

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 6, 2007, at 3:00 P.M.

PRESENT

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

ABSENT

None

STAFF

Sam J. Racadio, Interim City Manager; Daniel J. McHugh, City Attorney; Lorrie Poyzer, City Clerk; Michael Reynolds, City Treasurer; Cletus Hyman, Deputy Police Chief; Jim Drabinski, Fire Chief; Steven H. Dukett, Interim Redevelopment Agency Director; Tina Kundig, Finance Director; Ronald C. Mutter, Public Works Director; Gary G. Phelps, Municipal Utilities Director; and Jeffrey L. Shaw, Community Development Director

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

PRESENTATIONS

Proclamation - Women's History Month - Councilmember Gil moved to authorize issuance of a proclamation declaring March 2007 as Women's History Month. Motion seconded by Councilmember Aguilar and carried unanimously. Mayor Harrison presented the proclamation to members of the Human Relations Commission and Lois Lauer. A professor from the University of Redlands reviewed events scheduled during the month to honor Women's History Month. Ms. Lauer announced the Redlands Christian Science Church will be honoring Women's History Month on March 24, 2007, with a presentation entitled "Mary Baker Eddy - A Woman Who redefined History."

Proclamation - César E. Chávez Day - Councilmember Gil moved to authorize issuance of a proclamation declaring March 31, 2007, as César E. Chávez Day. Motion seconded by Councilmember Aguilar and carried unanimously. Mayor Harrison presented the proclamation to members of the Human Relations Commission. Commissioner Alex Contreras announced a breakfast meeting to honor César E. Chávez will be held on March 31, 2007.

DEPARTMENTAL INFORMATION REPORT

Police Department - Deputy Police Chief Hyman presented a PowerPoint outlining how the Police Department is leveraging their resources through personnel and technology.

CONSENT CALENDAR

Minutes - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the minutes of the regular meeting of February 20, 2007, and the adjourned regular meeting of March 2, 2007, 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 27, 2007, was acknowledged as received.

Notice of Environmental Actions - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, a report on notices of pending environmental actions and pending projects received from surrounding jurisdictions was acknowledged as received.

Time Extension - Tandy Hill, Applicant - A request for a time extension and waiver and release of claims relating to the California Environmental Quality Act on Zone Change No. 428 and Agricultural Preserve Removal No. 116 on approximately 12.46 acres located north of San Timoteo Canyon Road and west of Alessandro Road was presented by Community Development Director Shaw who explained the need for this action which would be a benefit to the City. Amanda Frye, who sent an e-mail earlier in the day expressing concerns regarding this project, addressed the City Council stating many residents have been attending the Planning Commission meetings expressing concerns about this project and asked that the project be required to prepare an Environmental Review Report. Helen Waitz agreed with Ms. Frye stating the continuances are wrong and the application is wrong. Community Development Director Shaw responded to Councilmembers questions assuring them this action does not change the environmental review process. City Attorney McHugh reiterated and concurred with Community Development Director Shaw's comments. Councilmember Gilbreath moved to approve a time extension and waiver and release of claims relating to the California Environmental Quality Act on Zone Change No. 428 and Agricultural Preserve Removal No. 116 on approximately 12.46 acres located north of San Timoteo Canyon Road and west of Alessandro Road. Motion seconded by Councilmember Gallagher and carried unanimously.

Settlement Agreement - Dennis Arnold - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously acknowledged a Release in Full of All Claims with Dennis Arnold and United Services Automobile Association for an incident which occurred on or about April 14, 2004, and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City. The City Council authorized settlement of this lawsuit and this agreement reflects the Council's terms and conditions for settlement.

Proclamation - Cope Middle School - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously authorized issuance of a proclamation recognizing Cope Middle School's 50th anniversary and commending the teachers and administrators for their commitment to provide innovative teaching methods that prepare our children for a bright and successful future. An alumni evening celebration will be held on March 24, 2007, at 7:00 P.M. in their multi-purpose room.

Fee Waiver - Candlelighters - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved the waiver of reservation, use and table fees in the amount of \$145.00 for use of Sylvan Park by the Candlelighters on March 31, 2007, for their 7th Annual Easter Egg Hunt for children with cancer and their families.

