

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 March 2, 1999.

PRESENT

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

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

ABSENT

None

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

CONSENT CALENDAR

Minutes - On motion of Councilmember Gilbreath, seconded by Councilmember Freedman, the minutes of the regular meeting of February 16, 1999, were approved as submitted.

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

Planning Commission Actions - On motion of Councilmember Gilbreath, seconded by Councilmember Freedman, the report of the Planning Commission meeting held on February 23, 1999, was acknowledged as received.

ERC - On motion of Councilmember Banda, seconded by Councilmember Cunningham, the tentative agenda for the Environmental Review Committee meeting held on March 1, 1999, was acknowledged as received. The report of the Environmental Review Committee meeting held on February 22, 1999, was amended to include the recommended approval of the Socio-Economic Cost

Benefit Study for Tentative Tract No. 15867 on motion of Councilmember Banda, seconded by Councilmember Cunningham.

Ordinance No. 2386 - Signs - Ordinance No. 2386, an ordinance of the City of Redlands amending Chapter 15.36 of the Redlands Municipal Code relating to signs, was adopted on motion of Councilmember Gilbreath, seconded by Councilmember Freedman, by the following vote:

AYES: Councilmembers Banda, Gilbreath, Freedman, George;
Mayor Cunningham

NOES: None

ABSENT: None

Proclamation - Boys and Girls Club - On motion of Councilmember Freedman, seconded by Councilmember George, the City Council authorized issuance of a proclamation in support of the application by the Boys and Girls Club of Redlands to the State of California Department of Youth Authority for a grant to construct a new facility, with Councilmember Gilbreath abstaining due to a possible conflict of interest.

Minor Subdivision No. 203 - Time Extension - On motion of Councilmember Gilbreath, seconded by Councilmember Freedman, the City Council unanimously approved a one year time extension to February 11, 2000, for Minor Subdivision No. 203 (revised), an application for the subdivision of approximately 16.34 acres of land into two parcels for property located on the south side of Live Oak Canyon road, Approximately 1.2 miles west of the Interstate 10 Freeway (Clifford Dinning, applicant).

Resolution No. 5617 - Salary - On motion of Councilmember Gilbreath, seconded by Councilmember Freedman, the City Council unanimously adopted Resolution No. 5617, a resolution of the City Council of the City of Redlands amending the salary schedule and compensation plan for City employees, deleting the classification of Deputy City Attorney and replacing it with a Management Analyst; re-assign the Building Official from the Management Unit to Mid-Management Unit representation.

Change Order - Community Center Renovations - On motion of Councilmember Gilbreath, seconded by Councilmember Freedman, the City Council unanimously authorized Change Order No. 2 for the Community Center Renovations, Phase II, Project for installation of an additional electrical circuit and outlet plugs in the administration area of the Community Center.

Resolution No. 5609 - Landscape Maintenance District No. 1 - On motion of Councilmember Gilbreath, seconded by Councilmember Freedman, the City Council unanimously adopted Resolution No. 5609, a resolution of the City Council of the City of Redlands instituting proceedings, appointing an

assessment engineer, and ordering the preparation of an Engineer's report in the matter of Landscape Maintenance District No. 1.

Resolution No. 5613 - Street Lighting District No. 1 - On motion of Councilmember Gilbreath, seconded by Councilmember Freedman, the City Council unanimously adopted Resolution No. 5613, a resolution of the City Council of the City of Redlands instituting proceedings, appointing an assessment engineer, and ordering the preparation of an Engineer's report in the matter of Street Lighting District No. 1.

Funds - Career Criminal Apprehension Program - On motion of Councilmember Gilbreath, seconded by Councilmember Freedman, the City Council unanimously accepted the approval of the Career Criminal Apprehension Program Technical Upgrade Augmentation Grant and authorized an additional appropriation and use of funds in the amount of \$100,000.00.

