

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 January 16, 2001.

PRESENT

Pat Gilbreath, Mayor  
Gary George, Mayor Pro Tem  
John L. Freedman, Councilmember  
Susan Pepler, Councilmember  
Karl N. "Kasey" Haws, Councilmember

John Davidson, City Manager  
Daniel J. McHugh, City Attorney  
Lorrie Poyzer, City Clerk  
(afternoon session)  
Beatrice Sanchez, Deputy City Clerk  
(evening session)  
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  
(afternoon session)  
Douglas Headrick, Chief of Water Resources  
(evening session)  
Jeffrey L. Shaw, Community Development Director

ABSENT

None

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

PRESENTATIONS

Proclamation - Sister Cities Association - Mayor Gilbreath presented a proclamation to C. Alton Robertson, President of the Sister Cities Association, reaffirming support for the Redlands Sister Cities Association and wished them continued success in future exchanges with our Sister Cities: Hino, Japan, and San Miguel de Allende, Mexico. On behalf of the Redlands Sister Cities Association, Mr. Robertson accepted the proclamation with great pleasure and reminded Councilmembers the annual dues in the amount of \$480.00 need to be paid.

Donation - City Treasurer and Past President of the Redlands Kiwanis Club Mike Reynolds displayed an Automatic Emergency Defibrillator (AED) which was purchased with \$3,500.00 donation from the Kiwanis Club. Police Chief

Bueermann explained its use and expressed his hope to have many AEDs placed throughout town as well as in each police vehicle. Mayor Gilbreath thanked the members of the Kiwanis Club for their generous donation.

Employee Service - Introductions were made by the department heads and Mayor Gilbreath presented five year service pins to: Greg Pry, Police Department; Robert Williams, Police Department; Laura Wolbert, Public Works Department, Administration; Karen Kellingsworth, Municipal Utilities Department, Administration; and Robert Luna, Municipal Utilities Department, Water Division.

Ten year service pins were presented to: Richard Malacoff, Community Development Department, Planning Division; Debra Harberts, Community Development Department, Building and Safety Division; Geoffrey Greeley, Police Department; Mark Hardy, Police Department; Stephen Kurz, Police Department; Todd McMeans, Police Department, John Moore, Police Department; Michael Rinehart, Police Department; Steven Smith, Police Department; Carlito Ventura, Police Department; Ken Wright, Police Department; Manuel Torres, Finance Department, Equipment Maintenance Division; Janet Petton, Public Works Department, Cemetery Division; David Graves, Fire Department; Tim Marshburn, Fire Department; Keith Newlin, Fire Department; Gregory Campbell, Municipal Utilities Department, Solid Waste Division; Ken Pang, Municipal Utilities Department, Wastewater Division; Blake Allen, Municipal Utilities Department, Water Division; and Robert Schultz, Municipal Utilities Department, Water Division.

Mayor Gilbreath presented a fifteen year service pin to Gary Phelps, Director of the Municipal Utilities Department. Fifteen year service pins were also presented to: Rick Strobaugh, Police Department; Marc Tilson, Police Department, Claude Upshaw, Police Department; Eileen Dirksen, Fire Department, Administration; James Gorsline, Fire Department; Homer Jimenez, Municipal Utilities Department, Solid Waste Division; Jeff Bangle, Municipal Utilities Department, Water Division; Felix Contreras, Municipal Utilities Department, Water Division; and Danny Perez, Municipal Utilities Department, Water Division.

Mayor Gilbreath presented a twenty year service pin to Mike Reynolds, City Treasurer. Twenty year service pins were also presented to: Peggy McVey, Treasurer's Office (who also has an additional four years of service under the CETA program); Patrick Beaver, Police Department; Michael Sepulveda, Finance Department, Equipment Maintenance Division; Don Graves, Public Works Department, Cemetery Division; Cherita Quintana, Municipal Utilities Department, Solid Waste Division; and David Stogsdill, Municipal Utilities Department, Solid Waste Division.

Twenty-five year service pins were presented to: Manuel Gaitan, Community Development Department, Planning Division, and Gary Fletcher, Municipal Utilities Department, Water Division.

In recognition of 30 years of service, a gold watch was presented to Larry Taylor, Fire Department.

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

Category: Field

Robert Simmons, Maintenance Worker II, Public Works Department - Parks Division: Nominated by five of his co-workers who appreciate his excellent work, his courteousness and his initiative.

Category: Safety

Steve Dickey, Detective, Police Department: Nominated for his outstanding work in the area of crimes against children.

Eileen Dirksen, Senior Administrative assistant, Fire Department, Greg Hostetler, Fire Captain; and David Graves, Fire Engineer: Nominated as a team for their assistance with the implementation of a new computer program which saved the City the cost of hiring an outside consultant and improved the Fire Department's service delivery.

Daniel Elton, Investigator, Police Department: Nominated for being a team player who can always be counted on to go the extra mile to assist his co-workers.

Travis Martinez, Police Officer: Nominated for his hard work, dedication and compassion which has made the Police Department's Drug Court Program so successful.

