

MINUTES of a regular meeting of the City Council of the City of Redlands held in the Council Chambers, Civic Center, 35 Cajon Street, at 3:00 P.M. on May 18, 2004.

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

ABSENT None

STAFF John Davidson, City Manager; Daniel J. McHugh, City Attorney; Beatrice Sanchez, Deputy City Clerk; Michael Reynolds, City Treasurer; Clete Hyman, Deputy Police Chief; Mel Enslow, Fire Chief; 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

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

PRESENTATIONS

Measure I Expenditure Plan - Councilmember Gilbreath introduced Mr. Ty Schuiling, Director of Planning and Programming for San Bernardino Associated Governments (SANBAG), who was present to answer any questions. She explained that SANBAG has been working with private sector stakeholders and City and County representatives to prepare an Expenditure Plan for the revenues expected to be derived from the continued Measure I Tax anticipated to be placed on the November 2, 2004, ballot. If approved it would authorize the collection of a one-half of one percent sales tax for a 30-year period from 2010 to 2040, for local transportation projects and will help fight traffic congestion with a long-term funding source for freeways, highways, major streets, local streets, passenger trains, bus fare discounts for seniors and persons with disabilities, improve road access for emergency responders (police, fire and ambulance) and help repair badly deteriorated roads countywide. SANBAG approved an Expenditure Plan on May 5, 2004. Public Utilities Code § 180206 requires circulation and approval by a majority of member City jurisdictions as well as the County Board of Supervisors in order to be placed on the ballot.

Resolution No. 6282 - Measure I Transportation Expenditure Plan - On motion of Councilmember Gilbreath, seconded by Councilmember George, Council approved Resolution No. 6282 which approves the expenditure plan for the revenues expected to be derived from the proposed continuation of Measure I.

CONSENT CALENDAR

Minutes - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the minutes of the regular meeting of May 4, 2004, were approved as submitted.

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

Schedule for 2004-05 Budget Study Sessions - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the schedule for the 2004-05 budget study sessions was unanimously approved as presented.

Planning Commission Actions - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the report of the Planning Commission meeting held on May 11, 2004, was acknowledged as received.

Printing and Binding - An additional request for \$5,000.00 to increase Printing and Binding in the Building and Safety Division was unanimously approved on motion of Councilmember Gilbreath and seconded by Councilmember Gil.

Ordinance No. 2578 - Dedication and Improvement Requirements - Ordinance No. 2578, an ordinance of the City of Redlands adding Chapter 12.22 to the Redlands Municipal Code, establishing dedication and improvement requirements for non-subdivision development projects, was unanimously adopted on motion of Councilmember Gilbreath, seconded by Councilmember Gil.

Settlement Agreement - Kovachek - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously acknowledged a settlement and release agreement with Emil Kovachek which is related to cross-actions lawsuits filed by the City related to lawsuits entitled Rhonda Reyes v. City of Redlands and Lacey Kellberg v. City of Redlands. Council authorized the Mayor and Deputy City Clerk to execute the agreement on behalf of the City. The City Council authorized settlement of this matter in closed session and this release reflects the terms and conditions for said settlement.

Settlement Agreement - Aranda - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously acknowledged a settlement and release agreement with Arlene Aranda and authorized the Mayor and Deputy City Clerk to execute the agreement on behalf of the City. The City Council authorized settlement of this matter in closed session and this release reflects the terms and conditions for said settlement.

Proclamation - ALS Awareness Month - The City Council unanimously authorized issuance of a proclamation declaring the month of May, 2004, to be ALS Awareness Month, also known as Lou Gehrig's disease, and to lend their aid in combating this disease by all means possible.

Proclamation - Honoring the Braswell Brothers - The City Council unanimously authorized issuance of a proclamation honoring the Braswell Brothers' generous giving of themselves, their time and their talent to the Redland area.

Re-Appointment - Airport Advisory Board - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, Council unanimously reappointed Robert Pearce and George Lessard to four-year terms on the Airport Advisory Board.

Appointment - Historic and Scenic Preservation Commission - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, Council unanimously appointed David Van Diest to fill an expired term to January 18, 2005, on the Historic and Scenic Preservation Commission.