Reimbursement Agreement - Tract No. 15040 - An agreement between Osborne Development and the City of Redlands for reimbursement of all costs associated with the acquisition of off-site property for street right-of-way required for the development of Tract No. 15040, a 58-unit residential subdivision located generally at the northeast corner of Sunset Drive and Ford Street, was presented for the City Council's consideration. Mayor Cunningham suggested tabling this item. On behalf of the applicant, Pat Meyer asked the City Council if tabling this agreement would hold up their pulling 10 building permits. City Manager Luebbers responded that it would not be appropriate to issue any building permits until the City Council approves this agreement and an issue with Caltrans is resolved. On behalf of the property owner, Ms. Osburn, attorney Craig Wilson explained that his client did not think the cul-de-sac at the end of Margarita Drive was necessary and the acquisition of street right-of-way would take a large chunk of her land. This matter was discussed at length, and Councilmember Gilbreath moved to deny the reimbursement agreement for Tract No. 15040; to waive the Redlands Municipal Code requirements for a full cul-de-sac at this location with the caveat that appropriate design standards be established between City staff and the developer's representative; and to allow issuance of no more than 10 permits until this issue is settled, with the understanding that the Caltrans' issue must be resolved prior to issuance of the initial 10 permits. Motion seconded by Councilmember Banda and carried unanimously.

Agreement - ROP - On motion of Councilmember Gilbreath, seconded by Councilmember Freedman, the City Council unanimously approved an agreement between the Colton-Redlands-Yucaipa Regional Occupation Program (ROP) and the City of Redlands Police Department regarding a cooperative work program, and authorized the Mayor and City Clerk to execute said agreement.

COMMUNICATIONS

Legislative Bulletin - Staff was directed to write letters of support for AB 83 (home based businesses), AB 1194, and AB 304. Councilmembers continued their discussions regarding the taxes taken away from cities by the State.

City Manager's Report - City Manager Luebbers shared a letter from Assemblyman Bill Leonard regarding tax shift to cities; reported the Lugonia Avenue/State Route 38 task force has scheduled a neighborhood meeting at Lugonia School; and reported the apprehension of three local youths who are responsible for the recent rash of graffiti.

NEW BUSINESS

Street Sweeping - Public Works Director Mutter reported the City's street sweeping program is funded by the General Fund. However, costs are off-set by fees charged to all utility customers in the City of Redlands and no funding is necessary from normal General Fund revenue sources. In reality, the street sweeping program functions more like an enterprise program rather than a strictly street maintenance program. Staff has looked at returning to in-house street sweeping services in lieu of continuing the current contract procedures. The various costs involved were included in his staff report with an analysis of the in-house versus contract costs. The current street sweeping contract expires at the end of June. Staff is prepared to make a bid call for street sweeping services for the next three years. The biggest single complaint received from citizens regards the lack of quality work from the contractor. It was much the same with the previous contractor as it is with the current one. Solid Waste and Municipal Billing also receive many negative comments regarding street sweeping services. Many people have commented that the service was much better when the City did it. The City's program prior to contract sweeping utilized a "clean sweep" method to fulfill our obligation to provide clean storm water under the clean Water Act. A clean sweep program involves making two or more passes along a street whenever necessary to pick up debris and leaves that are beyond the reach of one pass by a sweeper along the curb. In discussing the proposal to re-bid the street sweeping services contract, several potential contractors have indicated that bids will be significantly higher than the existing contract as they will probably need to assign two street sweepers to accomplish the necessary cleaning. Public Works Director Mutter reviewed the fiscal impact analysis and the in-house operation proposal to retain the same sweeping schedule. City Attorney McHugh explained his opinion that the street sweeping fee is not a Proposition 218 issue but warned Councilmembers we may be challenged. It was suggested the City Council may want to consider a ballot issue to increase the fee to \$2.50. Councilmember Cunningham moved to

continue this matter for two weeks for further study by the City Council. Motion seconded by Councilmember Banda and carried unanimously.

