

MINUTES of a regular meeting of the City Council of the City of Redlands held in the Council Chambers, Civic Center, 35 Cajon Street, at 3:00 P.M. on May 5, 1998.

PRESENT

William E. Cunningham, Mayor  
Geni A. S. Banda, Mayor Pro Tem  
Pat Gilbreath, Councilmember  
John L. Freedman, Councilmember  
Gary George, Councilmember

Gary M. Luebbbers, City Manager  
Daniel J. McHugh, City Attorney  
Lorrie Poyzer, City Clerk  
Beatrice Sanchez, Deputy City Clerk  
(evening session)  
Michael Reynolds, City Treasurer  
(evening session)  
Jeffrey L. Shaw, Community Development Director  
Bonnie Johnson, Finance Director  
Mel Enslow, Fire Chief  
Gary G. Phelps, Municipal Utilities Director  
Jim Bueermann, Police Chief  
Ronald C. Mutter, Public Works Director

ABSENT

None

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

PRESENTATION

Police Department - Police Chief Nelson proudly reported that his department placed first in their division in the recent Baker to Vegas law enforcement relay which consists of 120 miles of running. Tee-shirts commemorating the event were shared with Councilmembers and departments heads.

OATH OF OFFICE

Police Chief - City Clerk Poyzer administered the oath of office to Jim Bueermann in his new capacity as the Redlands Police Chief. In a touching moment, the chief's badge was pinned on by his son Jack who was accompanied by Mr. Bueermann's younger son Alex and his wife Emily.

PRESENTATIONS

Employee Service - Introductions were made by the department heads and Mayor Cunningham presented five year service pins to: Donald Bryson, Police Department; Michael Corbett, Police Department; and Ricky Smith, Police Department. Ten year service pins were presented to: Brian Bilyeu, Police Department; Leonard Nye, Street Division-Public Works Department; Gerald Schwartz, Wastewater-Municipal Utilities Department; and Gina Schilke, Water-Municipal Utilities Department. Fifteen year pins were presented to: John Caviness, Purchasing-Finance Department; Mark Brannen, Police Department; and Rogelio Garcia, Police Department. A twenty year service pin was presented to: Howard Davis, Solid Waste-Municipal Utilities Department. Twenty-five year service pins were presented to Ron Mutter, Public Works Director, and Ruben Baltierra, Solid Waste-Municipal Utilities Department.

Employee of the Quarter - City Manager Luebbers introduced the following nominees for the Employee of the Quarter:

Category: Field

|                 |  |
|-----------------|--|
| John Caviness   | Purchasing-Finance Department              |
| Richard Fuentes | Solid Waste-Municipal Utilities Department |
| Kyle Wilson     | Electrical-Public Works Department         |

Category: Safety

|               |                   |
|---------------|-------------------|
| Brian Bilyeu  | Police Department |
| Mark Brannen  | Police Department |
| Mike Corbett  | Police Department |
| Jim Kimbrough | Fire Department   |
| Darren Means  | Police Department |
| Leonard Temby | Fire Department   |

Category: Administrative

|                   |  |
|-------------------|--|
| Cynthia Brooks    | Purchasing-Finance Department                            |
| Cammy De La Torre | Housing-Police Department                                |
| Eileen Dirksen    | Fire Department  |
| Sheila Harbert    | Police Department  |
| David Hawkins     | MIS-Municipal Utilities Department                       |
| Diane Wideman     | Equipment Maintenance-<br>Municipal Utilities Department |

**Kyle Wilson, Electrical Division, Public Works Department** - Kyle Wilson's nominator wrote that every interaction with Kyle has been handled with the utmost efficient. Any paperwork requested or question asked, if Kyle does not have it or does not know the answer immediately, he goes the extra mile to get what was requested or the correct answer. Kyle has always delivered exemplary services with a smile; his quality and volume of work is superior.

He accepts any task given to him and always gives 100 percent. Kyle has demonstrated outstanding ability in the areas of work quality, initiative and innovation in working with the public safety, public works and municipal utilities departments. City Manager Luebbers announced this was the second time Kyle received the Employee of the Quarter award.

