

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 20, 2007, at 3:00 P.M.

PRESENT

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

ABSENT

Gilberto Gil, Councilmember

STAFF

N. Enrique Martinez, City Manager; Daniel J. McHugh, City Attorney; Lorrie Poyzer, City Clerk; Michael Reynolds, City Treasurer; Jim Bueermann, Police Chief; Greg Hostetler, Fire Battalion Chief; Steven H. Dukett, Interim Redevelopment Agency Director; Tom Steele, Assistant Finance Director; Gary G. Phelps, Municipal Utilities Director; Jeffrey L. Shaw, Community Development Director; Kurt Smith, Interim Chief Information Officer; Gary Van Dorst, Quality of Life Interim Director

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

PRESENTATIONS

I-10 Freeway - On behalf of SANBAG, Cheryl Donahue updated the City Council on the progress of the improvements to the I-10 Freeway. At the close of the meeting, Mayor Pro Tem Gilbreath announced a ribbon cutting ceremony to mark the completion of the Interstate 10 widening project will be held on November 29, 2007, at 10:00 A.M. on the corner of Church Street and Citrus Avenue.

Proclamations - Firefighters - The City Council approved issuance of proclamations honoring Fire Battalion Chief Cameron Teter and Fire Captain Scott MacDonald for their heroic efforts during the Slide Fire in late October of this year. Mayor Harrison presented the proclamations to the firefighters and thanked them for their efforts.

Proclamation - The City Council authorized issuance of a proclamation declaring November 2007 as *National American Indian Heritage Month*. Mayor Harrison presented the proclamation to Human Relations Commissioners John Farley and Sue Greenfeld who then presented to proclamation to two representatives from San Manuel Band of Mission Indians.

CONSENT CALENDAR

Minutes - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the minutes of the regular meeting of November 6, 2007, were approved as submitted.

City Treasurer's Report - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council acknowledged receipt and directed filed a memorandum from the City Treasurer informing them that a written report and accounting of all receipts, disbursements and fund balances will be provided, at least once a month, electronically to the City Clerk to comply with Government Code Section 41004; said reports will then be available to anyone who wishes a copy.

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

Resolution No. 6666 - Postal Stamp - Mayor-Emeritus Tom Bradley - On motion of Councilmember Gilbreath seconded by Councilmember Gallagher, the City Council adopted, by AYE votes of all present, Resolution No. 6666, a resolution of the City Council of the City of Redlands supporting the issuance of a postal stamp in honor of Los Angeles' Mayor-Emeritus Tom Bradley.

Planning Commission Actions - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the report of the Planning Commission meeting held on November 13, 2007, was acknowledged as received.

Pre-Annexation Agreement No. 06-04 - Philip Breault - The pre-annexation agreement with Philip Breault for an 11,2000 square foot parcel located on the north side of Mill Creek Road in the Mentone area was pulled from the agenda at the request of the applicant.

Pre-Annexation Agreement No. 07-03 - County Fire Department - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council approved, by AYE votes of all present, Pre-Annexation Agreement No. 07-03 with the San Bernardino County Fire Department for a 29,305 square foot parcel located on the northeast corner of Crafton Avenue and Mentone Boulevard in the Mentone area and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Purchase Agreement - Panhwar - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council approved, by AYE votes of all present, a purchase and sale agreement and escrow instructions with Sani H. and Surriya Panhwar for the purchase of a 1.34 acre parcel located on the north side of Riverview Drive (APN 0168-571-72) for the purpose of developing a linear park along the south side of the Santa Ana River Wash and

authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Agreement - Integrated Management Program Demonstration Project - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council approved, by AYE votes of all present, a one-year time extension of the Integrated Management Program Demonstration Project agreement with the San Bernardino Valley Water Conservation District, San Bernardino Valley Municipal Water District, City of San Bernardino and the East Valley Water District which will establish a framework for strategic recharge of imported and native water supplies to the underground water basin and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Bids Rejection - Highline Water Transmission Main Relocation Project - The City advertised for bids for this project; 16 bids were received and opened by the City Clerk on August 16, 2007. However, staff has concluded that it would be in the best interest of the City to reject all bids at this time and revisit the project after completion of the realignment of Wabash Avenue. On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council rejected all bids received for the Highline Water Transmission Main Relocation project, by AYE votes of all present.

Donation - Funds - Tree Trimming in Prospect Park - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council accepted, by AYE votes of all present, the donation of \$26,000.00 from the Friends of Prospect Park to be used for trimming trees in Prospect Park, and approved an appropriation of \$26,000.00 to the Parks/Street Tree Division to be used for services from West Coast Arborists for this purpose.