Jeffrey Van Mouwerick, Police Officer: Nominated for excelling in his new assignment in the Crimes Against Children unit.

Robert Yzquierdo, Police Corporal: Nominated for being instrumental in organizing one of the largest clean-up projects in the community.

Category: Administration

Nikki Adams, Purchasing Assistant, Finance Department: Nominated for a positive attitude towards her work and readiness to help out in any way she can to assist other.

Ruth Breslin, Administrative Secretary, Community Services - Police Department: Nominated because she can always be counted on to be pleasant, helpful and knowledgeable.

Dave Jaffe, Special Programs Coordinator, Community Services - Police Department: Nominated for consistently going beyond the call of duty and for his excellent work and accomplishments with the Youth Coalition.

Brian Lawson, Police Communications Supervisor, Police Department: Nominated for his efforts in improving working conditions and morale in Dispatch.

Mayor Gilbreath presented a plaque with the City seal to the selected employees of the quarter as follows:

**EMPLOYEES OF THE QUARTER**

**Field: Robert Simmons**

**Safety: Travis Martinez**

**Administrative: Dave Jaffe**

Employee of the Year - The following employees have been honored this past year as Employee of the Quarter:

Art Ramos	Maintenance Worker Recreation Division Police Department
Rick Hulbert	Police Sergeant Police Department
Vera Rodriquez	Administrative Assistant Fire Department
Robert Simmons	Maintenance Worker Parks Division Public Works Department
David Jaffe	Special Programs Coordinator Community Services Police Department

From this honored group of employees, Mayor Gilbreath presented a plaque with the City seal to the selected Employee of the Year:

**EMPLOYEE OF THE YEAR**

**David Jaffe**

David Jaffe is committed to the value of recreation; he is flexible; he can communicate with and relate to people of all ages and has numerous program and service ideas to improve service to the citizens of Redlands. He has accomplished many things, but the most significant and worthy of recognition is his work with the Youth Coalition, a group of teens representing various facets of Redlands. Since being made facilitator for this program, he has made immediate and notable substantial enhancements to this program.

Manager of the Year - Mayor Gilbreath presented a plaque with the City seal to the Manager of the Year:

**MANAGER OF THE YEAR**  
**Cletus Hyman**

Cletus Hyman, Deputy Police Chief, has been an employee of the Redlands Police Department for 25 years. During his tenure, he has been responsible for numerous significant accomplishments. As a manager, he has implemented new successful strategies, or improved old operating procedures in every assignment he has held. His greatest accomplishments have been in the area of technology. Most recently he was rewarded for his renowned computer skills by being named as the head of the new County-wide high tech computer crimes task force. Additionally, he has taken a lead in the preparation of many of the Police Department's grants. This year alone the Police Department has received over one million dollars in grants that are in use or have been awarded. Deputy Police Chief Hyman is an active member in the community and acts as a visible model for other members of the Police Department. As one of the Police Department's most tenured managers. He continually performs well above the outstanding level.

CONSENT CALENDAR

Minutes - On motion of Councilmember George, seconded by Councilmember Freedman, the minutes of the adjourned regular meeting of December 12, 2000, the adjourned regular meeting of December 14, 2000, and the regular meeting of December 19, 2000, were approved as submitted.

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

Planning Commission Actions - On motion of Councilmember George, seconded by Councilmember Freedman, the report of the Planning Commission meeting held on January 19, 2001, was acknowledged as received.

Ordinance No. 2462 - Subdivision Identification Signs - Ordinance No. 2462, an ordinance of the City of Redlands amending Chapter 15.36 of the Redlands Municipal Code by adopting Zoning Ordinance Text Amendment No. 272 relating to subdivision identification signs, was unanimously adopted on motion of Councilmember George, seconded by Councilmember Freedman.

Ordinance No. 2465 - Redevelopment Advisory Commission - Ordinance No. 2465, an ordinance of the City of Redlands amending Chapter 2.42 of the Redlands Municipal Code relating to membership of the Redevelopment

Advisory Commission, was unanimously adopted on motion of Councilmember George, seconded by Councilmember Freedman.

Funds - Election Services - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously approved an additional appropriation from the General Fund in the amount of \$1,376.75 to pay an additional invoice from Richards, Watson & Gershon for legal services rendered regarding the ballot argument against the paramedic special tax which was submitted by William E. Cunningham. Total cost for these legal services was \$13,700.66.

Settlement Agreement - Raul Aspe - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously approved a settlement and release agreement with Raul Aspe in accordance with the terms agreed to in closed session and authorized the Mayor and City Clerk to execute the document on behalf of the City.

CDBG Funds - YMCA/Camp Edwards - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously cancelled Project No. 111-25102/1871 (Shower Room Rehabilitation, YMCA/Camp Edwards) and reprogrammed the \$5,000.00 in allocated funding to the City Council Unprogrammed Funds.

Appointments - Historic and Scenic Preservation Commission - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously approved Mayor Gilbreath's nominations to reappoint Janet Tearnen, Sandra French, and Andrea Urbas to additional four-year terms on the Historic and Scenic Preservation Commission.

