

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 6, 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
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
(evening session)
John Jaquess, City Planner
(afternoon session)

ABSENT

None

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

PRESENTATION

Proclamation - American Red Cross Month - Mayor Gilbreath presented a proclamation to Eddie Martinez, Director of the Youth Services, Resource Center in the Redlands Chapter of the American Red Cross. Mr. Martinez announced a pancake breakfast will be held on March 25, 2001, in Sylvan Park and a reception will be held in Missions Commission that afternoon to celebrate American Red Cross Month. This proclamation, declaring March as American Red Cross Month, was approved for issuance by consensus of the City Council.

CONSENT CALENDAR

Minutes - On motion of Councilmember George, seconded by Councilmember Freedman, the minutes of the regular meeting of February 20, 2001, 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 February 27, 2001, was acknowledged as received.

Funds - Agreement - Sports Complex - Following brief discussion about the scope of the feasibility study for the sports complex, Councilmember Gilbreath moved to a consulting services agreement with Keyser Marston Associates, Inc. for the preparation of Phase I of a feasibility study for the sports complex, authorized the Mayor and City Clerk to sign the agreement on behalf of the City, and approved an appropriation of \$8,500.00 for this study with the offset revenue from *For The Game, LLC*. Motion seconded by Councilmember George and carried unanimously.

Ordinance No. 2468 - Zone Change No. 377 - Ordinance No. 2468, an ordinance of the City of Redlands amending Title 18 of the Redlands Municipal Code by adopting an additional land use zoning plan as part of the Official Land Use Zoning Map and effecting Zone Change No. 377, a change of zone from A-1 (Agricultural) District to A-P (Administrative Professional) District for three lots totaling 18,254 square feet and from A-1 (Agricultural) District to R-E (Residential Estate) District for two lots totaling 39,952 square feet for property located at the southeast corner of Nevada Street and Barton Road, was unanimously adopted on motion of Councilmember George, seconded by Councilmember Freedman.

Ordinance No. 2469 - PERS Amendment - Ordinance No. 2469, an ordinance of the City of Redlands authorizing an amendment to the contract between the City Council of the City of Redlands and the Board of Administration of the California Public Employees' Retirement System to change the retirement formula to the 2 percent at 55 formula for miscellaneous employees, was unanimously adopted on motion of Councilmember George, seconded by Councilmember Freedman.

Resolution No. 5852 - Candidates' Statements - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously adopted Resolution No. 5852, a resolution of the City Council of the City of Redlands adopting regulations for candidates for elective office pertaining to materials submitted to the electorate and the costs thereof for the General Municipal Election to be held on Tuesday, November 6, 2001.

Funds - Agreement - Justice/Civic Center - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously authorized a consultant agreement with DMJM, authorized the Mayor and City Clerk to sign the agreement on behalf of the City, and approved an additional

appropriation, not to exceed \$157,000.00 from the Public Facilities Development Fund, to conduct a space needs analysis and conceptual plan for the proposed Community Justice and Civic Center.

Settlement Agreement - A settlement and release agreement with Gary Yeakel, Ismael Juarez, and Colleen DeFeo for property damages due to a sewage overflow, as agreed to by the City Council in a closed session, was provided at this time to notify the public in accordance with requirements of the Brown Act.

Resolution No. 5853 - Traffic - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously adopted Resolution No. 5853, a resolution of the City Council of the City of Redlands establishing the following traffic regulations pursuant to Title 10 of the Redlands Municipal Code: install a "No Left Turn" sign on the median island at the opening on Redlands Boulevard for westbound traffic west of Eureka Street at 301 West Redlands Boulevard.

Resolution No. 5854 - Traffic - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously adopted Resolution No. 5854, a resolution of the City Council of the City of Redlands establishing the following traffic regulations pursuant to Title 10 of the Redlands Municipal Code: install a stop sign on Plum Lane at Orange Tree Lane and on Idaho Street at Orange Tree Lane.

MOU - RASME - On motion of Councilmember Gilbreath, seconded by Councilmember Freedman, the City Council unanimously ratified an amendment Memorandum of Understanding with the Redlands Association of Safety Management Employees and authorized the Mayor and City Clerk to sign the agreement on behalf of the City.

MOU - RAMME - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council unanimously ratified a Memorandum of Understanding with the Redlands Association of Mid-Management Employees and authorized the Mayor and City Clerk to sign the agreement on behalf of the City. Mayor Gilbreath thanked Personnel Manager Olsen, Finance Director Johnson, and City Manager Davidson for their efforts in the salary negotiations.