**Leonard Temby, Fire Department** - Leonard Temby is a "Fire Marshal Extraordinaire" and a hazard mitigationist at heart wrote his nominator. Few people realize that the City of Redlands may attributed two of its current successful hazardous mitigation grants to his determination to keep our wildland urban interface fire-resistant, if not fire-free. Leonard's involvement in the Learn Not to Burn program has resulted in thousands of Redlands' school children to learn to "drop, cover and roll," and has given us a recent success story that made local headlines. Additionally, Leonard has a fine-tuned talent for approaching local businesses for financial assistance. The Veteran's of Foreign Wars recognized Fire Marshal Temby with a Certificate of Recognition for exemplary service in 1996. He had been quoted in national fire magazines regarding defensible landscaping and its positive affects on Redlands' 1996 Smiley Ridge fire. Leonard deserves recognition from his City for his contributions and exemplary services to our citizens and the fire community at large.

**Sheila Harbert, Police Department** - Sheila is the Police Department's Crime Analysis Technician. She volunteered for the Crime Analysis Unit position as part of a grant awarded to the Police Department to track career criminals. Since receipt of the grant, Sheila has completed the college certificate program for the position of Crime Analyst. The completion of this extensive and difficult course of study allows her to bring a wider range of capability to the technician position that is normal. Flexibility and diversity are two of Sheila's strongest attributes. She is always available and willing to assist where the need exists; she can be seen dispatching in the communications center at all hours. She always puts forth a smile, even when her workload has changed five times in a day due to new or unforeseen priorities. Sheila has also been instrumental in the establishment of the Crimestoppers Program and held a lead roll in the development of the Field Officers Notebook.

#### CONSENT CALENDAR

Minutes - On motion of Councilmember Gilbreath, seconded by Councilmember Freedman, and so ordered by the Mayor, the minutes of the regular meeting of April 21, 1998, were approved as submitted

Bills and Salaries - On motion of Councilmember Gilbreath, seconded by Councilmember Freedman, and so ordered by the Mayor, bills and salaries were ordered paid.

Planning Commission Actions - On motion of Councilmember Gilbreath, seconded by Councilmember Freedman, and so ordered by the Mayor, the report of the Planning Commission meeting held on April 28, 1998, was acknowledged as received.

Resolution No. 5505 - Historic Preserve of Citrus - On motion of Councilmember Cunningham, seconded by Councilmember Freedman, and so ordered by the Mayor, the City Council adopted Resolution No. 5505, a resolution of the City Council of the City of Redlands establishing an historical preserve of citrus and rescinding Resolution No. 4993. The Historic Preserve of Citrus consists of approximately 93 acres as follows: 24 acres of the Prospect Park Grove; 10 acres of the Judson Grove, 13 acres of the Texas Grove, 16.7 acres of the Nevada/Palmetto Grove, 10 acres of the Fifth Avenue Grove, five acres of the California/I-10 Grove, three acres of the Olive Avenue Grove, ten acres of the Granite Grove, and one acre of the Barton Citrus Grove. In recognition of this historical designation, the Dole packing house shared a case of oranges for members of the City Council and department heads.

Resolution No. 5509 - Friend-of-the-Court Briefs - On motion of Councilmember Gilbreath, seconded by Councilmember Freedman, and so ordered by the Mayor, the City Council adopted Resolution No. 5509, a resolution of the City Council of the City of Redlands confirming its policy concerning the City's participation in Friend-of-the-Court briefs.

Resolution No. 5511 - TRANS - On motion of Councilmember Gilbreath, seconded by Councilmember Freedman, and so ordered by the Mayor, the City Council adopted Resolution No. 5511, a resolution of the City Council of the City of Redlands authorizing and approving the borrowing of funds for fiscal year 1998-1999; the issuance and sale of a 1998-1999 Tax and Revenue Anticipation Note (TRANS) therefore and participation in the California Communities Cash Flow Financing Program.

Resolution No. 5512 - Clean Fuels Technology - On motion of Councilmember Gilbreath, seconded by Councilmember Freedman, and so ordered by the Mayor, the City Council adopted Resolution No. 5512, a resolution of the City Council of the City of Redlands supporting AB 2194 (Washington): air pollution; clean fuels technology, which extends the \$1.00 fee on the renewal of motor vehicles in the South Coast Air Quality Management district to fund the Clean Fuels Program to August 1, 2010.

