

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 15, 2008, at 3:00 P.M.

PRESENT Jon Harrison, Mayor
Pat Gilbreath, Mayor Pro Tem
Mick Gallagher, Councilmember
Pete Aguilar, Councilmember
Jerry Bean, Councilmember

ABSENT None

STAFF N. Enrique Martinez, City Manager; Daniel J. McHugh, City Attorney; Lorrie Poyzer, City Clerk; Tom Fitzmaurice, Police Captain, Jim Bueermann, Police Chief; Jim Drabinski, Fire Chief; Daniel Hobbs, Redevelopment Agency Director; Rosemary Hoerning, Municipal Utilities and Engineering Director; Tina Kundig, Finance Director; Oscar W. Orci, Community Development Director; Gary van Dorst, Quality of Life Director

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

PRESENTATIONS

Pet Adoptions - Lynda Ackerman, volunteer for the Redlands Animal Shelter, introduced Angel, a two-month old Siamese-mix kitten, who is available for adoption at the Redlands Animal Shelter; Angel was cuddled by Vera Norton. Ms. Ackerman also showed a "runaway" tortoise who is not available for adoption; if his owners do not claim it, it will be turned over to a tortoise rescue group. Sherri Bigbee assisted showcasing the tortoise.

CONSENT CALENDAR

Minutes - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the minutes of the regular meeting of April 1, 2008, were approved as submitted.

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

Resolution No. 6702 - Records Destruction - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously adopted Resolution No. 6702, a resolution of the City Council of the City of Redlands approving the destruction of certain public records in the Finance Department.

Settlement Agreement - Joseph O. Young - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously acknowledged a "Release of all Claims" as it relates to the City's cross-complaint against Joseph O. Young resulting from the incident, casualty or event which occurred on May 10, 2006, in front of the plaintiff's house located at 1226 West Olive Avenue.

Proclamation - Quester's 50th Anniversary - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously authorized issuance of a proclamation honoring Quester's 50th Anniversary.

Proclamation - Child Abuse Prevention Month - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously authorized issuance of a proclamation declaring April 2008 as *Child Abuse Prevention Month*.

Climate Action Program - Resolution No. 6696 - Green Valley Jurisdiction - Quality of Life Director van Dorst reviewed the Climate Action Program and Green Valley Initiative. Daniel Cozad, consultant for the Green Valley Initiative, addressed the City Council and answered questions. On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously adopted the Climate Action Program and directed City staff to implement the Climate Action Program Action Items List as contained in the staff report. On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously adopted Resolution No. 6696, a resolution of the City Council of the City of Redlands recognizing the Green Valley Initiative and endorsing participation as a Green Valley Jurisdiction. On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously directed staff to implement at least one new action item or project in conformance with the Green Valley Initiative and Climate Action Program for each department in the City.

Fee Waiver - Redlands 4th of July Committee - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously approved the request by the Redlands 4th of July Committee to waive all fees and personnel costs for the 2008 Fourth of July celebration in Redlands.

Lease Agreement - Redlands Hangar Owners' Association - Councilmember Gilbreath stated she was reluctant to grant only 80 percent of the fair market value for rent to the Redlands Hangar Owners' Association. Councilmember Bean questioned if the \$1 million liability insurance could be escalated over the years. Councilmember Harrison asked whether or not we received sales tax receipts. Councilmember Gilbreath moved to continue the request for a lease agreement with the Redlands Hangar Owners' Association to May 20, 2008, and

directed staff to further negotiate these points. Motion seconded by Councilmember Gallagher and carried unanimously.

Fee Waiver - Run Through Redlands - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously approved the request of the Kiwanis Club of Redlands to waive all City-related fees, costs and charges associated with the annual "Run Through Redlands" event to be held on May 4, 2008.

PUBLIC HEARING - PLANNING AND COMMUNITY DEVELOPMENT

Resolution No. 6703 - Final Approval - Tract Map No. 16610 - Public notice was advertised for this time and place to consider Resolution No. 6703, a resolution of the City Council of the City of Redlands approving a final map for the reversion to acreage of County of San Bernardino Assessor's Parcel Nos. 0173-061-11, 0173-061-25, 0173-071-12, 0173-071-15 and 0173-071-87 (Redlands Cypress Villas, LP, Applicant). Tract Map No. 16610 reverts to acreage five contiguous parcels totaling 4.79 acres containing an existing apartment complex located on the northeast corner of Cypress Avenue and Hibiscus Drive in the R-2-2000 (Multiple Family Residential) District. Mayor Harrison declared the meeting open as a public hearing. Junior Planner Chris Boatman reviewed the proposed project. Mayor Harrison called for public comments. Mr. Hien Huynh, owner of 347 East Cypress Avenue which is surrounded by the Cypress Villas apartments, thanked the developer and staff, both current and past, for their assistance over the past seven years. There being no further verbal or written comments, the public hearing was declared closed.

