

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 November 18, 2008, at 3:00 P.M.

PRESENT Jon Harrison, Mayor
Pat Gilbreath, Mayor Pro Tem
Mick Gallagher, Councilmember
Pete Aguilar, Councilmember
Jerry Bean, Councilmember

ABSENT None

STAFF N. Enrique Martinez, City Manager; Daniel J. McHugh, City Attorney; Lorrie Poyzer, City Clerk; Jim Buermann, Police Chief; David Hexem, Chief Information Officer; Daniel Hobbs, Redevelopment Agency Director; Rosemary Hoerning, Municipal Utilities and Engineering Director; Tina Kundig, Finance Director/City Treasurer; Jeff L. Frazier, Fire Chief; Oscar W. Orci, Community Development Director; Deborah Scott-Leistra, Human Resources Director; Gary van Dorst, Quality of Life Director

The meeting was opened with an invocation by Councilmember Gallagher followed by the pledge of allegiance to the American flag.

PRESENTATIONS

Pet Adoptions - Animal Control Officer Bill Miller and Redlands Animal Shelter volunteer Lynda Ackerman introduced Cleo, one-two year old Chihuahua-mix who is still available for adoption at the Redlands Animal Shelter.

Proclamation - The Human Relations Commission requested the issuance of a proclamation recognizing the dignity of labor and the fundamental principle of a living wage. Councilmember Aguilar moved to approve this request; motion seconded by Councilmember Harrison. Councilmembers discussed this matter with Councilmembers Gilbreath, Bean and Gallagher stating they would oppose issuance of this proclamation. Councilmember Aguilar moved to table the matter; motion seconded by Councilmember Harrison and carried unanimously. At the end of the evening session, under the impression the City Council had referred this request back to the Human Relations Commission, Commissioner Sue Greenfeld asked Councilmembers what type of information they would like to assist in their decision to reconsider issuance of this proclamation. Councilmember Bean clarified the matter was tabled; not sent back to the Human Relations Commission.

CONSENT CALENDAR

Minutes - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously approved the minutes of the regular meeting of November 4, 2008, as submitted.

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

Notice of Environmental Actions - Councilmember Bean asked for further information regarding the City of San Bernardino's notice on a proposal that was filed for a Conditional Use Permit to convert an existing steel mill, located on the northwest corner of Mountain View Avenue and Riverview Avenue, to a tire/rubber processing facility. Quality of Life Director van Dorst described the current operation which did not include any air quality problems. Assistant Community Development Director Dalquest assured Councilmembers he would get more information on the application. Councilmember Bean moved to acknowledge the report on notices of pending environmental actions and pending projects received from surrounding jurisdictions. Motion seconded by Councilmember Gilbreath and carried unanimously.

Resolution No. 6781 - Annexation No. 6 - CFD 2004-1 - Following brief discussion, Councilmember Harrison moved to adopt Resolution No. 6781, a resolution of the City Council of the City of Redlands declaring its intention to annex territory to Community Facilities District No. 2004-1 of the City of Redlands and adopting a map of the area proposed to be annexed thereto (Annexation No. 6), as petitioned by the Cordillera Homeowners Association consisting of 40 residential units located easterly of Alessandro Road and Sunset Hills Lane. Motion seconded by Councilmember Gilbreath and carried unanimously.

Resolution No. 6784 - Traffic - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously adopted Resolution No. 6784, a resolution of the City Council of the City of Redlands establishing the following traffic regulation in accordance with Title 10 of the Redlands Municipal Code: establish speed limits on Pennsylvania Avenue.

Resolution No. 6783 - Traffic - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously adopted Resolution No. 6783, a resolution of the City Council of the City of Redlands establishing the following traffic regulations in accordance with Title 10 of the Redlands Municipal Code: install a multi-way stop at Nevada Street and Park Avenue; create a no parking zone on the west side of Judson Street from Pennsylvania Avenue north of San Bernardino Avenue, as recommended by the Traffic and Parking Commission.