Appeal - ERC Decision - Private Road - At the April 21, 1998, City Council meeting, the City Council continued its appeal of the Environmental Review Committee's decision on February 9, 1998, to adopt a Mitigated Negative Declaration for the construction of a proposed private road through Parcel Map No. 3373 in the A-1 (Agricultural) District, located approximately 200 feet west of the intersection of San Timoteo Canyon Road and Alessandro Road and extending south through the San Timoteo Canyon area into the County of Riverside to Tract No. 26837-1. A letter dated April 28, 1998, from William J. Ward, on behalf of the applicant Mancha Industries, advised staff of their withdrawal of the application. No further action was needed at this time.

Resolution No. 5517 - Disability Retirement - On motion of Councilmember Gilbreath, seconded by Councilmember Freedman, and so ordered by the Mayor, the City Council adopted Resolution No. 5517, a resolution of the City Council of the City of Redlands authorizing the disability retirement of Police Chief Lewis W. Nelson as of May 6, 1998.

Bids Rejection - Community Center Renovation Phase II - Bids were opened and publicly declared on April 2, 1998, by the City Clerk for the Interior Renovation of the Redlands Community Center Phase II Project; a bid opening report is on file in the Office of the City Clerk. After reviewing the technical specifications for the project with the architect and City Attorney, it was recommended that specified license and specified years of experience be required for some portions of the work. It was the recommendation of staff that all bids received for this project be rejected and that staff be directed to readvertise for said project. Mayor Cunningham recommended the Public Works Department administer all construction projects. Councilmembers seemed to concur with this recommendation. On motion of Councilmember Cunningham, seconded by Councilmember Banda, and so ordered by the Mayor, the City Council approved the staff recommendation to reject the bids for the Redlands Community Center project.

## PLANING AND COMMUNITY DEVELOPMENT

Tentative Tract No. 15532 - Time Extension - Jeffrey Homes - Councilmember Banda moved to approve a one-year time extension for Tentative Tract No. 15532 extending approval until June 10, 1999. Motion seconded by Councilmember George, and so ordered by the Mayor. This application is for a subdivision of approximately 9.38 acres of land into 36 residential lots for property located at the northwest corner of Brockton and Wabash Avenues in the R-1 (Single Family Residential) District.

Pre-Annexation Agreement No. 98-01 - Hampton Land, LTD., L.P. - A public notice was advertised for this time and place to consider a negative declaration

or other environmental determinations and a pre-annexation agreement on approximately 463 acres of property generally located southeast of the intersection of Sand Canyon road and Crafton Avenue within the Crafton Hills area. Mayor Cunningham reported he had met with the principal earlier today and felt it would be appropriate to continued this item to 11:00 A.M. (after the budget study workshop) during the adjourned regular meeting scheduled for May 7, 1998. Councilmember Banda moved to continue this item as recommended by the Mayor. Motion seconded by Councilmember Freedman, and was so ordered by the Mayor.

## COMMUNICATIONS

Legislative Bulletin - Mayor Cunningham urged staff and fellow members of the City Council to use any avenue possible to protect and lobby State legislators to retain the DMV registration fees currently collected for cities and counties. Mayor Cunningham also indicated he thought it was inappropriate of the State to pre-empt cities' legislation in relation to leaf flowers (SB 1651).

Rehabilitation of Fire Station No. 1 - Public Works Director Mutter reported the Redlands Fire Station No. 261 was constructed at the northwest corner of Redlands Boulevard and Citrus Avenue in 1948. Since its construction, no major changes have been made to the building. A number of minor modifications have been made to accommodate electrical, HVAC, communications, and other such upgrades. There are nine personnel stationed at this station during a routine shift. Staff has inspected the building and prepared a list of improvements that should be considered for the entire building rehabilitation. These improvements include items that staff feels cover the entire scope of improvements from those improvements that are absolutely necessary to those that would just be nice to have. Five schedules have been provided detailing staff's recommendations for improvements. Schedule 1 provides for those immediate improvements that are necessary for the new truck unit and structural stability of the building. Schedule 2 provides for the immediate enhancement of deferred maintenance and improvements for basic livability in the facility. Schedule 3 provides for continued general improvements and upgrades. Schedule 4 provides for convenience and ease of operations by crews. And Schedule 5 provides for the amenities that would enhance overall livability at the fire station. Basic general costs have been estimated within a range but have not been confirmed. Actual costs will depend largely on the final designs for improvements and the degree of work that is to be accomplished. Chairman of the S.O.S. Committee, Swen Larson, urged the City Council to move two items up in the priority ranking: the fire sprinkler system and increase the number of showers. He reported that Elger Plumbing has volunteered to donate the plumbing fixtures, Redlands Plumbing will volunteer the labor, and Madrid Construction has also volunteered to donate