Resolution No. 6703 - Councilmember Gilbreath moved to determine that approval of Final Tract Map No. 16610 is not subject to the California Environmental Quality Act pursuant to Section 15305(c) of the CEQA Guidelines and further moved to adopt Resolution No. 6703 approving Final Tract Map No. 16610. Motion seconded by Councilmember Gallagher and carried unanimously.

COMMUNICATIONS

Meeting Attendance - In compliance with Government Code Sections 53232.2 and 53232.3, Councilmembers reported on their attendance at the State of the County function held on April 3, 2008, at the Ontario Convention Center.

CLOSED SESSION

The City Council meeting recessed at 3:29 P.M. to a closed session to discuss the following:

1. Conference with labor negotiators - Government Code §54957.6
 - a. Unrepresented employee - City Manager (Mayor Harrison)

The meeting reconvened at 7:00 P.M.

PRESENT

Jon Harrison, Mayor
Pat Gilbreath, Mayor Pro Tem
Mick Gallagher, Councilmember
Pete Aguilar, Councilmember
Jerry Bean, Councilmember

ABSENT

None

STAFF

N. Enrique Martinez, 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; Daniel Hobbs, Redevelopment Agency Director; Rosemary Hoerning, Municipal Utilities and Engineering Director; Tina Kundig, Finance Director; Oscar W. Orci, Community Development Director; Gary van Dorst, Quality of Life Director

CLOSED SESSION REPORT

There was no reportable action taken during the closed session.

PRESENTATION

Redlands Passenger Rail Project - SANBAG - Mayor Pro Tem Gilbreath introduced Mike Bair, Director of Transit and Rail Programs, and Victoria Baker, both from SANBAG. Mr. Bair provided a briefing regarding the Redlands Corridor alternatives and an Analysis/Environmental Assessment Study. Jonathan Abraham thought we needed to move faster as he felt 2015 was too late for completion of the Metrolink stations. Mayor Pro Tem Gilbreath explained the process they must go through in order to obtain all the funds needed.

ANNOUNCEMENTS/REPORTS

Mayor Pro Tem Gilbreath reported on the SANBAG meeting held on April 2, 2008. Councilmember Gallagher reported on the Omnitrans meeting held on April 2, 2008. Councilmember Gallagher also announced the "Fly-In" scheduled for May 10, 2008, at the Redlands Municipal Airport. Later in the evening, Mayor Pro Tem Gilbreath announced the dedication of the Widows and Orphans statue in the Jenny Davis Park is scheduled for May 1, 2008.

LAND USE

Appeal - Tract Map No. 17128 - Greenwich Enterprises, Inc., Applicant - Public hearing was advertised for this time and place to consider an appeal of the Planning Commission's decision to deny Tentative Tract Map No. 17128 to subdivide 2.66 acres into eight (8) residential lots and one (1) common area lot on property located on the west side of Ford Street, generally south of Farview Lane and north of Crestview Road, in the R-S (Suburban Residential) District. Mayor Harrison declared the meeting open as a public hearing. Community Development Director Orci reported this appeal was inadvertently noticed for this meeting; however, staff plans to present the item at the May 6, 2008, City Council meeting and recommended the public hearing be continued to the date. There being no comments, Councilmember Gilbreath moved to continue the Mitigated Negative Declaration and public hearings for the Socio-Economic Cost/Benefit Study and Tentative Tract No. 17128 to the May 6, 2008, City Council meeting as recommended by staff. Motion seconded by Councilmember Gallagher and carried unanimously.

PUBLIC HEARING

Taxi Service Permit - Ghulam Yourish, Applicant - Public hearing was noticed for this time and place to consider issuance of an owner's permit to operate a taxi service and issuance of a permit for a taxi driver. Mayor Harrison declared the meeting open as a public hearing. Police Chief Bueermann reviewed the proposed application and stated Mr. Yourish currently meets all the requirements necessary to own and operate a taxi service in the City of Redlands as set forth by the Redlands Municipal Code. Mayor Harrison called for public comments. Mr. Yourish, his son Asmal and Dora Waters urged the City Council to approve this application. A letter was received from Hamid Makhmoor, Redlands Taxi, with allegations which have been addressed by the Police Department. There being no further verbal or written comments, the public hearing was declared closed. Councilmember Gilbreath moved the City Council authorize issuance of a owner's permit to operate a taxi service and issue a taxi driver permit to Ghulam S. Yourish, doing business as Empire Taxi, in the City of Redlands. Motion seconded by Councilmember Gallagher and carried unanimously.

