

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 December 18, 2007, 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; Michael Reynolds, City Treasurer; Jim Bueermann, Police Chief; Jim Drabinski, Fire Chief; Tina Kundig, Finance Director and Acting Administrative Services 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 Gallagher followed by the pledge of allegiance.

### PRESENTATIONS

Holiday Presentation - Library Director Larry E. Burgess delivered a special rendition of "Twas the night before Christmas, when all through City Hall, not a creature was stirring, not even the City Manager....I knew in a moment it must be St. Nick" at which time a group of carolers from the Redlands Community Center entered the Council Chambers singing *Jingle Bells* and *We Wish You a Merry Christmas*. Following the song fest, Santa Claus himself appeared asking Councilmembers if they had been good this year. Having asked his rhetorical question, he found boxes of See's Candy for each Councilmember in his red bag of presents. Mayor Harrison thanked everyone for this surprise presentation noting it was very special.

Proclamation - Multicultural Month - By general consensus, the City Council authorized issuance of a proclamation declaring December 2007 as *Multicultural Month* honoring and recognizing that education, cultural and spiritual awareness offers an alternative to ignorance and fear, and that peace and unity may be attained by individuals' diligent efforts. Human Relations Commission Chairman John Walsh presented the proclamation to Ms. Leela MadhavaRaw, Director of the Multicultural Center of the University of Redlands. Mayor Harrison thanked them for all they do in our community.

Employee Recognitions - On behalf of the City Council, Mayor Harrison presented certificates of appreciation to Finance Director and Acting Administrative Services Director Tina Kundig and Assistant Finance Director Thomas M. Steele recognizing their exemplary leadership and selfless acts of time and dedications over the past several months. Their laudable oversight of various departments and projects throughout the year have allowed the City to operate at optimum levels.

## CONSENT CALENDAR

Minutes - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the minutes of the regular meeting of December 4, 2007, were approved as submitted.

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

Funds - Year-End Encumbrance and Carryover Balances - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously approved additional appropriations to the 2007-08 budget for the 2006-07 year-end encumbrance and carryovers.

Annual Reports - CFD 2001-1 and CFD 2003-1 - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously accepted the annual reports for Community Facilities District 2001-1 and Community Facilities District 2003-1 as required by SB 165 (Government Code Section 53411).

Annual Report - Development Impact Fees - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously accepted the annual report of development impact fees for the year ended June 30, 2007.

Contract - Cash Operations Audit - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously approved a contract for services agreement with Lance, Soll & Lunghard, LLP for a cash operations audit and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Planning Commission Actions - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the report of the Planning Commission meeting held on December 11, 2007, was acknowledged as received.

Funds - Appraisal Contract - Robert W. Best Property - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously approved a contract with Smothers Appraisal for the appraisal of the Best property on the south side of Interstate 10, north of the

flood control channel and west of California Street (APNs 0292-034-02, 05 and 08), authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City and approved an appropriation of funds in the amount of \$3,100.00 for conducting said appraisal.

Appraisal - Santa Ana Wash Area - The request to approve a contract with Reinhart-Fontes Associates, Inc. to conduct an appraisal of Assessor's Parcel Nos. 0167-011-09 and 11 in the Santa Ana Wash area to determine the value of approximately 80-acres of habitat area within the proposed Santa Ana River Wash Management Plan was withdrawn from the agenda.

Pre-Annexation Agreement 06-04 - Philip Breault - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously determined that Pre-Annexation Agreement No. 06-04 is categorically exempt from the California Environmental Quality Act under a Class 3 categorical exemption and approved Pre-Annexation Agreement No. 06-04 with Philip Breault for a 11,200 square foot parcel located on the north side of Mill Creek Road in the Mentone area and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Time Extension - Agreement - Greenwich Enterprises - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously approved an agreement with Greenwich Enterprises for a 90 day extension and waiver and release of claims relating to the California Environmental Quality Act for Tentative Tract Map No. 17128, a subdivision of 2.66 acres into eight residential lots and one common area lot on property located on the west side of Ford Street, generally south of Farview Lane and north of Crestview Road and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Final Approval - Parcel Map No. 17815 - Following Community Development Director Shaw's explanation of the process at the request of Councilmember Bean, Councilmember Bean moved to grant final approval for Parcel Map No. 17815, a subdivision of approximately 38.36 acres into 8 lots for property located on the north side of Lugonia Avenue, the east side of Mountain View Avenue and the south side of Almond Avenue (Mountain View Industrial Center, LLC, applicant). Motion seconded by Councilmember Gallagher and carried unanimously.