Reappointments - Cultural Arts Commission - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously approved Mayor Gilbreath's nominations to reappoint Mary Baldwin and Curtiss Allen to additional four-year terms on the Cultural Arts Commission.

Reappointments - Housing Commission - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously approved Mayor Gilbreath's nominations to reappoint Dorothy Muller, Roger Thompson, and Evelyn Martinez to additional four-year terms on the Housing Commission.

Fee Waivers - Lincoln Pilgrimage - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously approved the request from the Boy Scouts of America for waiver of use and attendant fees in the amount of \$215.00 for use of the Redlands Bowl, Smiley Park, barricades and Public Safety (Police) services for the annual Lincoln Pilgrimage program to be held on February 10, 2001.



Agreement - Recycled Water Project - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously approved and authorized execution of the master services agreement and Task Order No. 1 (Amendment No. 1) with Carollo engineers to provide engineering services for the Redlands Recycled Water Project Treatment Facilities.

Mobile Home Rent Review Board - Annual Report - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously acknowledged receipt of the Mobile Home Rent Review Board's annual report for the year 2000.

MOU - Drug Elimination Program - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously approved a Memorandum of Understanding with the County of San Bernardino Housing Authority accepting \$30,000.00 in Public Housing Drug Elimination Program grant funds to provide police patrols in the area of local Housing Authority properties during the period February 2001 through August 2002, and authorized the Mayor and City Clerk to execute the document on behalf of the City.

MOU - Redlands Professional Firefighters Association - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously ratified a new Memorandum of Understanding with the Redlands Professional Firefighters Association and authorized the Mayor and City Clerk to execute the document on behalf of the City.

Resolution No. 5833 - Traffic - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously adopted Resolution No. 5833, a resolution of the City of Redlands establishing the following traffic regulations pursuant to Title 10 of the Redlands Municipal Code: change existing white painted curb on westerly side of the 500 block of San Mateo Street, adjacent to Smiley Elementary School, to yellow painted curb and install signs as indicated in said resolution.

Task Force Agreement - Santa Ana River Watershed - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously authorize Amendment No. 3 to the agreement for participation with the Santa Ana River Dischargers Association and Santa Ana Watershed Project Authority to extend the terms of the agreement that formed a task force to evaluate the impact of Total Inorganic Nitrogen (TIN) and Total Dissolved Solids (TDS) on water resources in the Santa Ana River Watershed.

Agreement - Street Trees - Councilmember Gilbreath suggested a change to the agreement with the Redlands Community Investment Corporation by deleting a portion of the last sentence in Section 3, Insurance; the new sentence to read:

"This is not intended to require Licensee to be named on owner's insurance policy." With that amendment, Councilmember Gilbreath moved to approve the amended agreement with the Redlands Community Investment Corporation for the planting of street trees surrounding the CalFed building located at 300 East State Street and to authorize the Mayor and City Clerk to sign the agreement on behalf of the City. Motion seconded by Councilmember George and carried unanimously.

Contract - Telecommunication Switches - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously approved a contract with Avaya for the hardware and installation of equipment necessary to upgrade the City's existing telecommunication switches. The cost of the upgrade is \$42,848.00 and has been budgeted in the 2000-2001 fiscal year.

Subordination Agreement - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously approved a subordination agreement for property located at 111 Edgemont Drive and authorized the Mayor and City Clerk to execute the document on behalf of the City.

Employee Position - Municipal Utilities Department - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously approved the funding of the Senior Civil Engineer position in the Municipal Utilities Department through salary savings in the current year's budget.

MOU - Alternative Fuels Program - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously approved the Memoranda of Understanding with the <sup>®</sup> City of Highland, City of Yucaipa, Redlands Unified School District, and Southern California Gas Company, and <sup>®</sup> Omnitrans, to include as components of the Mobile Source Reduction alternative fuels match program application package for the CNG station.

Notice Requirement - Socio-Economic Cost/Benefit Study - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously authorized and directed staff to consolidate the public hearing notice for a Socio-Economic Cost/Benefit Study with the public hearing notice and notice of the preparation of a draft mitigated negative declaration for any development project.

Sign Code Amendment - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously directed staff to expand the proposed amendment to the Sign Code specifically to allow ornamental pole banners or flags for use in the Historic Downtown District as

recommended by the Downtown Redlands Business Association Advisory Board.

Agreement - Southern California Edison - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously approved letter agreement with Southern California Edison regarding the confidentiality of information received from Southern California Edison to conduct rotating outages should they become necessary, and authorized the Mayor and City Clerk to execute the agreement on behalf of the City.

Employee Grievance Hearing - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously approved the designation of a hearing officer to hear an employee's grievance and authorized the City Manager and City Attorney to select said hearing officer in accordance with the City's Personnel Rules and Regulations.