Funds - Redlands Community Music Association - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously authorized the return to the Redlands Community Music Association of the remaining unused funds in the amount of \$8,063.91 from the Redlands Bowl Conduit Installation Project.

Funds - Redlands Community Music Association - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously accepted \$1,500.00 from the Redlands Community Music Association as reimbursement for payment of the SCE line extension deficit bill from the construction of the Mission Gables Bowl House Restrooms and Renovation project. On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved an appropriation of \$2,249.53 to pay the power bill at the Mission Gables Bowl House.

Funds - Friends of Prospect Park - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously accepted the donation of \$5,000.00 from the Friends of Prospect Park to be used for trimming trees in Prospect Park. On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved an appropriation in the amount of \$5,000.00 to the Parks/Street Tree Division to be used for services from West Coast Arborist for this purpose.

Bid Award - Truck Purchase - Councilmember Gallagher reminded Councilmembers and staff to "Shop Redlands First" and urged staff to encourage people in town to bid. Municipal Utilities Director Phelps reported Tom Bell Chevrolet is on the top of their vehicles bid list but that they did not respond to the call for the purchase of a truck. Councilmember Gallagher moved to approve the purchase of a Chevrolet 1500 Silverado truck from Rotolo Chevrolet of Fontana, California, for the Water Division. Motion seconded by Councilmember Gilbreath and carried unanimously.

Sewer Video Camera - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved the purchase of an OZ11 sewer video camera from Plumbers Depot, Inc. of Gardena, California, for the City's wastewater collection system.

Resolution No. 6577 - Water and Sewer Service Policy - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously adopted Resolution No. 6577, a resolution of the City Council of the City of Redlands establishing policy with regard to the provision of water and sewer service to housing affordable to lower income persons.

Resolution No. 6579 - Citizen Preparedness and Participation Grant - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously adopted Resolution No. 6579, a resolution of the City Council of the City of Redlands authorizing an application for a Citizen Preparedness and Participation Grant for the Redlands Fire Department.

COMMUNICATIONS

Meeting Attendance - In accordance with Government Code Sections 53232.2 and 53232.3, Mayor Harrison reported on his attendance at the League of California Cities Inland Empire dinner meeting held on March 1, 2007; Mike Ramos, San Bernardino County District Attorney, was the keynote speaker.

Resolution No. 6578 - Adopt-A-Street Program - Interim City Manager Racadio reported staff is organizing a citywide clean-up to be held on April 14, 2007, and has developed an Adopt-A-Street Program for litter cleanup. He thanked Solid Waste Manager Gary Van Dorst for his efforts. Solid Waste Manager Van Dorst explained the proposed Adopt-A-Street Program. The cost of an ongoing Adopt-A-Street Program will require the City Council to add an estimated \$3,000.00/year to the Public Works operating budget to cover signage and volunteer supplies. Councilmember Gilbreath moved to adopt Resolution No. 6578, a resolution of the City Council of the City of Redlands authorizing establishment of an Adopt-A-Street Program. Motion seconded by Councilmember Gallagher and carried unanimously.

