

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 July 6, 2004.

PRESENT Susan Pepler, Mayor
Gilberto Gil, Mayor Pro Tem
Gary George, Councilmember
Jon Harrison, Councilmember

ABSENT Pat Gilbreath, Councilmember

STAFF John Davidson, City Manager; Daniel J. McHugh, City Attorney; Lorrie Poyzer, City Clerk; Michael Reynolds, City Treasurer; Jim Bueermann, Police Chief; James Drabinski, Fire Department; Tina Kundig, Finance Director; Bill Hemsley, Acting Public Works Director; Marjie Pettus, Administrative Services Director; Gary G. Phelps, Municipal Utilities Director; and Jeffrey L. Shaw, Community Development Director

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

PRESENTATION

Lauren Hisada - Redlands High School - Mayor Pepler introduced Lauren Hisada, a Redlands High School student who was recently named a Cal Arts Scholar and received a summer school scholarship to California College for the Arts. Ms. Hisada was accompanied by her father and younger sister who displayed some of her art work. Mayor Pepler congratulated Ms. Hisada and wished her great success.

CONSENT CALENDAR

Minutes - On motion of Councilmember Pepler, seconded by Councilmember George, the minutes of the adjourned regular meeting of June 15, 2004, the regular meeting of June 15, 2004, and the special meeting of June 29, 2004, were approved as submitted.

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

Planning Commission Actions - On motion of Councilmember Pepler, seconded by Councilmember George, the report of the Planning Commission meeting held on June 22, 2004, was acknowledged as received.

Funds - Contract - Master and Parking Plan - Councilmember Pepler moved to approve the contract with Torti Gallas and Partners, CHK for planning services for the preparation of a master plan for Downtown Redlands and a parking plan

for the central business district. Motion seconded by Councilmember Harrison and carried by AYE votes of all present. Councilmember Pepler moved to appropriate funds in the amount of \$155,350.00 for this contract. Motion seconded by Councilmember Harrison and carried by AYE votes of all present.

Tract No. 16276 - Larry Cunningham, Applicant - On motion of Councilmember Pepler, seconded by Councilmember George, the City Council approved, by AYE votes of all present, a subdivision improvement agreement for Tract No. 16276, the subdivision of 2.19 acres into five residential lots located on the southwest corner of Bellevue Avenue and Olive Avenue, and authorized the Mayor and City Clerk to execute the agreement on behalf of the City. On motion of Councilmember Pepler, seconded by Councilmember George, the City Council, by AYE votes of all present, granted final approval for Tract No. 16276 as submitted by the applicant by AYE votes of all present.

Resolution No. 6298 - SB 1397 - On motion of Councilmember Pepler, seconded by Councilmember George, the City Council adopted Resolution No. 6298, a resolution of the City Council of the City of Redlands in support of Senate Bill 1397 (Escutia) which would enact the locomotive emissions reduction and mitigation program, by AYE votes of all present.

Resolution No. 6295 - Local Government Budget - On motion of Councilmember Pepler, seconded by Councilmember George, the City Council adopted Resolution No. 6295, a resolution of the City Council of the City of Redlands supporting the State of California local government budget package by AYE votes of all present.

Funds - Agreement - Core Block Parking Structure - On motion of Councilmember George, seconded by Councilmember Harrison, the City Council, by AYE votes of all present, appropriated funds in the amount of \$210,000.00 and approved a consultant services agreement with International Parking Design, Inc. of Irvine, California, for the preparation of all necessary studies and drawings showing concepts, schematics and design alternatives, general details, and cost estimates for the Core Block parking structure for a not-to-exceed fee of \$206,000.00 plus reimbursable expenses.

Use of Sylvan Park - Pagan Pride Day - On motion of Councilmember Pepler, seconded by Councilmember George, the City Council approved, by AYE votes of all present, the request by the Pagan Inland Empire Fellowship for use of Sylvan Park on September 26, 2004, for the Pagan Pride Day Autumn Harvest Faire including placement of vendor booths for sales in the park.

Use of Civic Center Parking Lot - Grounds of Enjoyment - On motion of Councilmember Pepler, seconded by Councilmember George, the City Council, by AYE votes of all present, approved the request by the Green Acres Advertising Design on behalf of Grounds for Enjoyment to use the Civic Center

parking lot on the evening of July 31, 2004, for a fundraiser on behalf of the redlands YMCA, subject to the conditions recommended by staff.