labor. He asked the City Council to make a commitment towards this project. Mayor Cunningham indicated this would be addressed during the upcoming budget workshops.

### CLOSED SESSION

The City Council meeting recessed at 3:50 P.M. to a Redevelopment Agency meeting and reconvened at 3:53 P.M. to a closed session to discuss the following:

- a. Conference with real property negotiator - Government Code §54956.8  
Property: APN 172-091-23: 916 West Olive Avenue  
Negotiating parties: Public Works Director Mutter and Andy Smith  
Under negotiation: Terms and price
- b. Conference with legal counsel: Existing litigation - Government Code §54956.9(a)  
- City of Redlands v. County of San Bernardino and Majestic Realty Company - Case Nos. SVC 34737, SVC 33330, and SVC 39880
- c. Conference with legal counsel: Anticipated litigation - Government Code §54956.9(b) - One potential case

The meeting reconvened at 7:00 P.M.

### PRESENTATIONS

Mental Health Month - Mayor Cunningham presented a proclamation to Redlands' resident Dr. Charles Swift, Vice Chairman of the County Mental Health Commission, declaring the month of May, 1998, as *Mental Health Month*.

Senior Center Week - Mayor Cunningham presented a proclamation to Gayle Thompson, director of the Joslyn Senior Center, and members of the Joslyn Advisory Board declaring May 10-16, 1998, to be *Senior Center Week* and called upon all citizens to recognize the special contributions of the Joslyn Senior Center participants, and the special efforts of the staff and volunteers who work every day to enhance the well-being of the older citizens of our community.

Redlands Community Hospital - The City Council authorized, by general consignment, issuance of a proclamation congratulating the Redlands Community Hospital for sponsorship of a HealthFair Expo on May 9, 1998, to offer free health education and screening to promote healthy lifestyles. HealthFair Expo is sponsored by the American Red Cross, NBC4, Chevron Products Company, Sav-On Drugs, and Healthcare Association of Southern California. Mayor Cunningham will present the proclamation on May 9, 1998.

## UNFINISHED BUSINESS

Ordinance No. 2370 - Sign Code - Community Development Director Shaw reported he had received a letter from a large-scale proposed project with suggestions that would necessitate continuance of this discussion to allow staff to evaluate the suggestions. Councilmember Freedman moved to continue this matter to May 19, 1998. Motion seconded by Councilmember Gilbreath and so ordered by the Mayor.

Maintenance Assessment Districts - Public Works Director Mutter reported that Section 22525 of the California Streets and Highways Code requires that an Engineer's Report be prepared and filed annually, outlining the assessments to be levied against benefiting properties. Formerly, the process required that two meetings be held by the City Council; one was a public meeting to review the report in concept and the other was a noticed public hearing. The preliminary reports for the Landscaping Maintenance Assessment District No. 1 and Street Lighting Maintenance Assessment District No. 1 were presented to the City Council on April 21, 1998. The City Council adopted the appropriate resolutions granting preliminary approval to the Engineer's Report holding assessments at the same level as last year. Resolutions were also adopted declaring the City Council's intention to levy and collect assessments for fiscal year 1998-99, pursuant to the Lighting and Landscaping Act of 1972. The preliminary reports for the Landscaping Maintenance District No. 2 and Street Lighting Maintenance Assessment District No. 2 were also presented to the City Council on April 21, 1998. The City Council adopted the appropriate resolutions granting preliminary approval to the Engineer's Report. Resolutions were also adopted declaring the City Council's intention to levy and collect assessments for fiscal year 1998-99 pursuant to the Lighting and Landscaping Act of 1972. As these are new districts, the City Council also called for the "Assessment Ballot Proceedings" to affected property owners to vote on the assessments. Appropriate notices and ballots have been sent to these owners. The public meeting is no longer required by law. However, staff had sent notice of this meeting to give the City Council an opportunity to review the Engineer's reports and receive questions and input from the public. The public hearings on these Districts will be held on July 7, 1998.

