designate the City-owned property identified as APN 170-191-39 and located on the south side of Park Avenue and the abandoned BNSF Railroad line adjacent to Sylvan Park as the location for the proposed skateboard park. Motion seconded by Councilmember Aguilar and carried unanimously.

LAND USE AND PUBLIC HEARINGS

Bulldog Commons, LLC, Applicant - Consideration of an Environmental Impact Report and a Socio-Economic Analysis and Cost/Benefit Study and Conditional Use Permit No. 836 to develop a forty (40) unit apartment complex on a 3.07 acre property located at the southeast corner of Grove Street and Sylvan Boulevard in the R-2 (Multiple Family Residential) District, was continued from the October 17, 2006, meeting to this time. Mayor Harrison declared the meeting open as a public hearing. Community Development Director Shaw reported this project was continued with City Council directing staff to have the Historic and Scenic Preservation Commission review a presentation from the applicant on the history of the Zanja improvement. Not long after the October 17, 2006, City Council meeting, the applicant's representative developed a conceptual plan that could ostensibly increase stormwater capacity through the project site without significantly altering the Zanja. Moreover, it appears that the information provided by the applicant is consistent with the "main alternative" considered in the Environmental Impact Report. At the November meeting of the Historic and Scenic Preservation Commission, the applicant's representative made his presentation which included a discussion of the new conceptual plan for increasing capacity without altering the Zanja. The Historic and Scenic Preservation Commission however did not offer any suggestions for possible measures, nor did they comment on the project with the new channel design, feeling more information was needed in order to make a recommendation. Representatives from the University of Redlands addressed the Historic and Scenic Preservation Commission stating their opposition to altering the Zanja. Staff is currently in the process of scheduling a meeting with officials of the University of Redlands to discuss their position on the project in order to gain a better understanding of their position and possibly addressing their concerns. To provide additional time for staff to meet with the University of Redlands' officials, the applicant is requesting and staff is recommending a continuance of this project to the City Council meeting of December 19, 2006. There were no public comments from the audience. City Clerk Poyzer reported that since preparation of the staff report, a letter was received from Robert and Linda McKiernan, neighbors of the proposed project, stating they were not in favor of the proposed project. A letter from the University of Redlands was also received supporting and

encouraging the continuance recommended by staff. Councilmember Gilbreath moved to continue the Final Environmental Impact Report for Conditional Use Permit No. 836 and Demolition No. 68, the Socio-Economic Cost/Benefit Study for Conditional Use Permit No. 846, and Conditional Use Permit No. 836 to December 19, 2006. Motion seconded by Councilmember Gallagher and carried unanimously.

PUBLIC HEARINGS

Resolution No. 6559 - Historic Resource No. 109 - Public hearing was advertised for this time and place to consider the recommendation of the Historic and Scenic Preservation Commission to designate the retained 5,665 square foot portion of the Y Alliance building located at 16 East Olive Avenue, on the southeast corner of Olive Avenue and Cajon Street, as an historic resource in the A-P (Administrative Professional Office) District. Mayor Harrison declared the meeting open as a public hearing for any questions or comments concerning this matter. Community Development Director Shaw reviewed the history of this structure. There being no comments from the audience and no written communications received regarding this matter, the public hearing was declared closed. Councilmember Gilbreath moved to adopt Resolution No. 6559, a resolution of the City Council approving this recommendation. Motion seconded by Councilmember Gallagher and carried unanimously.

Comprehensive Transportation Improvement Fees - Public hearing was advertised for this time and place to consider Ordinance No. 2652, an ordinance of the City of Redlands amending Chapter 3.54 of the Redlands Municipal Code and deleting Chapter 3.58 of the Redlands Municipal Code relating to traffic signalization fees, and Resolution No. 6561, a resolution of the City Council of the City of Redlands establishing new comprehensive transportation improvement fees and allocating such fees to specified categories of transportation improvements. Mayor Harrison declared the meeting open as a public hearing. Public Works Director Mutter presented a brief synopsis of his staff report and answered Councilmembers' questions. Mayor Harrison called for a public comments. There being no verbal or written comments, the public hearing was declared closed.

Ordinance No. 2652 - Ordinance No. 2652 was read by title only by City Clerk Poyzer, and on motion of Councilmember Gilbreath, seconded by Councilmember Aguilar, further reading of the ordinance text was unanimously waived, and Ordinance No. 2652 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for December 19, 2006.

Resolution No. 6561 - Councilmember Gilbreath moved to adopt Resolution No. 6561. Motion seconded by Councilmember Aguilar and carried unanimously.

PUBLIC COMMENTS

None forthcoming.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 7:55 P.M. The next regular meeting will be held on December 19, 2006.

City Clerk