Resolution No. 5855 - Local Vendor Participation - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council unanimously adopted Resolution No. 5855, a resolution of the City of Redlands establishing a policy to encourage local vendor participation in the City's procurement process.

Funds - Cable Production Equipment - Councilmember George asked staff for a financial report on the monies which came from TCI in accordance with its

franchise agreement. Jerry Hanson briefly addressed the City Council regarding augmentation of the video programming for the City and urged the City Council to funnel some of the franchise income toward this program. On motion of Councilmember George, seconded by Councilmember Pepler, the City Council unanimously approved an additional appropriation in the amount of \$25,885.00 to purchase production and editing equipment for the cable and video program to replace equipment that is beyond repair.

Agreement - Mill Creek Watershed - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously authorized Task Order No. 19 of the existing engineering master services agreement with the firm of CH2M Hill to provide engineering services to prepare the 2001 Update to the Sanitary Survey for Mill Creek Watershed as required by State regulations and authorized the Mayor and City Clerk to sign the agreement on behalf of the City.

LATE BREAKING ITEM - DeSOUSA CONTRACT

Councilmember Freedman asked the City Council to consider a letter dated March 6, 2001, from the Local Agency Formation Commission in regards to LAFCO SC No. 149 - City of Redlands OSC No. 01-29 (DeSousa). LAFCO is processing this service contract which is scheduled for consideration on March 21, 2001. This is the first service contract submitted since adoption of Measure U, in which the development of a tract is being considered, and LAFCO has several questions and they indicated in the letter they needed a response by March 9, 2001. Noting that the need to take action was immediate, Councilmember Freedman moved to add this to the agenda which arose subsequent to the agenda being posted. Motion seconded by Councilmember George and carried unanimously. Councilmember Freedman directed staff to respond to the requests from LAFCO. Motion seconded by Councilmember George and carried unanimously.

JOINT MEETING - CITY COUNCIL AND REDEVELOPMENT AGENCY

Resolution No. 5856 - Great Neighborhood Program - Councilmember George moved to adopt Resolution No. 5856, a resolution of the City Council of the City of Redlands authorizing the use of low- and moderate-income housing funds outside the Redlands Project Area for the Great Neighborhood Program to implement an additional participant agreement which will be acted upon by the Board of Directors of the Redevelopment Agency. Motion seconded by Councilmember Haws and carried unanimously. (Also see Redevelopment Agency minutes for March 6, 2001.)

Marriage - Mayor Gilbreath announced that Cheryl Entler, who has been a volunteer and is now a part-time employee of the Video Department, is getting

married on Sunday, March 11, 2001. On behalf of the City Council, Mayor Gilbreath wished Ms. Entler the very best.

CLOSED SESSION

The City Council meeting recessed at 3:20 P.M. to continue the Redevelopment Agency meeting and reconvened at 3:21 P.M. to a closed session to discuss the following:

Conference with real property negotiator - Government Code § 54956.8

- Property: APNs 293-031-29, 30, and 31, 175-122-06, and 174-011-53

Negotiating parties: Deb Craney and Jan Dustin, San Bernardino County Flood Control District

Under negotiation: Terms and price

- Property: APNs 170-071-02, 170-171-04, 170-171-05, 06

Negotiating parties: Ron Mutter and Stephen B. Napoli, Target Community Schools, Lawrence A. Pratt, et al and Mark Vander Weit

Under negotiation: Terms and price

- Property: A portion of APN 175-011-21

Negotiating parties: John Davidson and

Lois Lauer for The Chiesman Family Irrevocable Trust

Under negotiation: Terms and price

The meeting reconvened at 7:00 P.M.

LAND USE AND PUBLIC HEARINGS

International Union of Operating Engineers - A notice of a Draft Negative Declaration and public hearings for the Socio-Economic Cost/Benefit Study for Planning Commission Review and Approval No. 724 for the construction of a 6,379 square foot administrative office building located on the south side of Lugonia Avenue, approximately 600 feet west of Alabama Street, in the Office Industrial District of Specific Plan No. 33 Centennial Commerce Park, were continued to this time and place. Community Development Director Shaw described the project and changes submitted since the Planning Commission meeting and noted the proposed project, based on the overall fiscal impact analysis, will provide the City with a positive annual non-residential revenue/cost ratio of 1.58. Mayor Gilbreath declared the meeting open as a public hearing for any questions or comments. None being forthcoming, the public hearing was declared closed. Councilmember George moved to approve the Negative Declaration for Planning Commission Review and Approval No. 724 based on the finding that the project will not have a significant effect on the environment, determining this project will not individually or cumulatively have an adverse impact on wildlife resources as defined in Section 711.2 of the California Fish and Game Code and directed staff to file and post a Notice of Determination in accordance with the City's guidelines. Motion seconded by Councilmember Freedman and carried unanimously. Councilmember George moved to approve the Socio-Economic Cost/Benefit Study for Planning Commission Review and Approval No. 724 as the project