Contract - Drainage Culverts - City Creek - Following brief discussion, Councilmember Aguilar moved to approve a revised contract agreement among the County of San Bernardino, the Inland Valley Development Agency, the City of San Bernardino, the City of Highland and the City of Redlands for the construction and installation of drainage culverts, bank protection and roadway improvements on Alabama Street at City Creek 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 unanimously.

Resolution No. 6768 - Traffic - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously adopted Resolution No. 6768, a resolution of the City Council of the City of Redlands establishing the following traffic regulations in accordance with Title 10 of the Redlands Municipal Code: replace existing bus loading zone with no parking zone on Fern Avenue along the frontage of Cope Middle School; create a loading zone on the north side of State Street, west of Tennessee Street along the frontage of 301 Tennessee Street; and create a two-hour time limit parking zone on Eureka Street from Fern Avenue to Home Place, as recommended by the Traffic and Parking Commission.

Resolution No. 6782 - Grant Application - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously adopted Resolution No. 6782, a resolution of the City Council of the City of Redlands authorizing the submission of a grant application to the State of California Department of Forestry and Fire Protection Urban Forestry Program, to create and implement tree planting projects.

Fee Waiver - Proclamation - American Cancer Society - Representing the American Cancer Society, June Patterson thanked the City Council for their consideration of their request to issue a proclamation declaring the City of Redlands a "Relay for Life Community" and supporting the 10th Annual Redlands Relay for Life event to be held on March 14-15, 2009, at Redlands East Valley High School and waiving the fee for the use of the City's Showmobile. She provided packets of information and applications to participate and tee-shirts commemorating the event. Councilmember Harrison moved to approve the issuance of the proclamation and to waive \$1,100.00 in fees to the American Cancer Society for the two-day use of the City's Showmobile providing that certain other requirements noted in the rental contract are met for towing, set-up, deposit, insurance coverage and rental period. Motion seconded by Councilmember Gilbreath and carried unanimously.

Funds - Park Maintenance Funding Agreement - Following discussion, Councilmember Bean moved to approve a park maintenance funding agreement with Beazer Homes Holdings Corporation for an eight acre park commonly known as City of Redlands Tract No. 16390, authorized the Mayor to execute,

and the City Clerk to attest to, the document on behalf of the City and approved an additional appropriation in the amount of \$49,000.00. Motion seconded by Councilmember Gilbreath and carried unanimously.

Fire Protection Agreement - Following brief discussion, Councilmember Bean moved to approve renewal of a cooperative fire protection agreement with the USDA Forest Service, San Bernardino National Forest 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 unanimously.

Local Emergency Report - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously acknowledged receipt of the report regarding the status of the declared local emergency at the Safety Hall.

COMMUNICATIONS

Meeting Attendance - In compliance with Government Code Sections 53232.2 and 53232.3, Mayor Harrison reported on his attendance at the National League of California Cities annual business meeting on November 15, 2008, in Orlando, Florida.

Palm Tree Trimming - Quality of Life Director van Dorst presented an update on the removal and trimming by Southern California Edison of palm trees impacted by overhead utilities. Staff has obtained a commitment from Southern California Edison to provide residents with a City letter and "pledge card" for the replacement of palm trees removed. Residents who commit to watering a City street tree will be added to the City street tree list for planting when the pledge card is returned to the City. The trees planted as replacement trees will be "line trees" which will not pose an issue for overhead utilities. Beverly Powell and a supervisor from Southern California Edison answered Councilmembers' questions. Mayor Harrison expressed appreciation for the cooperation by Southern California Edison.

NEW BUSINESS

Climate Action Task Force - Mayor Harrison recommended establishing a citizens' task force to develop an inventory of recommended public and private sector actions for reducing green house gas emissions within Redlands in accordance with targets established by AB32. Following discussion, Councilmember Harrison moved to approve this recommendation to establish a Climate Action Task Force. Motion seconded by Councilmember Gilbreath and carried unanimously.