Appointments - Student Commissioners - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously approved the appointments of Leila Magistrado to serve as the student commissioner on the Recreation Advisory Commission, Bart Stasiuk to serve as the student commissioner on the Human Relations Commission, Manny Szwabowski to serve as the student commissioner on the Parks Commission, and Daniel Knight to serve as the student commissioner on the Traffic and Parking Commission as recommended by Mayor Harrison.

Meeting Cancellation - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously approved the cancellation of the Wednesday, January 2, 2008, City Council meeting.

Local Appointments List - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously acknowledged receipt of the Local Appointments List for 2008 of all regular and ongoing commissions and boards as required by Government Code Section 54972.

Agreement - Electricity Cogeneration Facility - Municipal Utilities Director Phelps and Water Resources Manager Chris Diggs responded to Councilmember Bean's questions who asked that staff set a goal to increase our profit margin and return on our investment with the Electricity Cogeneration Facility. Councilmember Bean then moved to approve an agreement with SCS Energy for operation and maintenance of the Electricity Cogeneration Facility 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.

Independent Contractor Agreement - Debi Klink - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously approved an independent contractor agreement with Debi Klink to develop and conduct tennis instruction and classes for the City's Recreation Bureau and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Agreement - Fire Fighting Turnouts Cleaning - Responding to Councilmember Gilbreath's questions, Fire Chief Drabinski explained the service dates for the proposed agreement with L. N. Curtis & Sons to furnish cleaning services for the firefighting turnouts. Councilmember Gilbreath moved to approve the agreement 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.

Funds - Donation - Emergency Rescue Equipment - In response to Councilmember Gilbreath's questions, Finance Director Kundig said she would use the appropriate account number for expenditure of a donation from Harold L. and Sharyl M. Ewart for the purchase of emergency rescue equipment within the City of Redlands Fire Department. Councilmember Gilbreath moved to accept, with gratitude, the donation of \$4,500.00 and approved an additional appropriation for the same amount. Motion seconded by Councilmember Gallagher and carried unanimously. This is the Ewart family's fourth donation to the Fire Department.

Funds - Donation - Disaster Preparedness Program - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City

Council unanimously accepted, with gratitude, a donation of \$5,000.00 from Toys "R" Us and approved an additional appropriation for the same amount in support of the Redlands Fire Department Disaster Preparedness Program.

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.

## PLANNING AND COMMUNITY DEVELOPMENT

Residential Development Allocations - Due to a potential conflict of interest, Councilmember Bean retired from the Council Chambers and did not participate in the discussion and action on RDA 2007-IV-01 for Tentative Tract No. 16689; a Public Disclosure of Potential Conflict of Interest form is on file in the City Clerk's Office. Community Development Director Shaw reviewed the following applications for residential development allocations for the fourth quarter of 2007 as recommended by the Planning Commission, the Historic and Scenic Preservation Commission, the Housing Commission, City departments and the Redlands Unified School District:

1. RDA 2007-IV-01 - Tentative Tract No. 16689, an approved 207 lot single family residential development on a 76.3 acre site generally located on the north side of Lugonia Avenue and on the south side of San Bernardino Avenue, west of Dearborn Street, approximately 960 feet east of Judson Street - Standard Pacific, Applicant
2. RDA 2007-IV-02 - Conditional Use Permit No. 836, an approved 40 unit multiple family residential development on an approximately three acre site located at the southeast corner of Grove Street and Sylvan Boulevard - Citicom Development, Applicant.