will not create unmitigable physical blight or over-burden public services in the community, and no additional information or evaluation is needed. Motion seconded by Councilmember Freedman and carried unanimously. Councilmember George moved to approve Planning Commission Review and Approval No. 724 subject to the findings, conditions of approval, and all department recommendations as contained in the staff report. Motion seconded by Councilmember Freedman and carried unanimously.

Resolution No. 5804 - Street Vacation No. 118 - Public hearing was continued to this time and place for the vacation of a portion of Bryn Mawr Avenue in Concept Plan No. 2 of the East Valley Corridor Specific Plan. Councilmember Freedman moved to continue this matter to March 20, 2001, at the request of the applicant. Motion seconded by Councilmember Haws and carried unanimously.

NEW BUSINESS

Appeal - Sale of City-Owned Property - Community Development Director Shaw explained the County of San Bernardino Flood Control is in the process of acquiring the needed right-of-way for the proposed improvements for the San Timoteo Creek Flood Control project. This project is related to a larger project that involves the City of Loma Linda and the City of San Bernardino and the Santa Ana River Mainstem project. In acquiring the necessary right-of-way, it was determined that a small portion of City-owned property within the City's boundary would be impacted. The Flood Control Department submitted an offer to the City to purchase this property. Before the City can sell City-owned property, California Government Code Section 65402(a) requires that the city planning agency determine that the sale of such property would be in conformity with its General Plan. He reported the Planning Commission unanimously determined at their meeting of February 13, 2001, that the proposed sale of .08 acres of City-owned land adjacent to the San Timoteo Creek for the proposed flood control improvement project was in conformance with the City of Redlands' General Plan. This was based on the fact that the property involved is shown as a linear park/trail along the north side of the flood control right-of-way, and that is consistent with the proposed plans for the flood control improvement in this area. Also, the creek itself is shown in this area as Flood Control/Construction Aggregates/Conservation/Habitat Preservation. An appeal to this decision was scheduled to be heard at this time. Bill Cunningham addressed the City Council noting he was concerned about the details of the project and did not feel the project as proposed is consistent with the Redlands' General Plan. Following discussion, Councilmember Haws moved to determine that the proposed sale of .08 acres of City-owned land adjacent to the San Timoteo Creek for the proposed flood control improvement project is in conformance with the City of Redlands' General Plan and asked staff to contact the San Bernardino County Flood Control District and the Army Corps of Engineers to make a presentation to the City Council of the latest plan (as was done recently at a Loma Linda City Council meeting) at a convenient

and available time. Motion seconded by Councilmember Pepler and carried unanimously.

Drainage Facilities - City Attorney McHugh explained that an item on this agenda had been taken care of by staff over this past weekend in an effort to protect property downstream because of the threat of severe rain that had been forecasted. Through the efforts of City Manager Davidson, Community Development Director Shaw, Public Works Director Mutter, and Chief of Water Resources Douglas Headrick a drainage facility on City property, known as the Olive Avenue Citrus Grove, which would address the drainage tributary to the southerly boundary of Tract No. 16082 was processed. Chief of Water Resources Douglas Headrick explained that this facility was designed to address a 100-year flood and that the concerns expressed by the Citrus Commission were handled by staff and that no trees in the grove were damaged. At this time, no action is required of the City Council. Councilmembers expressed their appreciation to City Manager Davidson and his staff for their efforts. Councilmember Pepler asked Mr. Joe O'Brien, the developer, if the concerns of the neighbors had been addressed such as fences torn down, mud flows into yards and a swimming pool and spa. Mr. O'Brien explained he had addressed their concerns. Community Development Director Shaw concurred with this statement noting the grading had not yet been done when the rains came, but that the grading is now complete and the block retaining wall and fence have been installed.

PUBLIC COMMENTS

None forthcoming.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 7:38 P.M. The next regular meeting will be held on March 20, 2001.

City Clerk