Alabama and Orange Streets Bridges Replacement Project - Public Works Director Mutter reported over eleven years after the bridges were destroyed by floods the environmental process has at last been cleared. The final design should be completed by the beginning of next year and construction should start next spring. The bridges will be constructed in sequence starting with Alabama Street and then Orange Street and each bridge will take approximately 11 months so the Orange Street Bridge should be finished by spring 2007. On motion of Councilmember Gilbreath, seconded by Councilmember Gil, Council unanimously approved the consultant services agreement between the City of Redlands and T. Y. LIN International to complete the final design of the Orange Street Bridge for an amount not to exceed \$326,365.96 and the Alabama Street Bridge not to exceed \$348,328.64. Councilmember Gilbreath then commended Public Works Director Mutter on his success with these projects and the cooperative efforts between the City and U.S. Fish and Wildlife Service, California Fish and Game and CalTrans.

Donation for Brookside Park - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, Council unanimously accepted the donation of \$1,000 from Pete Sluis for the planting of trees and improvements to the playground at Brookside Park and an additional appropriation to direct the funds to the Park Division for this purpose.

Resolution Nos. 6259 - 6260 - Landscape Maintenance District - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council adopted Resolution No. 6259, a resolution of the City Council of the City of Redlands, County of San Bernardino, of preliminary approval of the Engineer's Report for Fiscal Year 2004-05 for Landscape Maintenance District No. 1. On

motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously adopted Resolution No. 6260, a resolution of the City Council of the City of Redlands, County of San Bernardino, California, declaring its intention to levy and collect assessments for Fiscal Year 2004-05 in Landscape Maintenance District No. 1, an assessment district; declaring the work to be of more specific than general public benefit; specifying the exterior boundaries of the areas within the Landscape Maintenance District No. 1 and to be assessed the cost and expenses thereof; determining that these proceedings shall be taken pursuant to the Landscaping and Lighting Act of 1972 and Article XIID of the California Constitution; and offering a time and place for a public hearing thereto (June 15, 2004, for a public meeting and July 20, 2004, for a public hearing at 7:00 P.M.).

Resolution Nos. 6263 and 6264 - Street Lighting District - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously adopted Resolution No. 6263, a resolution of the City Council of the City of Redlands, County of San Bernardino, of preliminary approval of the Engineer's Report for Fiscal Year 2004-05 for Street Lighting District No. 1. On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously adopted Resolution No. 6264, a resolution of the City Council of the City of Redlands, County of San Bernardino, California, declaring its intention to levy and collect assessments for Fiscal Year 2004-05 in Street Lighting District No. 1, an assessment district; declaring the work to be of more specific than general public benefit; specifying the exterior boundaries of the areas within the Street Lighting District No. 1 and to be assessed the cost and expenses thereof; determining that these proceedings shall be taken pursuant to the Landscaping and Lighting Act of 1972 and Article XIID of the California Constitution; and offering a time and place for a hearing public thereto (June 15, 2004, for a public meeting and July 20, 2004, for a public hearing at 7:00 P.M.).

Electricity Co-Generation Facility Contract Amendment - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, Council unanimously authorized an amendment to the Agreement to Furnish Operation and Maintenance Services for the Electricity Co-Generation Facility with Janecheck & Associates at the Wastewater Treatment Plant for additional materials in the amount of \$197,500.00 and authorized the Mayor and Deputy City Clerk to execute the amendment.

Municipal Utilities Department - Customer Services Division Vehicle - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, Council unanimously awarded the bid for the purchase of a Ford Ranger truck with utility bed to Ramsey Street Ford and authorized staff to issue a purchase order in the amount of \$17,668.46. This vehicle is for a new field position titled Water Meter Installation/Repair Technician.

Purchase and Sale Agreement - Standard Pacific Homes - On May 5, 2004, Standard Pacific Homes requested an amendment to the Purchase and Sale Agreement to allow for an additional four-month extension of the escrow closing date and has agreed to pay \$16,800.00 to the City for the extension. On motion of Councilmember Gilbreath, seconded by Councilmember Gil, Council unanimously approved the First Amendment to the Purchase and Sale Agreement between the City and Standard Pacific Homes and authorized the Mayor and Deputy City Clerk to sign the documents on behalf of the City.