Councilmember Gilbreath moved to accept the recommendations of the points to be awarded for these projects and approved the allocation of 207 units to RDA 2007-IV-01, Standard Pacific Homes. Motion seconded by Councilmember Gallagher and carried with Councilmember Bean having abstained. Councilmember Bean returned to the meeting, and Councilmember Gilbreath moved to approve the allocation of 40 units to RDA 2007-IV-02, Citicom Development. Motion seconded by Councilmember Gallagher and carried unanimously.

Auto Mall - Community Development Director Shaw reminded Councilmembers the City began the concept of development an Auto Mall back in 2003 at the request of former Councilmember Gary George and several of the auto dealers in Redlands. The site chosen for the Auto Mall, near the Interstate 10/210 freeway interchange, is approximately 27 acres and a prime freeway-visible area, to pursue this type of venue. To date, Toyota of Redlands is the only in-town dealer that has taken advantage of the City's development incentive agreement. Over the course of time, significant dealer outreach has

been completed. Since no activity with the in-town auto dealers has occurred for some time, staff is seeking City Council approval to rescind the offer for development incentive agreements with the in-town auto dealers. There has been some interest by an outside auto dealer on the 10-acre parcel adjacent to the new Toyota of Redlands site. Before any effort is made to move forward with this entity and possibly negotiate a deal, staff feels that the development incentive agreement should sunset. Michael Hastings, Director Point Advisors, and Assistant Community Development Director Bob Dalquest were present to answer questions. Having never supported this concept, Councilmember Gilbreath moved to rescind the offer of a development incentive agreement for in-town auto dealers relocating to the Auto Mall to be effective on January 18, 2008. Motion seconded by Councilmember Gallagher and carried unanimously.

## COMMUNICATIONS

Meeting Attendance - In accordance with Government Code Sections 53232.2 and 53232.3, Mayor Harrison reported he was not able to attend the GreenXchange Global Marketplace Conference held on December 10, 2007, and that there was no City expense involved.

EIRs - City of Yucaipa - On behalf of Mayor Harrison, Community Development Director Shaw reported the City of Yucaipa is processing two projects that will have direct impacts on the City of Redlands.

1. The Robinson Ranch Projects are in the beginning stages and a Notice of Preparation of an Environmental Impact Report was sent to the City of Redlands. This project consists of three specific planning areas that collectively total 522 acres located adjacent and near the southeastern limit line of the City of Redlands. The entire project proposes 4,159 multiple and single family attached and detached dwelling units on 217.5 acres, 109 acres of general commercial uses, 28 acres of business park uses and 167.5 acres of improved and natural open space.
2. The City of Yucaipa sent a public hearing notice on a Final Program Environmental Impact Report and the Yucaipa Freeway Corridor Specific Plan located on approximately 1,234 acres that generally extend easterly from 16th Street, adjacent to the City of Redlands limit line, to the City of Yucaipa boundary on the south side of the I-10 Freeway, and easterly from Oak Glen Road to 8th Street, south of Colorado Street, on the north side of the I-10 Freeway. Land uses in the Specific Plan project area will include single-family and multiple-family residential uses (approximately 1,547 dwelling units, 162 acres of regional commercial uses, 43.9 acres of business park uses, 15.6 acres of community commercial uses, 44.8 acres of institutional uses, 542.9 acres of natural open space and 25.25 acres of roadways.

Community Development Director Shaw reviewed these proposed projects and actions taken by staff and assured Councilmembers staff would continue to review and respond appropriately. Councilmembers Harrison asked staff to keep the City Council fully apprised of the progress of these projects.

Community Development Director Shaw offered to provide staff's comments in a report at the next Council meeting and to hear further comments from the Council. Councilmember Aguilar expressed appreciation for staff bringing this information forward. Communications opposed to the Robinson Ranch Development were received from David F. Matuszak, Friends of Live Oak Canyon, and Pamela Smyth. Councilmember Gilbreath moved to receive and file the report on the Robinson Ranch and Yucaipa Freeway Corridor Specific Plan projects located in the City of Yucaipa. Motion seconded by Councilmember Gallagher and carried unanimously.

Parolee Housing - On behalf of Police Chief Bueermann, Lt. Bill Cranfill provided an update on parolee housing. Following a lengthy presentation and discussion, Councilmembers concurred to hold a workshop to address this matter.