Resolution No. 6588 - Local Emergency - Municipal Utilities Director Phelps asked the City Council for a declaration of an emergency and the authorization to award contracts without the solicitation of competitive bids to pay for damages from a freak lightning storm on February 13, 2007, at approximately 6:00 P.M. when a lightning bolt struck the ground at or near the Hinckley Water Treatment Plant and rendered it inoperative, and from unexpected mechanical breakdowns of pumps and motors at the City's North Orange Well field. This was discussed at length with Councilmember Gil expressing concerns about going around the normal bid process for the repairs needed at the North Orange Well field. Pursuant to the request of the City Manager (the City's Director of Emergency Services), Councilmember Gilbreath moved to proclaim the existence of a "local emergency" in accordance with Chapter 2.52 of the Redlands Municipal Code. Motion seconded by Councilmember Gallagher and carried with Councilmember Gil voting NO. Councilmember Gilbreath moved to find and determine that City staff has presented this City Council with verbal and written testimony which constitutes substantial evidence that the local emergency caused by a lightning strike to the Hinckley Water Treatment Plant along with mechanical breakdowns of pumps and wells of the City's North Orange Well field will not permit a delay in undertaking the work to alleviate the local emergency that would result from a competitive solicitation of bids for the project. Motion seconded by Councilmember Gallagher and carried with Councilmember Gil voting NO. Councilmember Gilbreath moved to adopt Resolution No. 6588, a resolution of the City Council of the City of Redlands declaring that the public interest and necessity demands the immediate expenditure of public money to safeguard life, health and property. Motion seconded by Councilmember Gallagher and carried with Councilmember Gil voting NO (required a 4/5th vote). Councilmember Gilbreath moved that the City Council determine that the City's award of contracts for the repair and replacement of components of the Hinckley Water Treatment Plant and the City's North Orange Well field does not require further environmental processing, pursuant to Section 15269 of the California Environmental Quality Act Guidelines based on the following determinations: emergency repairs to publicly-owned facilities necessary to maintain service essential to the public health, safety and welfare are exempt from the requirements of the California Environmental Quality Act and specific actions necessary to prevent or mitigate an emergency. Motion seconded by Councilmember Gallagher and carried with Councilmember Gil voting NO. Councilmember Gilbreath moved to approve staff negotiating contracts with Beavens, Center Electrical and Layne Christiansen, pursuant to the terms discussed in the staff report to this City Council and authorized the Mayor to execute, and the City Clerk to attest to, the contracts for the repair and replacement of components of the Hinckley Water Treatment Plant and the City's North Orange Well field. Motion seconded by Councilmember Gallagher and carried with Councilmember Gil voting NO.

LATE BREAKING ITEM

ISD Fees - Interim City Manager Racadio explained he and Fire Chief Drabinski just attended a meeting with the County of San Bernardino regarding an increase to the ISD (Information Services Department) fees which would impact how much we pay annually for the 800 megahertz emergency radio system to operate police and fire radios. The impact, if implemented all at once, would be an increase of \$80,000.00 next year. We do not want an increase, but if absolutely necessary, we would like the cost increase to be spread over a three year period. The Board of Supervisors will act on this matter on March 13, 2007. Noting the need to take action was immediate, Councilmember Gilbreath moved to add the following item to the agenda which arose subsequent to the agenda being posted: "Authorize the Mayor to sign a letter on behalf of the City requesting the San Bernardino County Board of Supervisors, at its March 13, 2007, meeting, to phase the proposed increase in ISD rates to the City over a three-year period." Motion seconded by Councilmember Gil and carried unanimously. Councilmember Gilbreath moved to approve this request; motion seconded by Councilmember Gil and carried unanimously.

CLOSED SESSION

The City Council meeting recessed at 3:59 P.M. to a closed session to discuss the following:

1. Conference with legal counsel: Existing litigation - Government Code Section 54956.9(a) - Finfrock v Bennett, et al - San Bernardino Superior Court Case No. SCVSS 139800

(Also see City Council minutes for an adjourned regular meeting held on this same date for another closed session matter.)

The meeting reconvened at 7:00 P.M.

PRESENT

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

ABSENT

None

STAFF

Sam J. Racadio, Interim City Manager; Daniel J. McHugh, City Attorney; Lorrie Poyzer, City Clerk; Teresa Ballinger, Assistant City Clerk; Michael Reynolds, City Treasurer; Cletus Hyman, Deputy Police Chief; Jim Drabinski, Fire Chief; Steven H. Dukett, Interim Redevelopment Agency Director; Tina Kundig, Finance Director; Ronald C. Mutter, Public Works Director; Marjie Pettus, Administrative Services Director; Gary G. Phelps, Municipal Utilities Director; and Jeffrey L. Shaw, Community Development Director

CLOSED SESSION REPORT

None forthcoming.

PRESENTATIONS

Outstanding School Crossing Guard of the Year - Mayor Harrison and Deputy Police Chief Hyman presented a certificate of recognition to Josefina Mondragon on being named Outstanding School Crossing Guard of the Year, 2007. Sincere appreciation was extended to Ms. Mondragon for her exemplary service in securing safe passage to and from school for the students of Cope Middle School. Her enthusiasm for helping others has endeared her, not only to the children she protects, but also to the residents of Redlands.