ADA Transition Plan Report - On motion of Councilmember Pepler, seconded by Councilmember George, the City Council adopted the City of Redlands' buildings transition plan report and the City's self-evaluation summary for the Title II American Disabilities Act (ADA) compliance effort by AYE votes of all present.

Public Park Development Plan - Tract No. 16469 - The Parks Commission recommendation regarding a public park development plan for Tract No. 16469, Oak Grove, was withdrawn from this agenda.

Funds - Agreement - California Street Landfill - On motion of Councilmember Pepler, seconded by Councilmember George, the City Council, by AYE votes of all present, approved an agreement with Vector Engineering, Inc. to furnish professional engineering and geological services for the partial closure and postclosure of the inactive east end of the California Street Landfill for the amount of \$99,620.00, authorized the Mayor and City Clerk to execute the agreement on behalf of the City, authorized staff to approve contingent costs up to ten percent (10%) over this initial amount, and approve an additional appropriation in the amount of \$109,592.00.

License - Lockheed-Martin Corporation - On motion of Councilmember Pepler, seconded by Councilmember George, the City Council, by AYE votes of all present, approved and authorized execution of a license to install a temporary perchlorate treatment system and demonstration treat and blend agreement with Lockheed-Martin Corporation.

Agreement - Digester Gas - On motion of Councilmember Pepler, seconded by Councilmember George, the City Council, by AYE votes of all present, approved and authorized execution of an agreement to furnish professional services for design, installation and permitting of flare modifications to incorporate digester gas with Janechek & Associates.

Water Stock Purchases - On motion of Councilmember Pepler, seconded by Councilmember George, the City Council, by AYE votes of all present, approved the purchase of 96 shares of Bear Valley Mutual Water Company stock from Tammy Kent for a total price of \$4,375.00 and 10 shares of Lugonia Water Company stock from Jerry Castro for \$12,760.00.

Citizen Committee to Evaluation Infrastructure Maintenance - On motion of Councilmember Pepler, seconded by Councilmember George, the City Council, by AYE votes of all present,, authorized the formation of a nine-member citizens committee, subject to The Ralph M. Brown Act, and patterned after the Utility Advisory Committee to evaluate infrastructure condition and maintenance programs with the committee to include three members from the Public Works Commission.

Agreement - Water and Wastewater Rate Study - On motion of Councilmember Pepler, seconded by Councilmember George, the City Council, by AYE votes of all present, approved and authorized execution of an agreement to furnish professional services with Raftelis Financial Consultants for the 2004 water and wastewater rates and charges study.

Appointments - 2004 Utilities Advisory Committee - On motion of Councilmember Pepler, seconded by Councilmember George, the City Council, by AYE votes of all present, appointed the following citizens to comprise the 2004 Utilities Advisory Committee to support the water and wastewater rates and charges study: George D. Bartch, Donald Holzhauser, Marvin Shaw, David V. Garcia, Michael L. Huffstutler, John E. James, Ken Jeske, Kevin Morningstar and Thomas Slemmer.

UNFINISHED BUSINESS

Agreement - Toyota of Redlands - Community Development Director Shaw presented a revised development incentive and operating covenant agreement with Toyota of Redlands for relocation to the Auto Mall site located at the Interstate 10 Freeway and 210 Freeway Interchange and touched on the key components of the agreement. Paul Smith, General Manager of Toyota of Redlands was present and available to answer questions. Michael Hastings, Direct Point Advisors, reviewed the incentive program and reported they are working long and hard hours on the Auto Mall. Councilmember George announced a meeting will be held on July 22, 2004, with the property owner of the site, all local dealers, staff and Director Point Advisors. Councilmember George moved to approve the development incentive and operating covenant agreement with Toyota of Redlands for relocation to the Auto Mall site located at the Interstate 10 Freeway and 210 Freeway Interchange, and authorized the Mayor and City Clerk to execute the agreement on behalf of the City. Motion seconded by Councilmember Pepler and carried by AYE votes of all present.

Auto Mall Incentive Package - Councilmember George moved to reactivate for a period of 90 days, the incentive package approved by the City Council on October 7, 2003, for in-town automobile dealers relocating into the Auto Mall. Motion seconded by Councilmember Pepler and carried by AYE votes of all present.