Status Report - Financial Management Plan - Municipal Utilities Director Phelps and Chief Information Officer Smith presented a progress report on the City Council Goals and Objectives, Financial Management Plan, Phase II, and productivity improvements including cost reductions and revenue enhancements. Mayor Harrison expressed appreciation for the update.

Merit-Based Employee Recognition Program - On behalf of Library Director Burgess and Police Chief Bueermann, Chief Information Officer Smith presented a report regarding the development of a merit-based employee recognition program. On December 12, 2007, staff members were recognized as follows:

Chuck Millet - \$500.00 - Based on his knowledge and thoughtful consideration, he made a meritorious recommendation to the City Manager that ultimately resulted in the adoption of the warehouse tax which is estimated will net over \$200,000.00 a year in additional revenues.

Kim Braun - \$250.00 - During the Civic Center flood recovery in October, her coordination of contracts and vendors and skillful acquisition of necessary materials were executed in such a way that the facilities' rehabilitation occurred in weeks, rather than months. The performance of her duties was exceptional and, while often unseen by the public, allowed for relatively seamless service provision to the community.

Gary Bierma, Jesse Savell and Ron Salazar - \$250.00 each - During the civic Center flood and recovery, Gary, Jesse and Ron, working as a team, provided exceptional support and service to the staff and contract responders. Their tireless efforts, flexible response and "can-do" attitude drew laudatory comments from staff across the affected departments and set the standard for meritorious performance during a tough job.

The actions of these employees reflect well on them as individuals and on the quality of staff serving our community. Their actions warranted special recognition and certainly serve as a great example to others at the onset of this new effort to recognize staff performance.

City Council Liaison Assignments - Mayor Harrison presented his recommendation for the City Council liaison assignments to the City's boards, commissions, committees and outside agencies. Councilmember Gilbreath had a conflict for Monday evening meetings and would not be able to serve as liaison to the Human Relations Commission. Councilmember Gallagher volunteered to serve in that position. Councilmember Aguilar moved to approve the recommendation with the change; motion seconded by Councilmember Gallagher and carried unanimously.

Quarterly Allocated Financial Statements - Councilmember Bean asked Councilmembers to consider his request to direct staff to develop a plan for quarterly allocated financial statements (including balance sheets) that would reflect the financial condition of the City at the end of each quarter. The reports should include comparison to last year and to budget and should include a management analysis of significant variances and forecasts for the remainder of the year. He wanted it understood that this would be a management/policy tool and not an audit and that the standards for drawing the documents could be different than for a year-end audit. The reports should be available on a timely basis; perhaps four to six weeks after the end of the financial period of the present fiscal year. Councilmember Bean moved to direct staff to develop within six weeks, a proposal for quarterly allocated City financial statements with management analyses and forecasts to be implemented, hopefully, for the third quarter of the 2007-08 fiscal year. Motion seconded by Councilmember Gallagher and carried unanimously.

#### CLOSED SESSION

Late Breaking Item - Noting the need to take action was immediate, Councilmember Harrison moved to add the following item to the agenda which arose subsequent to the agenda being posted: "Conference with legal counsel: Existing litigation - Government Code §54956.9(a) - Marcus Young v. County of San Bernardino, et al. - United States District Court, Central District of California, Case No. EDCV 07-0680." Motion seconded by Councilmember Gilbreath and carried unanimously.

The City Council meeting recessed at 4:36 P.M. to a closed session to also discuss the following:

1. Conference with legal counsel: Existing Litigation - Government Code §54956.9(a) - (City Attorney McHugh)
  - a. Nancy Ochs v City of Redlands, et al - San Bernardino Superior Court Case No. SCVSS 146251
  - b. Mary Jane Both v City of Redlands, et al - San Bernardino County Superior Court Case No. SCVSS 148597

The meeting reconvened at 5:26 P.M. in the Conference Room on the second floor of the City Hall building in the Civic Center, 35 Cajon Street.