Generator - Police Department - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council awarded the bid for the purchase of a 100 kW trailer-mounted generator and automatic transfer switch not to exceed \$47,130.00 for Safety Hall by AYE votes of all present.

Agreement - Funds - Parking Citation Processing Services - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council approved, by AYE votes of all present, an agreement with Turbo Data Systems to provide parking citation processing, authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City, and authorized an additional appropriation in the amount of \$9,200.00 for this purpose.

Seismic Retrofit Grant - Safety Hall - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council authorized an application for the Pre-Disaster Mitigation Competitive Grant Program for a

seismic retrofit of Safety Hall, 212 Brookside Avenue, by AYE votes of all present.

Local Emergency Report - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council acknowledged receipt of the report regarding the status of the declared local emergency at the Civic Center due to the flood, mold and asbestos remediation and efforts to return to normal City operations.

COMMUNICATIONS

Meeting Attendance - In accordance with Government Code Sections 53232.2 and 53232.3, Mayor Harrison reported on his attendance at the National League of Cities Congress of Cities Conference held on November 13-17, 2007, at City expense.

Appointment - Historic and Scenic Preservation Commission - Mayor Harrison moved to appoint Judith Hunt to serve the remainder of an unexpired term ending January 18, 2009, on the Historic and Scenic Preservation Commission. Motion seconded by Councilmember Gilbreath and carried by AYE votes of all present.

Information Technology Services - Chief Information Officer Smith provided an update of significant activities and accomplishments during the past three months since the creation of the Information Technology Department. Councilmembers were pleased with the progress in this area and expressed appreciation for staff's efforts.

Prioritization of Projects - Planning Division - Community Development Director Shaw reported the Community Development Department maintains a list of planning projects and provides staffing and resources to complete these projects. Some projects are ongoing and require certain staff levels to ensure basic operations. Other projects may be categorized as having a high to low priority. Staff benefits from the City Council's input on the importance they give to projects as it assists staff in the prioritization of its workload. Staff has prepared a description of these projects and placed them into categories representing their recommendation with respect to priority. Following discussion, Councilmember Gilbreath moved to approve the prioritization of projects as recommended by staff recognizing this prioritization can change daily. Motion seconded by Councilmember Gallagher and carried by AYE votes of all present.

Birthday Greetings - Mayor Harrison announced today was Mayor Pro Tem Gilbreath's birthday; Councilmembers wished her a happy birthday.

CLOSED SESSION

The City Council meeting recessed at 3:50 P.M. to a closed session to discuss the following:

1. Conference with real property negotiator - Government Code §54956.8 (Mayor Harrison)
Property: APNs 0292-044-08, 09, 10, 11 and 12
APNs 0292-071-10, 15, 18, 29, 35, 40 and 43
Negotiating parties: N. Enrique Martinez, Gary Van Dorst, Steve Dukett and Prologis
Under negotiation: Terms and price for possible property exchange
2. Conference with legal counsel: Existing litigation - Government Code §54956.9(a) (City Attorney McHugh)
 - a. One Case: Howard S. Butcher v. City of Redlands, Frank Antonio Rocha, et al - San Bernardino Superior Court Case No. SCVSS 144840

The meeting reconvened at 7:00 P.M.

PRESENT

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

ABSENT

Gilberto Gil, Councilmember

STAFF

N. Enrique Martinez, City Manager; Michael Reiter, Assistant City Attorney; Lorrie Poyzer, City Clerk; Michael Reynolds, City Treasurer; Jim Bueermann, Police Chief; Greg Hostetler, Fire Battalion Chief; Tom Steele, Assistant Finance Director; Gary G. Phelps, Municipal Utilities Director; Jeffrey L. Shaw, Community Development Director; Gary Van Dorst, Quality of Life Interim Director

CLOSED SESSION REPORT

None forthcoming.

LAND USE AND PUBLIC HEARINGS

Appeal - CR&A 850 - Sheryl Brzuska, Appellant - Public notice was advertised for this time and place to consider an appeal of the Planning Commission's decision to deny Commission Review and Approval No. 850 for the construction of a one-story, 7,000 square foot office building, associated parking areas and landscape elements on 0.55 acres, located on the north side of Brookside Avenue at 708 Brookside Avenue in the A-P (Administrative and Professional Office) District and for a public hearing for a Socio-Economic

Analysis and Cost/Benefit Study for Commission Review and Approval No. 850. Mayor Harrison declared the meeting open as a public hearing. Community Development Director Shaw review the proposed project which was denied by the Planning Commission on October 23, 2007, and noted no action was taken on the Mitigated Negative Declaration and Socio-Economic Cost Benefit Study. Mayor Harrison called for public comments. Mrs. Brzuska explained what she was attempting to accomplish and expressed her frustration with the Planning Commission. There being no further comments, the public hearing was closed.

