

MINUTES

of a regular meeting of the City Council of the City of Redlands held in the Council Chambers, Civic Center, 35 Cajon Street, on March 7, 2006, at 3:00 P.M.

PRESENT

Jon Harrison, Mayor
Pat Gilbreath, Mayor Pro Tem
Gilberto Gil, Councilmember
Mick Gallagher, Councilmember

ABSENT

Susan Pepler, Councilmember

STAFF

John Davidson, City Manager; Daniel J. McHugh, City Attorney; Lorrie Poyzer, City Clerk; Teresa Ballinger, Assistant City Clerk (evening session); Michael Reynolds, City Treasurer; Jim Bueermann, Police Chief (afternoon session); Jim Drabinski, Fire Chief; Don Gee, Redevelopment Agency Director; Tina Kundig, Finance Director; Ronald C. Mutter, Public Works Director; Marjie Pettus, Administrative Services Director; Gary G. Phelps, Municipal Utilities Director (afternoon session); Douglas Headrick, Chief of Water Resources (evening session); and Jeffrey L. Shaw, Community Development Director

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

PRESENTATIONS

Proclamation - Women's History Month - Mayor Harrison presented a proclamation to Kathryn "Kitty" Boatman, President of Zonta International of Redlands, declaring March 2006, as Women's History Month and calling upon all residents of Redlands to strengthen and expand the recognition and celebration of women's accomplishments. Ms. Boatman explained the history and objectives of the Zonta Club and thanked the City Council for the proclamation. Authorization to issue this proclamation was unanimously granted by the City Council on February 21, 2006.

Service Pin - City Clerk - Mayor Harrison presented a 30-year service pin to City Clerk Lorrie Poyzer. Ms. Poyzer started working in the City Clerk's Office on February 17, 1976. She was appointed Deputy City Clerk in January 1977, and appointed City Clerk on January 4, 1983, to complete Peggy M. Moseley's term. Six terms and 23 years later, she is now the second longest serving City Clerk in Redlands. Ms. Poyzer thanked everyone for the recognition saying she would cherish the pin and looked forward to receiving her 35-year service pin.

DEPARTMENTAL INFORMATION REPORT

Police Department - Police Chief Bueermann presented a PowerPoint highlighting the Redlands Emergency Services Academy (R.E.S.A.) program for young people who are interested in working in the police and fire professions.

CONSENT CALENDAR

Minutes - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the minutes of the regular meeting of February 21, 2006, were approved as submitted.

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

Planning Commission Actions - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the report of the Planning Commission meeting held on February 28, 2006, was acknowledged as received.

Notice of Environmental Actions - Mayor Harrison asked Community Development Director Shaw to further explain a notice received for a proposed 600,245 square foot building to be located on the southwest corner of Pioneer Avenue and Alabama Street in the Donut Hole. Community Development Director Shaw explained this will be a warehouse project and staff has concerns about the aesthetics and will provide comments to the County regarding the desire for higher architectural standards, significant setbacks, and landscaping requirements more in line with the City's standards. Councilmember Gilbreath expressed concerns about the truck traffic on Alabama Street with Mayor Harrison concurring with these concerns. Councilmembers concurred to ask the County to require standards at the same levels as the City seeks. On motion of Councilmember Harrison, seconded by Councilmember Gilbreath, the report on pending environmental actions received from surrounding jurisdictions was acknowledged as received.

Ordinance No. 2632 - Zone Change No. 423 - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council adopted, by AYE votes of all present, Ordinance No. 2632, an ordinance of the City of Redlands amending Title 18 of the Redlands Municipal Code by revising the City's Land Use Zoning Map by approving Zone Change No. 423, a change of zone from unincorporated San Bernardino County C-G (General Commercial) District to the City of Redlands C-4 (Highway Commercial) District on 1.15 acres (Assessor's Parcel Nos. 0298-042-017, 018) located south of Mentone Boulevard on the east side of Wabash Avenue.

Ordinance No. 2635 - Zone Change No. 416 - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council adopted, by AYE votes of all present, Ordinance No. 2635 an ordinance of the City of Redlands amending Title 18 of the Redlands Municipal Code by revising the City's Land Use Zoning Map by approving Zone Change No. 416, a change of zone from A-1 (Agricultural) District to R-E (Residential Estate) District on 10.37 gross acres located north of San Bernardino Avenue, and east of Hanford Street in the A-1 (Agricultural) District.