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; Lorrie Poyzer, City Clerk; Michael Reynolds, City Treasurer; Jim Drabinski, Fire Chief; Tina Kundig, Finance Director and Acting Administrative Services Director; Gary G. Phelps, Municipal Utilities Director; Jeffrey L. Shaw, Community Development Director; Gary Van Dorst, Quality of Life Interim Director; Chris Diggs, Water Resources Manager

Mayor Harrison reconvened the meeting and introduced Senator Bob Dutton. Items of mutual interest included the state deficit, state-funded health insurance proposal, state prisons, water storage and conveyance, transportation bond payments, flood control, parolees and the Bi-County Corridor were discussed in an informal manner. Mayor Harrison thanked Senator Dutton for all he does for local government.

The City Council meeting recessed at 6:30 P.M. and 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; Michael Reynolds, City Treasurer; Cletus Hyman, Deputy Police Chief; Jim Drabinski, Fire Chief; Tina Kundig, Finance Director and Acting Administrative Services 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

CLOSED SESSION REPORT

None forthcoming.

PRESENTATIONS

RHS Water Polo Team - Assisted by Coach Jeff Lamb, Mayor Harrison presented commendations to the Redlands High School Boys Water Polo Team who won the 2007 California Interscholastic Federation (CIF) Southern Section Division V Championship; the first water polo championship in Terrier history. The Boys Water Polo Team consists of the following students: Seniors Kyle Adama, Chris Buoye, Jimmy Davis, Joey Hale, Jeff Hansen, Tyler Harp and Daniel Klaus; Juniors Daniel Anderson, Andrew Curiel, Matt Hansen, Andrew Heine and Jack Valdez III; and Sophomores Joe Barich, Nick Carlson, Andrew Chamberlain and Jared Miller. Mayor Harrison congratulated the faculty and student athletes of the Redlands High Terrier Boys Water Polo Team on their outstanding achievements.

REV Volleyball Team - Assisted by Coach Tricia Vansant, Mayor Harrison presented commendations to the Redlands East Valley High School Volleyball team who won the 2007 California Interscholastic Federation (CIF) Southern Section Division II Championship; the first ever Volleyball Division Championship in the history of Redlands East Valley High School. The Volleyball Team consists of the following students: Seniors Heather Asay-Andersen, Kirsti Davis, Mary Dennis, Caitlyn Fee, Jennifer Nassef, Gretchen Stankey, Rachel Stankey and Danielle Vannispén; Juniors Victoria Brummett, Monica Gardner, Victoria Montanez, Jenifer Norton and Casey Tidwell; Sophomores Johnna Fouch, Emily Ingalls and Kyla Orpeza; and Freshman Krista Vansant. Mayor Harrison congratulated the faculty and student athletes of the Redlands East Valley High Wildcat Girls Volleyball Team on their outstanding achievements.

Jeffrey L. Shaw - Community Development Director - Mayor Harrison presented a proclamation commending, with appreciation, gratitude and respect, to Jeffrey L. Shaw for his diligent 21 years of service to the City of Redlands. Community Development Director Shaw is retiring on December 27, 2007. On behalf of the City Council, Mayor Harrison wished Mr. Shaw the very best as he embarks upon new endeavors in his life. Mr. Shaw introduced and thanked his wife for her support over the years and thanked his co-workers for making the job in Redlands special.

Gary G. Phelps - Municipal Utilities Director - Mayor Harrison presented a proclamation commending, with appreciation, gratitude and respect, to Gary G. Phelps for his diligent 22 years of service to the City of Redlands. Municipal Utilities Director Phelps is retiring on December 27, 2007. On behalf of the City Council, Mayor Harrison wished Mr. Phelps the very best as he embarks upon new endeavors in his life. Mr. Phelps thanked his co-workers for making the job in Redlands special.

#### ANNOUNCEMENT/REPORTS

Mayor Pro Tem Gilbreath announced she was the winner of \$750.00 at the Manufactured Homes event; this amount is what is needed to finish the base of the Widows and Orphans statue to be erected in the Jennie Davis Park. The Community Foundation now has the funds to be expended on this project.