### EMINENT DOMAIN HEARING

Resolution No. 5784 - Colton and Wabash Project - Councilmember Gilbreath left the Council Chambers due to a potential conflict of interest. Resolution No. 5784, a resolution of the City Council of the City of Redlands declaring that the acquisition of a fee interest in a portion of certain real property by eminent domain is necessary for the completion of the City's Colton and Wabash Avenue Intersection Project, was continued to this time and place for a hearing. Mayor Pro Tem George declared the meeting open for this hearing. City Attorney McHugh explained this hearing was continued on September 5, 2000, so City staff could meet with the staff from Bear Valley Mutual Water Company to discuss its position that a twenty foot wide easement was necessary. The meeting took place but there has been no movement by Bear Valley Mutual Water Company regarding this easement. Mr. Locklin has declined the City's offer to acquire the additional ten foot of easement. Thus, the only way the City may acquire the necessary property for the Bear Valley Mutual Water Company easement is through eminent domain proceedings. Mr. Locklin and his legal representative were notified of this hearing. City Clerk Poyzer reported that a notice of this hearing was mailed on July 7, 2000, to William M. Locklin; his representative, Attorney Wilfred C. Lemann attended that meeting. Public Works Director Mutter explained the City of Redlands has recently completed the construction of the intersection of Colton Avenue and Wabash Avenue. As part of this project, the irrigation canal belonging to the Bear Valley Mutual Water Company was relocated into a ten-foot wide easement area through property owned by William J. Locklin. The ten-foot wide easement was acquired from Mr. Locklin based on an understanding with the Bear Valley Mutual Water Company staff that such an easement was acceptable. However, prior to accepting the easement, a new Bear Valley Mutual Water Company General Manager was appointed and a 20-foot wide easement was required. The City is now attempting to acquire an additional ten

feet along the westerly side of the existing easement. Mr. Locklin has been contacted and has declined the City's offer to acquire the additional easement. City Clerk Poyzer reported no additional communications have been received. Mayor Pro Tem George called upon all persons with an interest in this property who wished to be heard. Craig Wilson, representing the property owner, addressed the City Council stating that Mr. Lemann was out of town and requested this hearing be continued. Mayor Pro Tem George called upon all persons who wished to be heard on the proposed project; no one was forthcoming. Councilmember Freedman moved to continue this hearing to February 6, 2001. Motion seconded by Councilmember Haws and carried with Councilmember Gilbreath abstaining.

## PLANNING AND COMMUNITY DEVELOPMENT

Tract No. 16032 - Country Rose II Limited Partners - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously approved the Public Works Department's subdivision improvement agreement and accepted and granted final approval to authorize recordation with the County Recorder for Tract No. 16032, a subdivision of 15 single family lots on approximately 4.52 acres located on the northeast corner of La Salle Street and Citrus Avenue.

Tract No. 15832 - BHS, Inc. - Tract No. 15832 is a subdivision of nine single family lots on approximately 4.75 acres located on the southwest corner of Cypress and Sunnyside Avenues. Vickie Becker expressed continuing concerns for the neighboring properties of this project and requested that their property rights be respected. Community Development Director Shaw reported that no building permits will be issued until the grading problems are resolved. Following discussion, Councilmember Gilbreath moved to approve the Public Works Department's subdivision improvement agreement, and to accept and grant final approval to authorize recordation with the County Recorder for Tract No. 15832 with the understanding a report on the grading concerns be provided to the City Council at their February 6, 2001, meeting. Motion seconded by Councilmember Pepler and carried unanimously.

Tract No. 15867 (Revised) - First Pacific Homes LLC - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council approved, with Councilmember Gilbreath abstaining due to a possible conflict of interest, the Public Works Department's subdivision improvement agreement, and accepted and granted final approval to authorize recordation with the County Recorder for Tract No. 15867 (Revised), a subdivision of 11 single family lots on approximately 4.61 acres generally located between Campbell and Franklin Avenues, east of Summit B.

Minor Subdivision No. 251 - George Beccacio - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously

granted final approval for Minor Subdivision No. 251, a subdivision of approximately 0.7 acres into two residential parcels for property located at 1571 Elizabeth Street.

Conditional Use Permit No. 683 - Redlands Christian Home - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously determined that no subsequent environmental documents are necessary for a one-year time extension of Conditional Use Permit No. 683 (for the construction of a 200,000 square foot senior living facility on 20.34 acres located on the east side of Wabash Avenue between Highland and Fifth Avenues) which is consistent with the previous Negative Declaration adopted by the County of San Bernardino on April 10, 1997, for Conditional Use Permit No. 96-0037, based on the findings contained in the staff report, and approved a one year time extension for said conditional use permit, extending approval until January 12, 2002.

Minor Subdivision No. 252 - Home Depot, USA, Inc. - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously approved the Public Works Department's subdivision improvement agreement and granted final approval for Minor Subdivision No. 252, a subdivision of approximately 18.65 acres into five commercial lots on property generally located at the southeast corner of Tennessee Street and Lugonia Avenue.