Funds - Building and Safety Division - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council approved, by AYE votes of all present, a request for an additional appropriation of \$75,000.00 to increase Other Professional Services in the Building and Safety Division for services associated with building inspection services, counter support and structural plan check review.

Escrow Instruction - Date Extension - Louka - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council approved, by AYE votes of all present, an amendment to extend the date to close escrow in an approved purchase and sale agreement and escrow instructions for the City's acquisition of a 1,204 square foot easement to extend Edgemont Drive for public access and utilities on property owned by Tony Louka and Brenda Evans-Louka, located at 306 Edgemont Drive, and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Pre-Annexation Agreement 05-06 - Gale - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council approved, by AYE votes of all present, Pre-Annexation Agreement No. 05-06 with Henry L. and Judy E. Gale for a 6,930 square foot parcel located on the south side of Anzio Avenue, approximately 120 feet west of Crafton Avenue in the Mentone area and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Fee Waiver - Redlands Bicycle Classic - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council approved, by AYE votes of all present, the request of the Redlands Bicycle Classic to waive all City-related fees, costs and charges associated with the 22nd annual bicycle race to be held on March 24-26, 2006.

Resolution No. 6478 - Support Proposition 42 - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council adopted, by AYE votes of all present, Resolution No. 6478, a resolution of the City Council of the City of Redlands in support of Proposition 42 on the November, 2006, ballot to secure local transportation funding.

Resolution No. 6484 - Oppose Assembly Bill 2015 - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council adopted, by AYE votes of all present, Resolution No. 6484, a resolution of the City Council of the City of Redlands opposing Assembly Bill 2015 to expand the size of the Air Quality Management District's governing board.

City Manager Evaluation Form - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council approved, by AYE votes of all present, the use of the City Manager evaluation form dated March 7, 2006, which includes a section for the City Manager to provide input relating to his yearly goals.

Telecommunications Law Reform - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council authorized, by AYE votes of all present, staff to sign onto the League of California Cities letter to the California Congressional Delegation that urges consideration of key telecommunication principles during deliberations on federal telecommunications law reform.

Ordinance No. 2636 - Unclaimed Property - Ordinance No. 2636, an ordinance of the City of Redlands amending Chapter 2.60 of the Redlands Municipal Code relating to unclaimed property, was adopted, by AYE votes of all present, on motion of Councilmember Gilbreath, seconded by Councilmember Gil.

Proclamation - Adult Education Week - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council authorized, by AYE votes of all present, issuance of a proclamation declaring March 12-18, 2006, as Adult Education Week to celebrate 150 years of adult education in California.

Proclamation - Stuart Dorsey, Ph.D. - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council authorized, by AYE votes of all present, the issuance of a proclamation recognizing the inauguration of Dr. Stuart Dorsey, ninth president of the University of Redlands, and in celebrating the Centennial of the University of Redlands.

Cancellation of Council Meeting - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council approved, by AYE votes of all present, the cancellation of the August 15, 2006, City Council meeting.

Boys and Girls Club of Redlands - Construction Management Services - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council approved, by AYE votes of all present, a Request to Initiate Project/Activity and Project/Activity Description documents for construction management services for the development and construction of the Boys and

Girls Club of Redlands facility and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Boys and Girls Club of Redlands - Consulting Services Agreement - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council awarded, by AYE votes of all present, a consulting services agreement with Harris and Associates for construction management services for the review, contract administration and construction management services for the proposed Boys and Girls Club of Redlands' new facility and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Funds - CFD 2004-1 Agreement - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council approved, by AYE votes of all present, a consultant services agreement with Albert A. Webb Associates and appropriation of funds in the amount of \$2,000.00 for the preparation of the annual levy for Community Facilities District No. 2004-1 for Tract No. 16408 for Centex Homes.

Funds - Vehicle Purchase - Public Works Department - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council authorized, by AYE votes of all present, an appropriation of \$22,481.35 from the Disaster Recovery Fund and authorized staff to purchase a 2-wheel drive, Chevrolet Silverado 2500HD or equal pickup truck for stand-by and emergency use by the Public Works Department.

Funds - Agreement - Water Quality Management Plan - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council authorized, by AYE votes of all present, an appropriation in the amount of \$140,000.00 and approved a consulting services agreement with AEI-CASC, Inc. to provide Water Quality Management Plan plan review services and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Agreement - Water and Wastewater Rate Study - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council approved, by AYE votes of all present, an agreement to furnish professional services with Raftelis Financial Consultants for the 2006, Water and Wastewater Rates and Charges Study and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Agreement - Wireless Communications Feasibility Assessment - Mayor Harrison asked staff for clarification that the request for conducting a wireless communication feasibility assessment from the Municipal Utilities Department would include all departments. Chief of Water Resources Headrick responded they would be coordinating this assessment with other departments.