Ordinance No. 2396 - Juvenile Curfew - Police Chief Bueermann reported staff has reviewed the Los Angeles Superior Court ruling regarding Monrovia's daytime curfew ordinance and has made minor substantive revisions to our proposed daytime curfew ordinance and believe the ordinance can now be given first reading. Ordinance No. 2396, an ordinance of the City of Redlands amending Chapter 9.24 of the Redlands Municipal Code relating to juvenile curfew, was read by title only by City Clerk Poyzer, and on motion of Councilmember Banda, seconded by Councilmember Freedman, further reading of the ordinance text was unanimously waived, and Ordinance No. 2396 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for March 16, 1999, with the understanding that a report will be provided in six months to the City Council in order to monitor its enforcement.

Year 2000 National Census - Mayor Cunningham shared a communication received from the U. S. Census Monitoring Board regarding the 2000 census. Councilmember George announced a Census office will be opened in Redlands next October.

Contract Award - Removal of Railroad Spur - Bids were opened and publicly declared on February 18, 1999, by the City Clerk for the removal of the railroad spur at Colton and Wabash Avenues project; a bid opening report is on file in the Office of the City Clerk. It was the recommendation of the Public Works Department that the responsible bidder submitting the bid for said project which will result in the lowest cost for the City was OJB Engineering, Inc., San Bernardino, in the amount of \$25,950.00, and it would be in the best interest of the City that this contract be awarded to said firm. On motion of Councilmember Banda, seconded by Councilmember Freedman, this recommendation was unanimously approved.

Sale of City Property - City Manager Luebbers said that as a result of a 1998 City Council decision to rehabilitate Fire Station No. 1, the property on Cypress Avenue at the I-10 (APN 173-191-16) Freeway became surplus. As previously directed, staff has offered the property to other governmental agencies and received no interest. The property is now deemed surplus and is available for sale. The proceeds will be used to offset the rehabilitation of Fire Station No. 1. He further reported that in acquiring the property necessary to complete the widening of North Eureka Street, the City now owns two parcels on North Eureka Street between Pearl and Stuart Avenues (APN 169-156-19 and 20). The City has no current or future uses for this property; therefore, these parcels are also surplus property and are available for sale. Councilmember Freedman

moved to authorize staff to proceed with the sale of these properties. Motion seconded by Councilmember Banda and carried unanimously.

LATE BREAKING ITEMS

Agreement - HOME Consortium Certificate of Interest - Councilmember George moved to add the following item to the agenda which arose subsequent to the agenda being posted: "Authorize agreement between City and San Bernardino County Department of Economic and Community Development for participation as a HOME Consortium Member." Motion seconded by Councilmember Freedman and carried unanimously. Councilmember Banda moved to authorize participation in the San Bernardino County Department of Economic and Community Development HOME Consortium and authorized the Mayor and City Clerk to execute the HOME Consortium Certificate of Interest. Motion seconded by Councilmember Freedman and carried unanimously. Police Chief Bueermann explained the Department of Economic and Community Development of San Bernardino County is preparing a three-year agreement with Housing and Urban Development for distribution of HOME funds in San Bernardino County. Redlands has participated as a consortium City. These funds have been used to supplement and leverage Redlands' housing programs utilizing Redevelopment set-aside funds. Councilmember Banda moved to authorize participation in the San Bernardino County Department of Economic and Community Development HOME consortium and authorized the Mayor and City Clerk to execute a HOME Consortium Certificate of Interest. Motion seconded by Councilmember Freedman and carried unanimously.

Public Safety Demonstration Project - Councilmember George moved to add the following item to the agenda which arose subsequent to the agenda being posted: "Authorize application for grant funding under the TIIAP for a GIS Satellite Communication Network Public Safety Demonstration Project." Motion seconded by Councilmember Freedman and carried unanimously. Fire Chief Enslow explained this proposed public safety demonstration project is being developed to ensure that critical information, coordination and communication is enhanced and sustained during emergency operations. Funding from this grant program will allow the development of software and equipment to allow the Fire Department to purchase and implement telecommunications technologies that will enable the department to increase functional efficiency and effectiveness during minor and major incidents. Councilmember Gilbreath moved to authorize this application for grant funding. Motion seconded by Councilmember Banda and carried unanimously.