North Redlands Revitalization Project - Due to a potential conflict of interest, Councilmember Gil retired from the Council Chambers and did not participate in this matter. Mario Saucedo, Chairman of the North Redlands Visioning Committee, presented the results of recent efforts to develop a financing strategy for the North Redlands Vision Plan. This presentation was a culmination of collaborative inter-organization effort of the following Redlands' community-based organizations to take proactive steps to improve their community: North Redlands Visioning Committee, North Side Impact Committee, North Side Advisory Committee, Boys and Girls Club of Redlands, Redlands Christian Center, New Life Chapel, Housing Authority of the County of San Bernardino, Highest Praise Apostolic Church, Redlands Northside Boosters, Apostolic Assembly, Community Presbyterian Church, and Spiritual Treatment Center. A petition containing 178 signatures was also presented. At this time, they requested the City Council authorize and initiate the process that would lead to the formation of the North Redlands Revitalization Project which would function as a redevelopment project customized to meet the revitalization needs of its target area. The target area could include all or portions of the area that was previously considered for redevelopment in the area north of the I-10 freeway. Its actual boundaries and project prioritization would be determined through a community participation process. In their view, the needs for revitalization are extraordinary and the current resources available to the City are limited, therefore funding programs from the County, State and Federal programs should be pursued. Their organizations are eager to form a collaborative effort with the City to help create the North Redlands

Revitalization Project. To assure a successful effort, they respectfully requested that the North Redlands Revitalization Project be formed and implemented utilizing the following three guiding policies:

1. The North Redlands Revitalization Project plan shall not include the power of eminent domain;
2. The implementation of the North Redlands Revitalization Project shall primarily focus on neighborhood revitalization, business development programs, projects and resources; and
3. The North Redlands Revitalization Project's planning and implementation phases shall include a significant, meaningful and ongoing community participation program.

Members of the various community-based organizations were present at this meeting. Speaking in support was Dan Nackeram, San Bernardino County Housing Authority. Later in the evening under Public Comments, Eddie Tejada cautioned the City Council to be very careful not to undo the efforts of the people supporting the North Redlands Revitalization Project. On behalf of the City Council, Mayor Harrison expressed appreciation for the efforts of these folks and by consensus of all present, staff was directed to bring back a report on March 20, 2007, during the evening session.

LAND USE AND PUBLIC HEARINGS

Bulldog Commons, LLC, Applicant - Consideration of an Environmental Impact Report and a Socio-Economic Analysis and Cost/Benefit Study and Conditional Use Permit No. 836 to develop a forty (40) unit apartment complex on a 3.07 acre property located at the southeast corner of Grove Street and Sylvan Boulevard in the R-2 (Multiple Family Residential) District, was continued from the December 19, 2006, meeting to this time. Mayor Harrison declared the meeting open as a public hearing. Community Development Director Shaw reported this project was continued to allow for the Environmental Impact Report to be revised in response to significant changes to the project. An alternative design is now being pursued that would minimize work along the Zanja. As currently envisioned, this alternative would have the City perform maintenance to the Zanja, which entails removing silt deposits that would widen and deepen the channel consistent with maintenance that was routinely performed by the City in the past. In order to control erosion, vegetation would be planted along the banks. No channel modifications would be made by the applicant. A pedestrian and driveway bridge are proposed that are designed to span over the Zanja, rather than building within the channel. The new alternative is not covered in the Environmental Impact Report presented to the City Council in December 2006 and requires re-circulation of the document. Once revisions to the Environmental Impact Report are complete, the report will be forwarded to the appropriate agencies via the State Clearinghouse for the required 45 day public review period. It was recommended this item be continued to May 15, 2007. Richard Feenstra, the applicant, thanked staff for their assistance and expressed his desire to move

forward as the application process has taken a long time. Councilmember Gilbreath moved to continue the Final Environmental Impact Report for Conditional Use Permit No. 836 and Demolition No. 68 and the public hearing for the Socio-Economic Cost/Benefit Study and Conditional Use Permit No. 836 to May 15, 2007. Motion seconded by Councilmember Gallagher and carried unanimously.

PUBLIC COMMENTS

North Redlands Revitalization Project - Eddie Tejada's comments are included in the discussion for the North Redlands Revitalization Project.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 7:19 P.M. The next regular meeting will be held on March 20, 2007.