Councilmember Gil suggested staff look at what surrounding communities are using so we can all be on the same wavelength. Councilmember Harrison moved to approve a consultant services agreement with Spacient Technologies, Inc. for the purpose of conducting a wireless communications feasibility assessment for the Municipal Utilities Department and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City. Motion seconded by Councilmember Gilbreath and carried by AYE votes of all present.

Rejection of Bids - Civic Center Facilities Project - Bids were opened and publicly declared on February 16, 2006, by the City Clerk for the Improvements to Civic Center Facilities, Building A, Municipal Utilities Department, project; a bid opening report is on file in the Office of the City Clerk. It was the recommendation of the Municipal Utilities Department that the City Council reject the bids received as they were either non-responsive or exceeded the architect's estimate, and that it would be in the best interest of the City to rebid the project. On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council rejected, by AYE votes of all present, the bids received for this project.

Agreement - Airport Land Use Compatibility Plan - Acting Airport Manager Gary Van Dorst explained staff would like to get an informed decision quicker regarding the Airport Land Use Compatibility Plan review. Following discussion, Councilmember Gallagher moved to authorize staff to issue a purchase order in an amount not to exceed \$20,000.00 for Coffman and Associates to conduct a scoping workshop for review of the Airport Land Use Compatibility Plan. Motion seconded by Councilmember Gilbreath and carried by AYE votes of all present. Councilmember Gallagher moved to authorize staff to negotiate a final agreement with Coffman and Associates to provide consulting services for reviewing the Airport Land Use Compatibility Plan subject to the concurrence of the City Manager and review by the City Attorney and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City. Motion seconded by Councilmember Gilbreath and carried by AYE votes of all present.

Fee Waiver - Pathways Church 10K Foot Race - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council approved, by AYE votes of all present, the request of the Pathways Church to waive all City-related fees, costs and charges associated with their 10K foot race to be held on May 13, 2006.

Computer Purchase - Finance Department - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council approved, by AYE votes of all present, the sole source purchase of a HP9000 computer system from Solution Centers for the Finance Department.

Lease-Purchase Agreement - Police Vehicles - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council approved, by AYE votes of all present, a lease-purchase agreement with Ford Motor Credit Company for 14 new vehicles for the Police Department and authorized the Mayor to execute, and the City Clerk to attest to, the documents on behalf of the City.

COMMUNICATIONS

Meeting Attendance - In accordance with Government Code Sections 53232.2 and 53232.3, Mayor Harrison reported on attendance at a League of California Cities Telecommunications Luncheon held on February 22, 2006, and a League of Inland Empire Division meeting held on March 2, 2006.

Appointments - BEDAC - Mayor Harrison moved to appoint Jeffery C. Sceranka to serve a portion of a term expiring October 15, 2009, on the Business and Economic Advisory Commission. Motion seconded by Councilmember Gilbreath and carried by AYE votes of all present.

Preserve American License Authorization - Mayor Harrison reported the City of Redlands recently received the designation as a *Preserve America Community*. *Preserve America* is a White House initiative that encourages and supports community efforts to preserve and enjoy our priceless cultural and natural heritage. Benefits of the designation include White House recognition; eligibility to apply for *Preserve America* grants; a certificate of recognition; a *Preserve America* road sign; authorization to use *Preserve America* logo on signs, flags, banners and promotional materials; listing in a Web-based *Preserve American Community* directory; inclusion in national and regional press releases; official notification of designation to State tourism offices and visitors bureaus; and enhanced community visibility and pride. Councilmember Gilbreath moved to authorize the Advisory Council on Historic Preservation absolute right to use, in whole and in part, all materials submitted in support of the *Preserve America Community* designation for the City of Redlands. Motion seconded by Councilmember Harrison and carried by AYE votes of all present. Councilmember Gilbreath moved to authorize the City to use the *Preserve America* logo, or to refer to *Preserve America* solely for non-commercial purposes related to the promotion and public understanding of the *Preserve American Community* designation and the *Preserve America* initiative. Motion seconded by Councilmember Harrison and carried by AYE votes of all present.