Agreement - Lobbyist - Assistant City Attorney Michael Reiter presented a recommendation to the City Council to approve an agreement with Van Scoyoc

Associates, Inc. to provide legislative advocate services to pursue legislative matters of importance to the City and funding opportunities. Following discussion, Councilmember Gilbreath moved to approve the agreement with Van Scoyoc Associates, Inc., in an amount not to exceed \$63,000.00 and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City. Motion seconded by Councilmember Gallagher and carried unanimously.

Agreement - Redlands Conservancy - Sherli Leonard, Executive Director of the Redlands Conservancy, presented a PowerPoint showing existing trails and the area of the proposed Creekside Trail on the City-owned property in San Timoteo Canyon. Martie Wells, property owner of the adjoining parcel, said he was shocked and appalled that there was no notification of this proposal to nearby property owners. Bob Roberts also complained a public hearing was not scheduled for this proposal nor an environmental review. City Attorney McHugh assured Councilmembers staff has reviewed the proposal and saw no significant impact and everything had been done legally proper. Following discussion, Councilmember Harrison moved to approve the agreement for the construction and maintenance of the Creekside Trail with the Redlands Conservancy, authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City and further, that staff will investigate environmental review and other requirements to ensure that all considerations for the construction of this trail are properly met. Motion seconded by Councilmember Gilbreath and carried unanimously.

Airport Master Plan - Todd Housley, Redlands Municipal Airport Manager, introduced a representative from Coffman Associates, Inc. who reviewed the proposed Redlands Municipal Airport Master Plan. Councilmember Gilbreath moved to determine that approval of the Redlands Municipal Airport Master Plan is exempt from review under the California Environmental Quality Act pursuant to CEQA Guidelines, Section 15061(b)(3) and directed staff to file a notice of exemption with the County Clerk. Motion seconded by Councilmember Gallagher and carried unanimously. Councilmember Gilbreath moved to approve the Redlands Municipal Airport Master Plan prepared by Coffman Associates, Inc. Motion seconded by Councilmember Gallagher and carried unanimously.

Agreement - Electricity Cogeneration Facility - Municipal Utilities and Engineering Director Hoerning reviewed the recommendation to approve an agreement to furnish operation and maintenance services for the Electricity Cogeneration Facility with SCS Energy. Councilmember Gilbreath moved to approve this agreement in an amount of \$435,640.00 and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City. Motion seconded by Councilmember Gallagher and carried unanimously.

Ordinance No. 2708 - Market Night Curfew - Police Chief Bueermann explained the need to expand the area to apply the juvenile curfew during the City's sponsored "Market Night" to include the geographical area bounded by Citrus Avenue on the south, Eureka Street on the west, the Interstate 10 Freeway on the north, and Sixth Street between the Interstate 10 Freeway and Redlands Boulevard, on the east, and then from Redlands Boulevard to Citrus Avenue on the east. Ordinance No. 2708, an ordinance of the City of Redlands amending Chapter 9.24 of the Redlands Municipal Code relating to a juvenile curfew during the City's sponsored Market Night, 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 unanimously waived, and Ordinance No. 2708 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for December 2, 2008.

CLOSED SESSION

The City Council meeting recessed at 4:58 P.M. to a closed session to discuss the following:

1. Conference with real property negotiator - Government Code §54956.8
(Community Development Director Orci)
Property: APN -167-011-09 and 11 (Wash Plan)
Negotiating parties: N. Enrique Martinez, Oscar Orci, and Randy Scott,
San Bernardino Valley Water Conservation District
Under negotiation: Terms and price
2. Conference with labor negotiator - Government Code §54957.6
Agency negotiator: Debbie Scott-Leistra
Employee organizations: Redlands Association of Management
Employees, Redlands Association of Mid-
Management Employees, Redlands Civilian
Safety Employees Association and General
Employees Association of Redlands
Unrepresented employees: City Manager, City Attorney
3. Conference with real property negotiator - Government Code §54956.8
(Redevelopment and Economic Development Director Hobbs)
Property: APNs 0171-053-01 and 02 and 0171-053-03 and 04
Negotiating parties: N. Enrique Martinez, Daniel G. Hobbs and
Martin Vahtra, Redlands Land Holding
Under negotiation: Terms and price
Due to a potential conflict of interest, Councilmember Bean did not
participate in this matter; a Public Disclosure of Potential Conflict of
Interest form is on file in the City Clerk's Office.