UNFINISHED BUSINESS AND PUBLIC HEARING

Rental Property Owners' Requirements - Public hearing was advertised for this time and place to consider Resolution No. 6701, a resolution of the City Council of the City of Redlands establishing the amount of fees specifically to recover costs of a code inspection program and Crime Free Multi-Housing Program related to Ordinance No. 2698. Mayor Harrison declared the meeting open as a public hearing. Community Development Director Orci reviewed proposed Ordinance No. 2698, an ordinance of the City of Redlands adding Chapter 5.98 to the Redlands Municipal Code establishing licensing requirements for owners

of rental dwelling units and amending Chapter 3.16 of the Redlands Municipal Code to establish fees for the licensing program, and Resolution No. 6701 which would establish the amount of fees to recover costs of a code inspection program and Crime Free Multi-Housing Program related to Ordinance No. 2698. Staff recommended a modification to the proposed ordinance by the addition of Item No. 6 under Section 5.98.020B to include those housing projects whereby the City or Redlands Redevelopment Agency has provided assistance to not be subject to these provisions. Mayor Harrison called for public comments. Expressing concerns were David Allen, Bob Welles, Dora Waters, Paul Goodwin, attorney for the Apartment Association of Great Inland Empire, Don Baranakous, Bill Cunningham, Gilberto Gil who suggested the Human Relations Commission review this program, and Mario Saucedo who urged that the new Code Enforcement Officers be bilingual and suggested the Housing Commission review this program. An e-mail was received from Bob Pearce urging denial of the ordinance. There being no further comments, the public hearing was declared closed. Following a lengthy discussion among Councilmembers and staff, mostly regarding the inspection process, Councilmembers concurred to direct staff to develop a way to give the owner advance notice of a scheduled appointment and provide a "checklist" of what the City will be looking for; that the process/policies/procedures be brought to the City Council for its review and comments before implementing the program; and that staff will develop an educational program and publicize it so that everyone will know it is coming and what to expect.

Ordinance No. 2698 - Ordinance No. 2698, an ordinance of the City of Redlands adding Chapter 5.98 to the Redlands Municipal Code establishing licensing requirements for owners of rental dwelling units and amending Chapter 3.16 of the Redlands Municipal Code to establish fees for the licensing program, 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 waived, and Ordinance No. 2698 was introduced with the amendment recommended by staff to exempt City and Redevelopment Agency projects and laid over under the rules with adoption scheduled for May 6, 2008, with Councilmembers Gallagher and Bean voting NO.

Resolution No. 6701 - Councilmember Gilbreath moved to adopt Resolution No. 6701, a resolution of the City Council of the City of Redlands establishing the amount of fees specifically to recover costs of a code inspection program and Crime Free Multi-Housing Program related to Ordinance No. 2698. Motion seconded by Councilmember Aguilar and carried with Councilmembers Gallagher and Bean voting NO.

UNFINISHED BUSINESS

Ordinance No. 2699 - Redlands Promenade Project - Due to a potential conflict of interest, Councilmember Bean 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. Community Development

Director Orci reviewed Addendum No. 2 to the Final Environmental Impact Report for the Redlands Promenade Project, an approved 160,000 square foot commercial center on approximately 13.2 acres located south of the Interstate 10 freeway and west of Eureka Street in the Town Center District of the Downtown Specific Plan. Councilmember Gilbreath moved to adopt Addendum No. 2 to the Final Environmental Impact Report for the Redlands Promenade Project. Motion seconded by Councilmember Gallagher and carried with Councilmember Bean having abstained. Councilmember Gilbreath moved to adopt Ordinance No. 2699, an ordinance of the City of Redlands approving a development agreement for the Redlands Promenade project for Redlands Land Holding LLC. Motion seconded by Councilmember Gallagher and carried with Councilmember Bean having abstained.

NEW BUSINESS

City Manager Employment Agreement - Mayor Harrison reported he and Councilmember Gallagher, acting as the negotiating team, reached an agreement on a contract with City Manager Martinez. Councilmember Gilbreath moved to approve the employment agreement with the City Manager dated April 15, 2008. Motion seconded by Councilmember Gallagher. Councilmember Bean reviewed the contents of the employment agreement. The motion carried with Councilmember Bean voting NO.

PUBLIC COMMENTS

Ford Street - Don Baranakous expressed concern that Ford Street was being reduced from four lanes to two lanes; he was referred to Municipal Utilities and Engineering Director Hoerning and Community Development Director Orci for further information.

Drive-By Shootings - Councilmember-Emeritus Gilberto Gil urged the City Council to support Police Chief Bueermann as it is unacceptable that there have been 40 unanswered shots fired and drive-by shootings in north Redlands.

Transportation Funds - County of San Bernardino Supervisor Dennis Hansberger commended Councilmember Gallagher and Mayor Pro Tem Gilbreath for their time and effort put in on behalf of the City especially the pivotal role by Mayor Pro Tem Gilbreath in obtaining funds for improvements to our transportation needs. He suggested challenging the EIRs for the problems coming into our County for projects being proposed from the Pass to Coachella Valley. He also expressed appreciation to the City for addressing crime-free housing noting single family rentals are the largest problems. Mayor Harrison thanked Supervisor Hansberger for his leadership in this area.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 9:08 P.M. The next regular meeting will be held on May 6, 2008.