CLOSED SESSION

The City Council meeting recessed at 3:30 P.M. to a closed session to discuss the following:

1. Conference with labor negotiator - Government Code Section 54957.6
Agency negotiator: John Davidson, City Manager
Employee Organizations: Redlands Association of Management Employees, Redlands Association of Safety Management Employees, and Redlands Association of Fire Management Employees
2. Conference with legal counsel: Existing litigation - Government Code Section 54956.9(a) - Richard and Jan Orbaker v Richard Joseph Barnes, Gerald John Zeller, City of Redlands, et al - SCVSS 121584
3. Conference with legal counsel: Anticipated litigation - Government Code Section 54956.9(b) - Facts and Circumstances: Consideration of claim of Megan Campbell

The meeting reconvened at 7:00 P.M. Mayor Harrison announced the City Council will recess to a closed session just before the last "New Business" item and will reconvene following the closed session.

CLOSED SESSION REPORT

None forthcoming.

LAND USE AND PUBLIC HEARINGS

City of Redlands, Municipal Utilities Department, Applicant - Public notice was advertised for this time and place to consider a Draft Mitigated Negative Declaration as well as public hearing for a Socio-Economic Analysis and Cost/Benefit Study for Agricultural Preserve Removal No. 114, Zone Change No. 421, and Minor Subdivision No. 289, and public hearings to consider Resolution No. 6476, Agricultural Preserve Removal No. 114, an Agricultural Preserve Removal for approximately 4.13 acres located on the north side of San Bernardino Avenue, and west side of Webster Street, in the A-1 (Agricultural) District; Ordinance No. 2637, Zone Change No. 421, a change of zone from A-1 (Agricultural) District to O (Open Land) District on 20.13 gross acres located on the north side of San Bernardino Avenue, west side of Webster Street and east side of Texas Street, in the A-1 (Agricultural) District; and Minor Subdivision No. 289, a minor subdivision to subdivide 20.13 gross acres into three (3) lots for property located on the north side of San Bernardino, west side of Webster Street, east side of Texas Street, in the A-1 (Agricultural) District. Mayor Harrison declared the meeting open as a public hearing. Community Development Director Shaw described the proposed project and explained the proposed zone change will provide more flexibility for the Municipal Utilities Department in selling off excess land in the future to the San Bernardino Valley Municipal Water District. Chief of Water Resources Headrick also provided

information regarding their project. There being no public comments, the public hearing was declared closed.

Negative Declaration - Councilmember Gilbreath moved to approve the Environmental Review Committee's negative declaration for Agricultural Preserve Removal No. 114, Zone Change No. 421, and Minor Subdivision No. 289 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 Gallagher and carried by AYE votes of all present.

Socio-Economic Analysis and Cost/Benefit Study - Councilmember Gilbreath moved to approve the Socio-Economic Analysis and Cost/Benefit Study for Agricultural Preserve Removal No. 114, Zone Change No. 421, and Minor Subdivision No. 289 as it has been determined that this project will not create unmitigable physical blight or overburden public services in the community and no additional information or evaluation is needed. Motion seconded by Councilmember Gallagher and carried by AYE votes of all present.

Resolution No. 6476 - Agricultural Preserve Removal No. 114 - Councilmember Gilbreath moved to adopt Resolution No. 6476, a resolution of the City Council of the City of Redlands removing property from the City's Agricultural Preserve and approving Agricultural Preserve Removal No. 114. Motion seconded by Councilmember Gallagher and carried by AYE votes of all present.

Ordinance No. 2637 - Zone Change No. 421 - Ordinance No. 2637, an ordinance of the City of Redlands amending Title 18 of the Redlands Municipal Code revising the City's Land Use Zoning Map and approving Zone Change No. 421, was read by title only by City Clerk Poyzer, and on motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, further reading of the ordinance text was waived, and Ordinance No. 2637 was introduced and laid over under the rules with adoption scheduled for March 21, 2006.

Minor Subdivision No. 289 - Councilmember Gilbreath moved to approve Parcel Map No. 17558 for Minor Subdivision No. 289 subject to the conditions of approval and based upon the findings contained in the staff report. Motion seconded by Councilmember Gallagher and carried by AYE votes of all present.