CLOSED SESSION

The City Council meeting recessed at 4:10 P.M. to a Redevelopment Agency meeting and reconvened at 4:11 P.M. to a closed session to discuss the following:

- a. Conference with legal counsel: Existing litigation - Government Code Section 54956.9(a):
 - Majestic Realty Company v. Timberlake and City of Redlands (SCV 49347, 51027, and 54994)
 - City of Redlands v. County of San Bernardino (SVC 28757)
- b. Conference with real property negotiator Government Code §54956.8
Property: APN 168-111-06 and 07, 168-161-07 and 08
Negotiating parties: William E. Cunningham and J. Stanley Mullin
Under negotiation: Terms and price

The meeting reconvened at 7:00 P.M. with the following staff in attendance:

Gary M. Luebbers, City Manager
Lorrie Poyzer, City Clerk
Jim Bueermann, Police Chief
Marjie Pettus, Community Services Manager
Paula Rae Espinoza, CDBG/Housing Administrator
Mike Kelley, Management Information Services

UNFINISHED BUSINESS

1999 City Council Goals - Mayor Cunningham announced this item will also be on the next agenda to allow for public input regarding the City Council goals for 1999. Joan Dotson told Councilmembers about meetings held with the University of Redlands, ESRI, the City, and San Bernardino Valley Municipal Water District that discussed a beautification project which would allow a trickle of water in the Zanja from the University of Redlands to Tennessee Street. Mrs. Dotson urged reviving this dialog and adding this as a goal for 1999. Mayor Cunningham said he was meeting with the University of Redlands, ESRI, and Redlands Community Hospital later this week and would bring this matter up. Councilmember Gilbreath presented a list of goals for 1999 and the future she wished to be considered: establish a bicycle/pedestrian lane in San Timoteo Canyon; improve the street tree trimming program, improve street maintenance and improvement program; identify and develop a plan to address Y2K problems for Police and Fire; explore avenues to mitigate and reduce litigation costs; work towards a healthy fiscal environment for the City; and mend relations with local and regional planning. Councilmember George urged the City Council to open positive and meaningful dialog with surrounding entities to improve communications with them, and proposed the establishment of an East Valley Quarterly Dialog group consisting of the Third District Supervisor; a representative from the San Bernardino Valley Municipal

Water District; and the Mayor and one Councilmember from Redlands, Yucaipa, Highland, Loma Linda and San Bernardino to discuss things that concern them mutually. A speaker from the audience urged the City Council to review the handicapped parking spaces throughout the City to make sure they comply with the American Disabilities Act.

PUBLIC HEARING

CDBG Funds - Public hearing was advertised for this time and place to establish prioritization and funding distribution of the Community Development Block Grant (CDBG) proposals for the 1999-2000 funding cycle. Paula Rae Espinoza, CDBG Administrator, said the City will soon begin its 25th year of implementing its very successful CDBG program. This year the City received 62 proposals requesting CDBG funds totaling \$1,163,472.00. This year the City's allocation is \$410,880.00; a 15 percent funding limit for public service activities continues to apply to the 1999-2000 program year. Accordingly, the maximum CDBG funding total that the City of Redlands may allocate to its public service projects is \$61,632.00. An overview of the project proposals submitted was provided. The staff recommendations for the 1999-2000 funding cycle were made based upon how the proposal impacts the City, number of low and moderate income people served, and the organization's track record. The funds will become available July 1, 1999.