Sign Code - Automobile Dealerships - Community Development Director Shaw explained the Code Enforcement Division has given a notice of violation to the Redlands Honda Yamaha Motorcycle business at the corner of Redlands Boulevard and Seventh Street for the display of pennants. The Sign Code prohibits the use of pennants except for automobile dealership. The owner, Tony Raley, has indicated that he believes his business should be able to utilize the Code provision that allows pennants for auto dealerships as he believes his business does qualify under the definition of an automobile dealership because they sell licensed motorized vehicles. The Community Development Department has looked at the definitions and believes that the definition of what types of businesses eligible for automobile dealership signs is clear. Section 15.36.400 of the Redlands Municipal Code specifically states "*The following regulations shall apply only to automobile dealerships where the principal use is the sale of new cars.*" Since the principle use of the Redlands Honda Yamaha business is the sale of motorcycles and not new cars, staff does not believe these provisions are applicable to this business. When asked, John James, Sign Code Committee, stated they had not addressed this issue but were willing to do so. Following discussion, Councilmember Haws moved to refer this matter to the Sign Code Committee and until such time as a recommendation is received, to place a moratorium on enforcement of this section of the Sign Code. Motion seconded by Councilmember Pepler and carried with Councilmember George voting NO.

Steven Walker Homes/Medinas - Following a request from Mr. and Mrs. Richard Medina at the last City Council meeting, Community Development Director Shaw prepared a report for the City Council addressing grading, drainage, fencing, and off-site improvement concerns in relation to Tract No. 16029, being developed by Steven Walker Homes, which surround the Medina's property on Kingsbury Drive. Mr. Shaw noted staff has become a mediator for the Medinas and Steven Walker Homes and will continue to resolve issues which are within the City's purview. Those issues not with the City's purview will need to be resolved by the Medinas and Steven Walker Homes. Mrs. Medina addressed Councilmembers and reiterated their concerns. Councilmember Haws suggested Mr. and Mrs. Medina seek legal counsel of their own for issues not within the City's purview.

## COMMUNICATIONS

Appointment - Planning Commission - Mayor Gilbreath moved to nominate Gary W. Miller to a four-year term on the Planning Commission. Motion seconded by Councilmember Freedman and carried unanimously.

Appointments - Street Tree Committee - As recommended by Mayor Pro Tem George, Mayor Gilbreath moved to nominate the following citizens to the Street Tree Committee: Charlotte Burgess to fill the unexpired term of Gary McCormick to February 16, 2003; Anna M. Robles to fill the unexpired term of Andrew Johnson to February 16, 2003; Heather Baugh to fill the unexpired term of John Nielsen to February 16, 2003; and Christine Sedmack to fill the unexpired term of Linda Romero to February 16, 2003. Motion seconded by Councilmember George and carried unanimously.

Appointments - Traffic and Parking Commission - As recommended by Councilmember Freedman, Mayor Gilbreath moved to nominate C. Don O'Neal to a four-year term on the Traffic and Parking Commission. Motion seconded by Councilmember Freedman and carried unanimously. Mayor Gilbreath moved to reappoint Chuck Alexander to another four-year term on the Traffic and Parking Commission. Motion seconded by Councilmember George and carried unanimously.

Defibrillator Gift - Mayor Gilbreath acknowledged, on behalf of the City Council and our community, receipt of a generous donation by an anonymous donor of \$10,000.00 to be used to purchase Automatic Emergency Defibrillators for use by the Police Department. Mayor Gilbreath said it was important that our citizens recognize the generosity of various members of the community, even if those community members do not wish their names to be known. It is also important for persons to know that the City Council greatly appreciates such gifts and that we will do our best to acknowledge them when they are given.

Special Gifts Account Program - Mayor Gilbreath said that over the past few years, she has been approached by persons who wish to give "gifts" to the City, anonymously or otherwise, for special purposes or which would augment special City funds. Approximately ten years ago, the City had a "gifts" program under which it published a brochure to let members of the community know what "gifts" would be most needed and appreciated by the City Council and its citizens. The City Council established a special account through the Treasurer's Office and the Finance Department in which monetary gifts could be deposited by donors to either purchase the special gift or to contribute towards the purchase of that gift. She would like to re-establish this gifts program. Councilmember Haws moved to authorize the Mayor to proceed. Motion seconded by Councilmember Freedman and carried unanimously.

City Council Liaisons - Mayor Gilbreath moved to approve the suggested rotation of Councilmembers service as liaisons for each City commission/board/committee as presented. Motion seconded by Councilmember George and carried unanimously.

Resolution No. 5834 - Parkway Tree Fund - Mayor Pro Tem George presented Resolution No. 5834, a resolution of the City Council of the City of Redlands supporting the establishment of a Parkway Tree Fund by the Redlands Horticultural and Improvement Society. He presented this resolution for the City Council's consideration at the requested of the Redlands Horticultural and Improvement Society who would like to increase and enhance the beauty and attractiveness of the Redlands' area. Individuals could donate monies to this fund to purchase trees to be planted in the public parkways along our streets. Speaking on behalf of the Redlands Horticultural and Improvement Society in support of this resolution was Corrine Bromberger who offered the first donation of \$1,000.00 from Mr. and Mrs. Bromberger. Councilmember George moved to adopt Resolution No. 5834. Motion seconded by Councilmember Pepler and carried unanimously. Mayor Pro Tem George thanked Mrs. Bromberger for her generous gift.