## NEW BUSINESS

Ordinance No. 2365 - Personnel Regulations - City Manager Luebbers reported that a review of the Redlands Municipal Code and the City's Personnel Rules and Regulations revealed some minor conflicts within the two documents. Ordinance No. 2365, an ordinance of the City of Redlands amending Chapter 2.56 of the Redlands Municipal Code relating to personnel regulations was



prepared to ensure uniformity with the Personnel Rules and Regulations. Ordinance No. 2365 was read by title only by City Clerk Poyzer, and on motion of Councilmember Banda, seconded by Councilmember Freedman, and so ordered by the Mayor, further reading of the ordinance text was waived, and Ordinance No. 2365 was introduced and laid over under the rules with adoption scheduled for May 19, 1998.

Resolution No. 5510 - Measure I Capital Improvement Fund - Public Works Director Mutter said that at the meeting of March 3, 1998, the City Council asked staff to provide information on the use of Measure I funds, including what potential projects in the City of Redlands may be eligible for these funds. This list would include projects currently scheduled for funding as well as other potential projects that could be scheduled. Mr. Mutter reviewed the history of Measure I following its placement on the November 1989 ballot, and the City's utilization of several sources of funding for street maintenance and construction activities. Based upon an updated funding schedule, Measure I funds are no longer needed for the development of the Orange and Alabama Streets bridge projects. Therefore, the City Council may remove these projects from the Measure I Capital Improvement Program. These funds could be allocated to any other approved street construction or transportation related project in the City pursuant to the criteria established for the use of Measure I funds. All Measure I funding can be allocated to local street projects at the discretion of the City Council. The first unfunded project on the five-year plan is the widening of Citrus Avenue between Auburn Court and Wabash Avenue. The project is warranted as a result of increased traffic due to Redlands East Valley High School. Councilmember Freedman said he was impressed with this report and moved to adopt Resolution No. 5510, a resolution of the City Council of the City of Redlands, State of California, amending the Five Year Capital Improvement Program and Twenty Year Transportation Plan. Motion seconded by Councilmember Banda, and so ordered by the Mayor. Responding to Councilmember Gilbreath, Public Works Director Mutter reviewed the funding available for the Alabama and Orange Streets bridges. Mayor Cunningham urged staff to complete the Wabash project as soon as possible.

Outside City Utility Connections - Measure U - Councilmember Gilbreath announced she had a conflict of interest on this matter and left the City Council Chambers. Municipal Utilities Director Phelps reported that with the passage of Measure U in November, 1997, there are several issue areas that staff needs to review with the City Council to clarify processing of Outside the City (OSC) utility applications, and to receive Council direction regarding the application of Measure U to current and future OSC utility connection application. Assisted by Community Development Director Shaw, Municipal Utilities Director Phelps reviewed four issues areas: application of General Plan standards to OSC; requirement for socio-economic cost/benefit studies; payment of

development impact fees; and exemption of current development projects from Measure U. The potential effect of these issues on current development project applications for OSC utility connections was also provided in the staff report. City Attorney McHugh explained the definition of "vested rights" as relates to State Code. By consensus, the City Council agreed that an outside the City development project has a vested right and is exempt from Measure U upon relying on a pre-annexation agreement and expending monies for construction of water and sewer utility infrastructure and that a socio-economic cost/benefit study would be required at the pre-annexation agreement stage. To implement this policy and place projects outside the City on an equal par with projects inside the City limits, a General Plan amendment will be required, and staff will begin the process.

#### ADJOURNMENT

There being no further business, the City Council meeting adjourned at 7:43 P.M. to an adjourned regular meeting to be held on Thursday, May 7, 1998, at 9:00 A.M. in the City Council Chambers, 35 Cajon Street, Suite 2, Redlands, California.

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City Clerk