PUBLIC HEARING

Street Vacation No. 134 - Thienes Engineering, Inc., Applicant - Public hearing was advertised for this time and place for the vacation of a portion of an irregularly shaped parcel of land, being that portion of Kansas Street (eight feet wide and 515 feet long) as shown on Parcel Map No. 1915, in the City of

Redlands, County of San Bernardino, State of California, as per map filed in Book 35, Page 14, of parcel maps, in the Office of the County Recorder of said County. Said street vacation contains 4,122 square feet more or less. Mayor Harrison declared the meeting open as a public hearing. Community Development Director Shaw reviewed the proposed street vacation. There being no comments, the public hearing was declared closed.

CEQA Exemption - Councilmember Gilbreath moved to deem Street Vacation No. 134 to be exempt from the California Environmental Quality Act under Section 15301, Class 1(c), Existing Facilities, as the project involves the permitting of a minor alteration to the existing street that involves no expansion of use beyond that existing at the time of the City's determination. Motion seconded by Gallagher and carried by AYE votes of all present.

Resolution No. 6482 - Street Vacation No. 134 - Resolution No. 6482, a resolution of the City Council of the City of Redlands finding that a portion of Kansas Street is unnecessary for present or prospective street purposes and ordering the vacation of said portion, was adopted, by AYE votes of all present, on motion of Councilmember Gilbreath, seconded by Councilmember Gallagher.

NEW BUSINESS

Areawide Urban Storm Water Runoff Permit - Assistant Public Works Director Tom Fujiwara explained the Clean Water Act was amended by Congress in 1987 to require permits for stormwater discharges from the municipal storm drain systems under the National Pollutant Discharge Elimination System (NPDES) Program. The Environmental Protection Agency began enforcing the new law in November 1990 and designated the State Water Resources Control Board to administer the regulations and the Clean Water Act in California. There are nine California Regional Water Quality Control Boards established under the SWRCB of which the California Regional Water Quality Control Board, Santa Ana Region (Regional Board) is one. The Regional Board enforces regulations by issuing a stormwater discharge permit to the 18 municipalities and agencies within the Santa Ana River watershed with San Bernardino County Flood Control District being the lead permittee. The City of Redlands is one of the 18 co-permittees. On April 26, 2002, the third term Area Wide Urban Stormwater Runoff Permit (NPDES Permit No. CAS618036) was adopted by the Regional Board, which required all co-permittees to develop an inventory of industrial and commercial businesses with a potential for causing pollution to the Municipal Separate Storm Sewer Systems and conduct periodic inspections of those businesses. Currently, the City of Redlands does not have any fee schedule established to pay for the inspections required to be conducted on the businesses. Consequently, the inspection costs are funded by the General Fund at this time. The establishment of this new fee to cover the resolution costs of the inspection services undertaken by City Staff will recover such inspection costs.

Ordinance No. 2634 - Storm Drains - Ordinance No. 2634, an ordinance of the City of Redlands amending Chapter 13.54 of the Redlands Municipal Code relating to storm drains and establishing inspection fees for businesses governed by the Areawide Urban Storm Water Runoff Permit, was read by title only by City Clerk Poyzer and Assistant City Clerk Ballinger, and on motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, further reading of the ordinance text was waived, and Ordinance No. 2634 was introduced and laid over under the rules, by AYE votes of all present, with adoption scheduled for March 21, 2006.

Resolution No. 6473 - Schedule of Fees - In conjunction with Ordinance No. 2634, Assistant Public Works Director Fujiwara presented Resolution No. 6473, a resolution of the City Council of the City of Redlands approving a schedule of fees for inspection services for required inspections of businesses under the Areawide Urban Storm Water Runoff Permit. Councilmember Gilbreath moved to adopt Resolution No. 6473. Motion seconded by Councilmember Gallagher and carried by AYE votes of all present.

CLOSED SESSION

The City Council meeting recessed at 7:19 P.M. to a closed session to discuss the following:

1. Conference with labor negotiator - Government Code Section 54957.6
Agency negotiator: John Davidson, City Manager
Employee Organizations: Redlands Association of Management Employees, Redlands Association of Safety Management Employees, and Redlands Association of Fire Management Employees

The meeting reconvened at 7:43 P.M. There was no report following the closed session.

Memoranda of Understanding - RASME and RAFME - Mayor Harrison moved to continue the Memoranda of Understanding for the Redlands Association of Safety Management Employees (RASME) and the Redlands Association of Fire Management Employees (RAFME). Motion seconded by Councilmember Gilbreath and carried by AYE votes of all present.

PUBLIC COMMENTS

None forthcoming.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 7:44 P.M. The next regular meeting will be held on March 21, 2006.

City Clerk