The meeting reconvened at 7:00 P.M.

PRESENT

Jon Harrison, Mayor
Pat Gilbreath, Mayor Pro Tem
Mick Gallagher, Councilmember
Pete Aguilar, Councilmember
Jerry Bean, Councilmember

ABSENT

None

STAFF

N. Enrique Martinez, City Manager; Daniel J. McHugh, City Attorney; Lorrie Poyzer, City Clerk; Teresa Ballinger, Assistant City Clerk; Jim Bueermann, Police Chief; David Hexem, Chief Information Officer; Daniel Hobbs, Redevelopment Agency Director; Rosemary Hoerning, Municipal Utilities and Engineering Director; Tina Kundig, Finance Director/City Treasurer; Jeff L. Frazier, Fire Chief; Oscar W. Orci, Community Development Director; Deborah Scott-Leistra, Human Resources Director; Gary van Dorst, Quality of Life Director

CLOSED SESSION REPORT

City Attorney McHugh reported no reportable action taken during the closed session; that Mr. Bean recused himself from the closed session relating to the Redlands Land Holding conference due to a potential conflict of interest; and that the City Council did not discuss the City Clerk under the conference with the labor negotiator.

ANNOUNCEMENTS/REPORTS

Mayor Pro Tem Gilbreath reported on her attendance at the SANBAG and SCAG meetings held recently. Councilmember Gallagher reported on his attendance at the recent Omnitrans meeting. Councilmember Bean reported on his attendance at the Confire meeting held recently.

NEW BUSINESS

Utilities Advisory Committee Report - Municipal Utilities and Engineering Director Hoerning expressed her appreciation to members of the Utilities Advisory Committee, Raftelis Financial Consultants, Inc. and staff for their work on the water and wastewater rate study and development impact fee study. Chairman of the Utilities Advisory Committee Steve Stockton presented an overview of the studies and the recommendations for increasing the water and wastewater rates and decreasing the nonpotable water rates. Due to technical difficulties with the live broadcast of the meeting, the City Council recessed at 7:35 P.M. and reconvened at 7:48 P.M. Kevin Morningstar, a member of the Utilities Advisory Committee, opposed the recommended rates as he felt the increases just were not right and urged the City Council to vote the recommendations down. Dave Garcia, member of the Municipal Utilities and

Public Works Commission, reported they discussed the study in detail and voted unanimously to recommend approval to increase the rates. Water Resources Manager Diggs answered Councilmembers' questions. Councilmember Gilbreath moved to accept the recommendations of the Utilities Advisory Committee for water, nonpotable water and wastewater rates. Motion seconded by Councilmember Gallagher and carried unanimously. Councilmember Gilbreath moved to accept the recommendations of the Utilities Advisory Committee for the water, nonpotable water and wastewater capital improvement projects. Motion seconded by Councilmember Gallagher and carried unanimously. Councilmember Gilbreath moved to direct staff to prepare ordinances for implementation of the recommended water, nonpotable water and wastewater rates and issue the required Proposition 218 notice for a public hearing. Motion seconded by Councilmember Gallagher and carried unanimously. Municipal Utilities and Engineering Director Hoerning explained the timing and process required by Proposition 218 for the public hearing.