OSC 04-08 - Barbara Hyman, Applicant - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously determined that Outside City Case (OSC) 04-08 Lot 3 of Parcel Map 4430, APN 298-013-24, is consistent with the City of Redlands' General Plan and that the public health, safety, and welfare, and the best interests of the citizens of Redlands are served by the City's continued processing of the application.

Funds - Community Policing Services Technology Grant Award - Deputy Chief Hyman assured Councilmember Gilbreath that no additional staff would be utilized for this grant. On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously authorized acceptance of the U.S. Department of Justice Office of Community Oriented Policing Services Technology Grant award of \$248,375.00 for the East Valley COMPASS Initiative, to appropriate an additional \$248,375.00 to the Police Department to fund management and personnel costs of this initiative, and to authorize the Mayor and Deputy City Clerk to sign all necessary documents related to.

Funds - Traffic Safety Seat Belt Compliance Campaign Grant - The Redlands Police Department has been awarded \$30,000.00 additional funds for the State of California Office of Traffic Safety Seat Belt Compliance Campaign Grant. The original grant was funded in the amount of \$15,000.00 of which the department used and was reimbursed \$12,487.00. On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the Council unanimously accepted the State of California Office of Traffic Safety Seat Belt Compliance Campaign grant; authorized the Mayor to sign the agreement and total award of \$42,487.00; and authorized an additional appropriation of \$30,000.00 to the existing grant of \$12,487.00 and approved the grant budget and personnel for a total grant appropriation of \$42,487.00.

CLETS Contract Amendment - Redlands Police Department contracts with San Bernardino County Sheriff's Department for access to and maintenance of, the California Law Enforcement Telecommunications System. Access and maintenance fees are adjusted annually through a contract amendment. On motion of Councilmember Gilbreath, seconded by Councilmember Gil, Council unanimously approved the amendment to the contract between the City and the San Bernardino County Sheriff's Department for access to, and maintenance of,

the CLETS and authorized the Mayor and Deputy City Clerk to execute the contract amendment.

Animal Control Vehicles and Equipment - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, Council unanimously approved an additional appropriation of \$75,000.00 and authorized the purchase of two Animal Control vehicles and equipment.

Resolution No. 6284 - Animal Shelter Fees - The current fee schedule for the Redlands Animal Shelter was established May 16, 2000. Spay-neuter surgery services have increased and the Shelter has been subsidizing these additional costs. On motion of Councilmember Gilbreath, seconded by Councilmember Harrison, the Council unanimously approved Resolution No. 6284 revising fees for the Redlands Animal Shelter.

JOINT MEETING - CITY COUNCIL AND REDEVELOPMENT AGENCY

Resolution No. 6280 - Lease Agreement - Community Development Director Shaw explained that the Redevelopment Agency approved a Purchase and Sale Agreement and Escrow Instructions to acquire subject real property (31 W. Stuart Street) on June 17, 2003. The proposed lease agreement is with Canyon City Transfer & Storage, Inc. who is currently occupying the property. The lease agreement is based on a month-to-month term and may be terminated by the Redevelopment Agency. The tenant will pay a base monthly rent of \$2,100.00. The Agency intends to maintain the existing use and improvements and lease the real property to the current tenant until such time the property is to be redeveloped in conjunction with the "Core Block" project. On motion of Councilmember Harrison, seconded by Councilmember Pepler, the City Council unanimously approved Resolution No. 6280, a resolution of the City Council approving the execution of a lease agreement between the Redevelopment Agency of the City of Redlands and Canyon City Transfer & Storage, Inc. (Also see Redevelopment Agency minutes for May 18, 2004.)

CLOSED SESSION

The City Council meeting recessed at 3:17 P.M. to continue the Redevelopment Agency meeting and reconvened at 3:19 P.M. to a closed session to discuss the following:

1. Conference with labor negotiator
Agency negotiator: John Davidson
Employee organizations: Redlands Association of Management Employees and Redlands Association of Mid-Management Employees
2. Conference with legal counsel: Existing Litigation
Government Code Section 54956.9(a)
 - a. Ricky Anderson v. City of Redlands
3. Conference with real property negotiator -
Government Code Section 54956.8
 - a. Property: APNs 169-281-47, 48, 49 and 50

Negotiating parties: John Davidson and Howard Floyd
Under negotiation: Terms and price

The meeting reconvened at 7:00 P.M.