Mayor Cunningham declared the meeting open as a public hearing. Citing a possible conflict of interest, Councilmember Gilbreath left the Council chambers. Representatives from the following organizations addressed their requests for funding: Boys and Girls Club of Redlands (two proposals) and the United Way of the East Valley. Councilmember Gilbreath returned to the Council Chambers. Representatives from the following organizations addressed their requests for funding: Ashe, Inc.; Camp Edwards (YMCA of Redlands); Elder Citizen Protection Services, Inc./Shoppin' 4 Seniors; Employment Training Outreach; Family Literacy Learning Center; Family Service of Redlands; First Nations Tribal Library and Social Research Center; Fontana Native American Indian Center, Inc.; Greater San Bernardino Special Olympics (two proposals); Inland Congregations United for Change, Learn & Earn Program; Inland Temporary Homes, Inc.; Legal Aid Society of San Bernardino, Inc.; Legendary Ink Spots Foundation; Lutheran Social Services of Southern California, San Bernardino County; Neighborhood Housing Services of the Inland Empire, Inc.; City of Redlands, Police Department, Recreation Bureau (six proposals); City of Redlands Public Works Department; Redlands Community Music Association, Inc.; SAC Health System; San Bernardino County Department of Aging and Adult Services; San Bernardino County, Sexual Assault Services, Inc.; Somos Hermanas Unidas/S.H.U. Business Institute; UMMA Free Clinic of San Bernardino (two proposals); and Y Alliance of Redlands (three proposals). A letter was received from the United

States Adaptive Recreation Center for their two proposals. There being no further comments, the lengthy public hearing was declared closed. Due to the possible conflict of interest, Councilmember Gilbreath again left the Council Chambers. Following discussion, on motion of Councilmember Freedman, seconded by Councilmember Banda, the City Council, with Councilmember Gilbreath abstaining, voted to allocate funding to the following Community Development Grant projects for the 1999-2000 Community Development Block Grant year:

(see next page)

CDBG PROPOSAL

ALLOCATION

PUBLIC SERVICE

Boys and Girls Club of Redlands, Proposal No. 1	\$ 9,000.00
DASH, Inc.	1,000.00
Family Service of Redlands	10,000.00
City of Redlands Police Department Recreation Bureau, Proposal No. 2 (after-school program)	10,000.00
City of Redlands Police Department Recreation Bureau, Proposal No. 3 (middle school program)	6,000.00
Redlands Community Music Association	6,000.00
San Bernardino County Sexual Assault Program	5,000.00
Somos Hermanas Unidas/S.H.U. Business Institute	5,132.00
United Way of the East Valley	19,000.00
Y Alliance - Teen Center	5,000.00
Legal Aid Society of San Bernardino, Inc.	3,000.00
Legendary Ink Spots Foundation	500.00
SAC Health System	<u>3,000.00</u>
	\$ 82,632.00

CONSTRUCTION ACQUISITION PROJECT PROPOSALS

City of Redlands Police Department Recreation Bureau, Proposal No. 4 (Phase II rehabilitation of North Texonia Park)	\$ 60,000.00
City of Redlands Police Department Recreation Bureau, Proposal No. 5 (Community Center renovation)	94,160.00
City of Redlands Public Works Department Sidewalk replacement	104,000.00
Y Alliance - Building Renovation	20,000.00
Camp Edwards (YMCA of Redlands)	<u>5,000.00</u>
	\$ 283,160.00

SUMMARY

Construction/Acquisition Projects	\$ 283,160.00
Public Service Projects	82,632.00
Administrative Costs	41,088.00
Contingency Fund	<u>4,000.00</u>
1999-2000 CDBG Allocation Total	\$ 410,880.00

PUBLIC COMMENTS

Fund Raiser - Shopping 4 Seniors - Trajan P. Green invited Councilmembers to a fund raiser to be held at Pharaoh's Lost Kingdom on May 8, 1999, for the Shopping 4 Seniors organization.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 8:25 P.M. to an adjourned regular meeting to be held on March 16, 1999 at 9:00 A.M. in the City Council Chambers, 35 Cajon Street, Redlands, California.

City Clerk