LAND USE AND PUBLIC HEARINGS

Investwest Partners IV, LP - Applicant - Public notice was advertised for this time and place to approve a Draft Mitigated Negative Declaration for Street Vacation No. 145 to vacate an existing alley east of Eureka Street from Pearl Avenue southerly a length of approximately 700 feet, in the Town Center District of Specific Plan No. 45; Street Vacation No. 146 to vacate a segment of Ruiz Street from Pearl Avenue southerly a length of approximately 195 feet to High Avenue, in the Town Center District of Specific Plan No. 45; and Revision No. 1 to Commission Review and Approval No. 773 to expand an existing commercial center with the development of a two-story commercial building with an area of 18,200 square feet and new parking lot areas generally located on the south side of Pearl Avenue between Eureka Street and Third Street in the Town Center District of Specific Plan No. 45, and public hearings to consider Resolution No. 6679 approving Street Vacation No. 145 as described above and Resolution No. 6680 approving Street Vacation No. 146 as described above. Mayor Harrison declared the meeting open as a public hearing. Principal Planner Manuel Baeza reviewed the proposed project. Mayor Harrison called for public comments. Representatives of the applicant were present to respond to any questions. Mario Saucedo, North Redlands Visioning Committee, asked about homeowners' access on Ruiz Street and was assured by Principal Planner Baeza they would continue to have access from High Avenue. There being no further verbal or written comments, the public hearing was declared closed.

Mitigated Negative Declaration - Councilmember Gilbreath moved to approve the Mitigated Negative Declaration for Street Vacation No. 145, Street Vacation No. 146 and Revision No. 1 to Commission Review and Approval No. 773 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 unanimously.

Resolution No. 6779 - Street Vacation No. 145 - Councilmember Gilbreath moved to adopt Resolution No. 6779, a resolution of the City Council of the City of Redlands ordering the vacation of an alley east of Eureka Street from Pearl Avenue southerly for a length of approximately 700 feet as depicted in Exhibit A of said resolution. Motion seconded by Councilmember Gallagher and carried unanimously.

Resolution No. 6780 - Street Vacation No. 146 - Councilmember Gilbreath moved to adopt Resolution No. 6780, a resolution of the City Council of the City of Redlands ordering the vacation of a segment of Ruiz Street from Pearl Avenue southerly for a length of approximately 195 feet to High Avenue as depicted in Exhibit A of said resolution. Motion seconded by Councilmember Gallagher and carried unanimously.

Resolution No. 6777 - Medical Massage Therapy - Public hearing was advertised for this time and place to consider Resolution No. 6777, Specific Plan No. 40 (Amendment No. 38), an amendment to Section EV 3.0710(4) of Specific Plan No. 40 (East Valley Corridor Specific Plan) to allow medical massage therapy as a permitted land use. Mayor Harrison declared the meeting open as a public hearing. Principal Planner Manuel Baeza reviewed the proposed amendment. Mayor Harrison called for a public comments. There being no verbal or written comments, the public hearing was declared closed.

CEQA Exemption - Councilmember Gilbreath moved to find that Amendment No. 38 to Specific Plan No. 40 is exempt from the California Environmental Quality Act pursuant to Section 15061(b)(3) of the CEQA Guidelines. Motion seconded by Councilmember Gallagher and carried unanimously.

Resolution No. 6777 - Councilmember Gilbreath moved to adopt Resolution No. 6777, a resolution of the City Council of the City of Redlands amending Section EV 3.0710 of the City of Redlands' Specific Plan No. 40 relating to permitted land uses in the General Commercial Land Use District, and approving Amendment No. 38 to Specific Plan No. 40. Motion seconded by Councilmember Gallagher and carried unanimously.

PUBLIC COMMENTS

Proclamation - Living Wage - At the end of the evening session, under the impression the City Council had referred the request for a proclamation recognizing the dignity of labor and the fundamental principle of a living wage back to the Human Relations Commission, Commissioner Sue Greenfeld asked Councilmembers what type of information they would like to assist in their decision to reconsider issuance of this proclamation. Councilmember Bean clarified the matter was tabled; not sent back to the Human Relations Commission.

Holiday Choral Concert - Mario Saucedo, North Redlands Visioning Committee, invited everyone to a free holiday choral concert featuring the Los

Angeles All Girls Choir "Harmonies Girls Choir" to be held on Saturday, December 20, 2008, from 5:00 P.M. to 7:30 P.M. in the University of Redlands Memorial Chapel. This free event is presented in partnership with the North Redlands Visioning Committee and the University of Redlands.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 8:33 P.M. The next regular meeting will be held on December 2, 2008.