PRESENTATION

Councilmember Gary George introduced Ms. Denise Vasquez who served as the coordinator for the Ms. Cinco De Mayo pageant. Ms. Vasquez described the criteria utilized to select the Queen and Princesses. Councilmember George introduced this year's Cinco De Mayo Court (all from Redlands East Valley High School) as follows and highlighted their accomplishments and future goals: Queen Krista Gonzales (Senior); First Princess Crista Mendoza (Senior); Second Princess Krystle Vasquez (Freshman); Third Princess Gwendy Landa (Freshman); Fourth Princess Jeannette Arteaga (Freshman).

ANNOUNCEMENTS/REPORTS

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

PUBLIC HEARINGS

Resolution No. 6279 - Specific Plan No. 25 (Amendment No. 9) - Public hearing was advertised for this time and place to consider Specific Plan No. 25 (Amendment No. 9). Community Development Shaw reported that the current sign criteria for Specific Plan No. 25 includes standards for allowing signage including wall signs. Under current wording of the specific plan, the applicant cannot have a wall sign on the side with the main entrance because it faces the parking area and not a public right-of-way. The propose amendment would change this requirement to allow signs to face pedestrian and vehicle circulation areas as well. The provision would simply add the wording "or vehicle and pedestrian circulation areas." The proposal is consistent with current sign provisions found in other parts of the City which allow for signs on the side of buildings facing a right-of-way or where a public entry way to a business is located. The Planning Commission unanimously recommended approval of the proposed amendment. Mayor Pepler declared the meeting open as a public hearing for any questions or comments concerning this matter. None being forthcoming the public hearing was closed. On motion of Councilmember Gilbreath, seconded by Councilmember Harrison, Resolution No. 6279, a resolution of the City Council adopting Amendment No. 9 to Specific Plan No. 25 relating to sign criteria, was unanimously approved.

NEW BUSINESS

Resolution No. 6281 - Smiley Boulevard - Community Development Director Shaw reported that the applicant, Mr. Bill Bonadiman, represents a property

located in Riverside County known as Tremont Ranch. He has been involved for some time in attempting to get an access road approved from San Timoteo Canyon Road to his project which is a large lot 24-parcel subdivision. A portion of this road was offered for dedication as part of a minor subdivision approved for four parcels by San Bernardino County before this area was annexed to the City in 1990. The parcel map for that subdivision showed the proposed road as Lisa Marie Lane. The City of Redlands accepted that road into its ownership on September 1, 1998. At this time Mr. Bonadiman is requesting to have Lisa Marie Lane renamed as Smiley Boulevard in reference to the fact that the Smileys were instrumental in establishing Tremont Ranch. No objections have been raised by any City department and Mr. Bonadiman indicates that all the property owners are in support of this request. Councilmembers concurred that this name change would assist emergency services to find locations more accurately because maps identify Smiley Boulevard not Lisa Marie Lane. On motion of Councilmember Gilbreath, seconded by Councilmember Harrison, Council unanimously approved Resolution No. 6281, a resolution of the City Council changing the street name "Lisa Marie Lane" to Smiley Boulevard in the San Timoteo Canyon area.

PUBLIC COMMENTS

Pastor Don Wallace reported on the progress of the private citizens grassroots group named "Save Redlands Seal." He listed their focus on educating the public and raising funds. To date, they have received \$1,700.00 nationwide.

Pastor Wiley Smith, a member of the Save Redlands Seal Executive Committee, asked the City Councilmembers to please communicate their position so that the Committee can be clear when dealing with the community.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 7:29 P.M. to an adjourned regular meeting to be held on May 25, 2004, at 8:00 A.M. in the City Council Chambers, 35 Cajon Street, Redlands, California. The next regular meeting will be held on June 1, 2004.

Deputy City Clerk