Palm Tree Protection - Mayor Pro Tem George asked the City Council to consider a long-term plan to preserve all trees in our City to alleviate the possibility of any future incidents such as occurred over the holidays when contractor crews, hired by Southern California Edison, removed several palm trees in Redlands. Chairman of the Street Tree Committee Eric Kasarjian offered to review their street tree policy and re-address the stump clause as well as review suggestions as to replacement of trees that have been removed, sale of palm trees if possible, and changing location of wires by Southern California Edison. Councilmembers concurred to refer this matter to the Street Tree Committee for review and recommendation.

Electric Power Issues - Beverly Powell, Regional Manager of Southern California Edison, and George Hanson, Account Manager of Southern California Edison, made a brief presented regarding California electric power issues. More information will be presented at the February 6, 2001, meeting.

Street Tree Committee - Chairman of the Street Tree Committee Eric Kasarjian and two assistants made a presentation regarding City Green Measuring Urban Ecosystem Values and the importance of street trees to a community and offered to develop a map of all trees in the area.

Park Fees - Standard Pacific Subdivision Project - Councilmember Freedman asked for an update on a proposed agreement with Standard Pacific regarding payment of park fees for its subdivision. Community Development Director Shaw reported that parks fees for the homes for which permits have been pulled have been paid. Councilmembers Haws hoped that this action would not compromise negotiations as it pertains to the Sports Park.

Electricity Cogeneration Facility - Wastewater Treatment Plant - This item was continued to the evening session.

Civics Day - Public Works Director Mutter announced the annual Civics Day will be held on Thursday, February 8, 2001. The students will arrive at 8:15 A.M. A more detailed schedule will be provided.

Majestic Litigation - This item was continued to the evening session.

## CLOSED SESSION

The City Council meeting recessed at 5:59 P.M. to a Redevelopment Agency meeting and a Redlands Financing Authority meeting and reconvened at 6:05 P.M. to a closed session to discuss the following:

1. Conference with real property negotiator Government Code Section 54956.8
  - Property: Assessor's Parcel No. 172-481-02  
Negotiating parties: Deb Craney and Pete Forteza  
Under negotiation: Terms and price
  - Property: Assessor's Parcel Nos. 171-341-10, 11, 12  
Negotiating parties: Deb Craney and Dave Higginson  
Under negotiation: Terms and price
  - Property: Assessor's Parcel Nos. 293-031-29, 30, 31;  
No. 175-122-09; and No. 175-011-53  
Negotiating parties: Deb Craney and  
Jan Dustin of San Bernardino County Flood Control  
District  
Under negotiation: Terms and price
  - Property: Assessor's Parcel Nos. 169-141-01, 169-141-20 and



169-141-22

Negotiating parties: Police Chief Bueermann and  
Joe Kimaz representing Redlands Financial  
Services, Inc.

Under negotiation: Terms and price

- Property: Assessor's Parcel Nos. 168-363-01 and 02;  
168-362-01 and 02

Negotiating parties: Chief of Water Resources Douglas Headrick and  
Vincent Lundblad

Under negotiation: Terms and price

2. Conference with labor negotiator - Government Code Section 54957.6

- Agency negotiator: Bonnie Johnson and Karen Olsen
- Employee organizations: Redlands Association of Mid-Management  
Employees and Redlands Association of Safety Management Employees

3. Conference with legal counsel: Existing litigation - Government Code  
Section 54956.9(a)

- Redlands Joint Venture v. Spring Pacific Properties, LLC and City of  
Redlands - SCVSS 73615
- City of Redlands v. County of San Bernardino - SCV 293198
- City of Redlands v. Majestic Realty - SCV 38504

The meeting reconvened at 7:21 P.M. due to lengthy afternoon and closed  
sessions at which time City Clerk Poyzer was absent due to a case of the flu.  
Deputy City Clerk Sanchez was present.

COMMUNICATIONS (continued)

Electricity Cogeneration Facility at Wastewater Treatment Plant - Chief of  
Water Resources Douglas Headrick explained that the Water and Wastewater  
Divisions of the Municipal Utilities Department manage and operate numerous  
facilities that are quite power intensive. The facilities include groundwater  
wells, pumps, and air blowers among others; the motors and pumps are  
periodically replaced with more efficient models resulting in lower energy  
costs. However, due to the current instability of the State's electricity markets,  
staff began to pursue more innovative and cost-effective projects such as an  
electricity generating facility that burns gas produced at the City's California  
Street Landfill and at the City's Wastewater Treatment Plant. Currently, the gas  
is piped to a SCAQMD-permitted flare at the Wastewater Treatment Plant  
(WWTP) and burned. Staff proposed an Electricity Cogeneration Facility  
(ECF) be built on the WWTP site which is considered a very cost-efficient  
means of generating both electricity and thermal energy from the same energy  
source. Additionally, the waste heat produced by the generating engine's  
cooling system can be used at the WWTP to significantly reduce the need for  
natural gas burning boilers. A presentation was made to Councilmembers  
displaying the proposed ECF, current landfill gas collection equipment, and  
projections. Another benefit of the ECF is that it would eliminate the need for a