JOINT MEETING - CITY COUNCIL AND REDEVELOPMENT AGENCY

Resolution No. 6290 - Great Neighborhood Program - Councilmember George moved to adopt Resolution No. 6290, 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. Motion seconded by Councilmember Gil and carried by AYE votes of all present. (Also see Resolution No. 377 in the Redevelopment Agency minutes for July 6, 2004.)

Resolution No. 6291 - First Time Home Buyer Program - Councilmember George moved to adopt Resolution No. 6291, 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 a First Time Home Buyer loan agreement with Gilberto R. Bedia, Jr. and Gisele D. Bedia which will be acted upon by the Board of Directors of the Redevelopment Agency. Motion seconded by Councilmember Gil and carried by AYE votes of all present. (Also see Resolution No. 378 in the Redevelopment Agency minutes for July 6, 2004.)

CLOSED SESSION

The City Council meeting recessed at 3:38 P.M. to continue the Redevelopment Agency meeting and reconvened at 3:39 P.M. to a closed session to discuss the following:

1. Conference with real property negotiator -
Government Code Section 54956.8
 - a. Property: APN 174-281-26
Negotiating parties: John Davidson and Bruce G. Strickland
Under negotiation: Terms and price
 - b. Property: APN 292-041-08, 09, 17, and 38
Negotiating parties: Gary Van Dorst and Doris E. Marshburn
Under negotiation: Terms and price
2. Conferences with labor negotiator -
Government Code Section 54957.6
 - a. Agency negotiator: John Davidson
Employee organizations: RAME, GEAR, CSEA, and RAMME

The meeting reconvened at 7:00 P.M.

ANNOUNCEMENTS/REPORTS

Councilmembers reported on their activities and attendance at meetings during the past three weeks.

NEW BUSINESS

Appeal - Minor Exception Permit No. 233 - Community Development Director Shaw reported that on May 20, 2004, the Fence Committee voted to deny the applicant's request to allow a five foot and higher wrought iron fence on the front property line for property located at 1040 Dracena Court. This request was the result of code enforcement action against the applicant. The applicant installed a five foot to approximately 5 foot 11 inch wrought iron fence on her front property line. This was done without receiving any building permits. An anonymous neighbor contacted Code Enforcement to alert them about the fence.

Subsequently, the applicant (Bonnie Lee) filed for a minor except permit. The Fence Committee observed several factors at the site which influenced its decision to deny the request. The property in question is located on a cul-de-sac and is currently the only home within this cul-de-sac to have a fence in the front yard. For this reason, the Fence Committee did not feel the applicant's fence matched the aesthetics of the neighborhood. During the meeting, another neighbor, different from the one who contacted Code Enforcement, expressed to the Fence Committee his dislike for such a fence in the neighborhood. The third factor to influence the Fence Committee's decision was that it did not want to set a precedent to encourage future property owners who might build an illegal fence first, and then seek approval through the Fence Committee. Ms. Lee addressed the City Council and informed them she needed the fence to protect her grandchildren. She also distributed photographs of other fences in town that are as tall or taller than her fence. She complained about an garage that has been converted to an apartment in her neighborhood and expressed concern for her safety when she was alone in the house. She also stated the fence was only four foot 11 inches high and that the contractor told her she did not need a permit to install the fence. Following discussion, Councilmember Pepler moved to continue this matter until the first meeting in August (August 3, 2004) to allow Ms. Lee further discussion with staff for suggestions as to how to bring the fence into compliance. Motion seconded by Councilmember Gil and carried by AYE votes of all present.

Agreement - Purchase of Real Property - Solid Waste Manager Gary Van Dorst reported that following the City Council's authorization to negotiate the purchase of property adjacent to the City's wastewater treatment facility and the California Street Landfill, an agreement has been reached with Doris Marshburn for the purchase of approximately 25.5 acres south and contiguous to the City's wastewater treatment plant. The City's motive for acquiring this property is based on the need to protect the City's facilities from potential deleterious impacts from encroaching development. Councilmember Pepler moved to approve the agreement with Doris Marshburn to purchase real property consisting of Assessor's Parcel Nos. 0292-041-08, 09, 17 and 38 for the amount of \$2.5 million. Motion seconded by Councilmember Harrison and carried by AYE votes of all present.

PUBLIC COMMENTS

None forthcoming.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 7:34 P.M. The next regular meeting will be held on July 20, 2004.

City Clerk