Mitigated Negative Declaration - Councilmember Gilbreath moved to approve the Mitigated Negative Declaration for Commission Review and Approval No. 850 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 Commission Review and Approval No. 850 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.

Commission Review and Approval No. 850 - Councilmember Gilbreath moved to approve Commission Review and Approval No. 850 subject to the findings and conditions of approval as contained in the staff report with the additional condition that the final architect review would be subject to the approval of the Community Development Director. Motion seconded by Councilmember Gallagher and carried by AYE votes of all present.

UNFINISHED BUSINESS

Ordinance No. 2684 - City Treasurer Duties - Ordinance No. 2684 an ordinance of the City of Redlands amending Chapters 2.16, 3.24, 5.04, 5.16, 5.20, 5.68, 6.04 and 8.64 of the Redlands Municipal Code relating to duties associated with the sale of surplus City property, the administration of transient occupancy and business license taxes, the issuance of alarm system, outdoor festival, bingo and yard sale permits, and the administration of dog licenses and fortune telling permits, was adopted, by AYE votes of all present, on motion of Councilmember Gilbreath, seconded by Councilmember Gallagher.

NEW BUSINESS

Ordinance No. 2685 - Parking Fines - Police Chief Bueermann presented Ordinance No. 2685, an ordinance of the City of Redlands amending Chapter 10.12 of the Redlands Municipal Code establishing parking fines. Councilmember Gilbreath did not feel some of the fines were high enough to be a detriment to repeat offenders. With Councilmembers concurrence, the following fines were increased: Commercial vehicle over 5 ton - residential district: \$260.00; Commercial vehicle over 5 ton - commercial district: \$260.00; Unlawful street storage: \$70.00; vehicle unattended while running: \$70.00; leaving wrecked vehicle upon highway: \$100.00; and Reduced to \$25.00 administrative fee upon proof of correction with 21 days. With these changes, Ordinance No. 2685 was read by title only by City Clerk Poyzer, and on motion of Councilmember Gilbreath, seconded by Councilmember Aguilar, further reading of the ordinance text was waived, and Ordinance No. 2685 was introduced and laid over under the rules with adoption scheduled for December 4, 2007. Mayor Pro Tem Gilbreath asked staff to look at the cost-effectiveness of one or two part-time parking enforcement officers.

Ordinance No. 2682 - Water and Wastewater Development Impact Fees - Municipal Utilities Director Phelps reported the City Council received and accepted a recommendation from the Utilities Advisory Committee on November 21, 2006, regarding water and wastewater capital improvement charges. Their recommendations regarding sewer and water capital improvement charges are for increases consistent with the associated increases in asset values for each enterprise fund over the last two years. Water source acquisition charges will remain the same. For 2007, the Utilities Advisory Committee recommended the capital improvement charges for sewer and water be increased as shown in the proposed ordinance. For 2008, the Utilities Advisory Committee recommended that the capital improvement charges increase to account for inflation. The inflation factors will be calculated based on the Engineering News Records - Construction Cost Index. Ordinance No. 2683, an ordinance of the City of Redlands amending Chapters 3.44, 3.48 13.12 and 13.44 of the Redlands Municipal Code relating to water and wastewater development impact fees and frontage charges, 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. 2682 was introduced and laid over under the rules with adoption scheduled for December 4, 2007, by AYE votes of all present.

Preventive Maintenance Program - Quality of Life Interim Director Van Dorst presented a proposed preventive maintenance program for the City Council's consideration in order to establish a citywide maintenance program for all city-owned buildings, structures, facilities and infrastructure. The proposed program will require staff to prioritize the maintenance and repair of City infrastructure and to include the cost for high priorities in the proposed fiscal year budget. Following discussion, Councilmember Gilbreath moved to adopt the Preventive

Maintenance Program proposed and directed staff to implement the program. Motion seconded by Councilmember Gallagher and carried by AYE votes of all present.

PUBLIC COMMENTS

Concerns - Debra Nester shared several concerns with Councilmembers about activities at City Hall, the dying trees in the Ed Hales Park, the warehouse distribution tax, the Super Wal-Mart, and the police department building.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 8:02 P.M. The next regular meeting will be held on December 4, 2007.