backup electrical power supply connection for the WWTP because the City would have an onsite power production facility with the existing Southern California Edison connection producing backup power. In anticipation of the requirement to provide a secondary connection to an outside power source for the WWTP, the 2000-2001 budget includes \$130,000.00 to support this effort since that secondary outside connection would no longer be needed should the ECF be constructed. Staff proposed use of some of these funds to support preliminary design of the ECF by contracting with Janechek and Associates which is uniquely qualified and has experience in all phases of landfill gas and power distribution projects, as well as seven years of experience in working with the City of Redlands. Councilmember Gilbreath moved to approve the agreement to furnish engineering services with Janechek & Associates to support the proposed Electricity Cogeneration Facility at the City's Wastewater Treatment Plant and authorized the Mayor and City Clerk to execute the agreement on behalf of the City. Motion seconded by Councilmember Haws and carried unanimously.

Majestic (Donut Hole) Litigation - City Attorney McHugh presented an overview of Majestic's Citrus Plaza project and AB 1544. The following lawsuits were described in his report: 1996 Writ Action Challenging Project Modifications, 1996 Contract and Service Duplication Act Lawsuit, 1997 Easement Lawsuit, 1999 General Plan Lawsuit, and 2000 AB 1544 Litigation. Redlands has made reasonable effort to allow the Citrus Plaza project to proceed in the County, without annexation to Redlands. Redlands' concerns are now focused upon AB 1544 and the serious ramifications that bill may have upon future development proposals throughout the Donut Hole and upon Redlands' ability to control the construction of infrastructure within its current territorial boundaries. Redlands has accordingly offered to dismiss all its claims, and to agree to virtually everything Majestic and the County claim to seek, with the sole exception of Majestic's and Redlands' cross claims regarding the constitutionality of AB 1544.

## PUBLIC HEARINGS

Tentative Tract No. 16139 - Michael Novak - Public hearings were continued to this time and place to consider a Draft Mitigated Negative Declaration and Socio-Economic Cost/Benefit Study for Tentative Tract No. 16139 for the subdivision of 7.2 acres into 21 residential lots located north of Cypress Avenue, east of Heather Lane, and west of Linda Vista Avenue in the R-S (Suburban Residential - 10,000 square foot lots) District (Michael Novak, applicant). Community Development Director Shaw stated that the applicant has requested a continuance in order to provide the City with more information on drainage, traffic, and surrounding land use and also to meet with the surrounding property owners to reserve concerns. Because this was an advertised public hearing, Mayor Gilbreath opened the public hearing for any questions or comments from the audience. There being none, Councilmember

Freedman moved to continue the public hearing to February 6, 2001. Motion seconded by Councilmember Pepler and carried unanimously.

Resolution No. 5804 - Street Vacation No. 118 - Public hearing was advertised for this time and place to consider Resolution No. 5804, Street Vacation No. 118, ordering the vacation of portions of Bryn Mawr Avenue and Guido Avenue in Concept Plan No. 2 of the East Valley Corridor Specific Plan (Spring Pacific Properties, applicant). Community Development Director Shaw reported that staff is requesting this item be continued. Because this was an advertised public hearing, Mayor Gilbreath opened the public hearing for any questions or comments from the audience. There being none, Councilmember Pepler moved to continue the public hearing to February 6, 2001. Motion seconded by Councilmember Freedman and carried unanimously.

Conditional Use Permit No. 542 (Revision 6) - Public hearings were advertised for this time and place to consider the Socio-Economic Analysis and Cost/Benefit Study and Conditional Use Permit No. 542 (Revision 6) for the construction of a 5,793 square foot addition to the existing Wal-Mart Shopping Center located at 2050 West Redlands Boulevard in the CG (General Commercial) District of the East Valley Corridor Specific Plan (Hall & Foreman, Inc., applicant). Community Development Director Shaw reported that on December 12, 2000, the Planning Commission unanimously approved this conditional use permit request and described the project. Mayor Gilbreath declared the public hearing open for any questions or comments. There being none, she declared the public hearing closed. Councilmember Pepler moved that the City Council approve the Socio-Economic Cost/Benefit Study for Conditional Use Permit No. 542 (Revision No. 6) as the project will not create unmitigable physical blight or overburden public services in the community, and no additional information or evaluation is needed, and the proposed project is not a growth inducing development; therefore, it will not have a negative impact on the City's social services. Motion seconded by Councilmember Freedman and carried unanimously. Councilmember Pepler moved to approve Conditional Use Permit No. 542 (Revision No. 6), subject to the conditions of approval filed in the Planning Division, and the findings and all departmental recommendations contained in the staff report. Motion seconded by Councilmember Freedman and carried unanimously.

Deodora Apartments - Public hearing was advertised for this time and place to consider a Draft Mitigated Negative Declaration for Resolution No. 5752 approving General Plan Amendment No. 65 to change from Low-Density Residential (0 to 6.0 units per gross acre) to Medium-Density Residential (0 to 15.0 units per gross acre) and Resolution No. 5754 adopting Specific Plan No. 52, a specific plan of development for a 16-unit apartment complex on 1.16 acres of property located on the southeast corner of Clifton Avenue and San Mateo Street (David A. Van Diest and Rosa E. Gomez, applicants). Community Development Director Shaw reviewed the project. Councilmember Freedman

stated this is a request to approve a General Plan Amendment and a Specific Plan prior to the project being approved, which is backwards. This resembles “spot zoning.” This amendment would use up one of the only four General Plan Amendments allowed per year. Community Development Director Shaw explained these legislations are “project specific.” Mayor Gilbreath declared the public hearing open for any questions or comments. The following individuals spoke in opposition to the density of the project: Chris Sedmack, Ron Wright, Brian Beres, Julie Leggin, Steven Becker, Tom Crist, Julie Leggin, and Jane Hawkins. The following individuals spoke in support of the project: Alexander Justice and Tamara Madai. There being no further comments the Mayor closed the public hearing. Councilmember George stressed he wants to save the structures. With the new historical designation, the applicant has taken the risk that no project can be undertaken without saving the structure, and the project must yet be returned to the Planning Commission and the Historic and Scenic Preservation Commission for a certificate of appropriateness. City Attorney McHugh, responding to Councilmember Haws’ inquiry, stated that if this project is denied today, the applicant could only come back with a new project. Councilmember Pepler reminded Council that the applicant has met the goals set by Council and now the Council wants to set new goals. Councilmember Freedman disagreed that in this case the rules have not changed; this is a low-density area. The applicant was told to reduce the density and we would support the project. City Attorney McHugh reminded Council another alternative is to continue the project since the project still requires a Socio-Economic Cost/Benefit Study, a planning commission review and approval and a Certificate of Appropriateness. Mayor Gilbreath stated that this is an appropriate reuse of the structure; the applicant needs the comfort that the City Council will support the project prior to proceeding. However, the General Plan Amendment locks up the property.

Property owners, David Van Diest and Rosa Gomez then addressed Council. They stressed that this is site-specific legislation because they want the General Plan to be tied to the Specific Plan concurrently. With an approval they can finalize their financing. They have already taken steps to reduce the number of units as much as they can and still have a viable project. Councilmember Haws pointed out to the applicants that they are hearing Councilmembers making commitments, which is rare. Mr. Van Diest stated he can predict getting caught between the two commissions because the Planning Commission will require the 20 foot driveway and the Historic and Scenic Preservation Commission will not allow any demolition to remove portions of buildings to allow the required driveway. Councilmember Haws stated he does not expect this back before Council until the Planning Commission and the Historic and Scenic Preservation Commission have completed their reviews and asked the applicant to support the continuance. He also reminded the applicants that he can support the project if it remains bungalow style, single story, and limited to 11 to 12 units. Councilmember Pepler asked what can the Council do to help the applicant so they are not caught going “back and forth” for eleven more

months? Discussions then took place among staff regarding the timing for agendas with the various commissions. Councilmember Haws moved to continue this matter until it is placed back on an agenda. In the meantime, it can proceed through the Planning Commission and the Historic and Scenic Preservation Commission, and fees will be deferred until it comes back to Council. Motion seconded by Councilmember George and carried with Councilmember Freedman voting NO.

## NEW BUSINESS

Agreement - United Way of the East Valley - Value Based Initiative Program - Citing a potential conflict of interest, Mayor Gilbreath left the City Council Chambers and Mayor Pro Tem George conducted the meeting. Police Chief Bueermann explained the Community Oriented Policing Services Office awarded a \$215,000.00 grant for the Value Based Initiative Program. In accordance the proposed agreement, the United Way of the East Valley will oversee the supervision, training, operation, and coordination of all activities at a cost of \$131,430.00 for this component which includes a director, assistant director and a clerk. On motion of Councilmember Haws the Council approved the agreement between the City of Redlands and the United Way of the East Valley and authorized the Mayor Pro Tem and the City Clerk to sign the agreement on behalf of the City pursuant to the goals of the Police Department's Value Based Initiative Program. Motion seconded by Councilmember Freedman and carried with Councilmember Gilbreath abstaining.

Ordinance No. 2466 - Parks Commission - Ordinance No. 2466, an ordinance of the City of Redlands amending Chapter 2.32 of the Redlands Municipal Code reducing the membership on the Parks Commission from nine members to seven members, was read by title only by Deputy City Clerk Sanchez, and on motion of Councilmember Freedman, seconded by Councilmember George, further reading of the ordinance text was unanimously waived, and Ordinance No. 2466 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for February 6, 2001.

## ADJOURNMENT

There being no further business, the City Council meeting adjourned at 9:03 P.M. The next regular meeting will be held on February 6, 2001.

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City Clerk

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Deputy City Clerk