#### LAND USE AND PUBLIC HEARINGS

Ordinance No. 2688 - Off-Street Parking Requirements - Public notice was published for this time and place to consider approval of a Negative Declaration for Ordinance Text Amendment No. 316 to add Section 18.164.325 to the Redlands Municipal Code regarding adjustments to off-street parking requirements for mixed-use projects in the Downtown Specific Plan No. 45 and in the C-3 (General Commercial) District and C-4 (Highway Commercial) District and hold a public hearing to consider introduction and reading of the title of Ordinance No. 2688 to adopt Ordinance Text Amendment No. 316. Mayor Harrison declared the meeting open as a public hearing. Community Development Director Shaw reviewed the proposed ordinance. Mayor Harrison called for any public comments. There being no verbal or written comments, the public hearing was declared closed.

Negative Declaration - Councilmember Gilbreath moved to approve the Negative Declaration for Ordinance Text Amendment No. 316 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 unanimously.

Ordinance No. 2688 - Off-Street Parking - Ordinance No. 2688, an ordinance of the City of Redlands adding Section 18.164.325 to the Redlands Municipal Code regarding adjustment to off-street parking requirements for mixed-use projects within Specific Plan No. 45, the C-3 (General Commercial) and C-4 (Highway Commercial) Districts, 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. 2688 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for January 15, 2008.

## PUBLIC HEARING

Resolution No. 6670 - Water Management Plan - Public hearing was advertised for this time and place to consider Resolution No. 6670, a resolution of the City Council of the City of Redlands adopting the Integrated Regional Water Management Plan for the Upper Santa Ana River. Mayor Harrison declared the meeting open as a public hearing. Chris Diggs, Water Resources Manager, introduced Bob Tincher, San Bernardino Valley Municipal Water District, who narrated a PowerPoint on the proposed project. Mayor Harrison called for any public comments. There being no verbal or written comments, the public hearing was declared closed. Councilmember Gallagher moved to adopt Resolution No. 6670; motion seconded by Councilmember Gilbreath and carried unanimously.

## NEW BUSINESS

Mill Creek Water - Water Resources Manager Chris Diggs reported the City has enjoyed, for more than 80 years, the benefit of using high quality water from Mill Creek as a result of a general obligation bond issuance paid for by the taxpayers of the City. In 1926, the City Board of Trustees authorized the issuance of \$525,000.00 in bonds to acquire water assets, including Mill Creek water rights from the lower Zanja Mill Creek water right owners which accounts for approximately 44.7 percent of the first 2500 inches from Mill Creek. The original owners of these water rights were financially compensated for the water rights and given access to groundwater from City facilities at the proportional cost of producing water they used. This arrangement has been in place and continued to operate as desired by the original owners for the past 80 years. Because the water rights were originally purchased with the bond issue, the City's General Fund is seeking reimbursement for the cost of acquisition or usage of Mill Creek water rights owned by the General Fund. Following discussion, Councilmember Harrison moved that the City Council direct staff to investigate alternative methods for the water utility to reimburse the General Fund for the cost of acquisition and usage of Mill Creek water rights owned by the General Fund and to authorize staff to issue a Request for Proposals for a consultant to evaluate the fiscal impact and necessary rate revenue

requirements. Motion seconded by Councilmember Aguilar and carried unanimously.

Tree Removal Project - Cedar Avenue - Public notice was advertised for this time and place to consider approval of a Mitigated Negative Declaration for the Street Tree Removal Project on Cedar Avenue; approve removal of 10 eucalyptus trees along Cedar Avenue between Monterey Street and Center Street; and approve use of \$7,500.00 of salary savings in the Quality of Life Department for replacement of the trees that are removed. Quality of Life Interim Director Van Dorst explained the eucalyptus trees along Cedar Avenue have a history of falling limbs during high winds. In recent months, several incidents of branches breaking and falling have occurred on Cedar Avenue between Center Street and Monterey Street. A number of these branches have been small branches that fell into the street or parkway without incident; however, five cases were reported where large branches with a diameter of eight inches or more have fallen. Two incidents resulted in significant damage to private property and claims against the City were filed. The City has paid claims totaling \$15,832.00 to date for fallen branches. As a result of these incidents, City staff requested West Coast Arborists to provide a detailed inspection and analysis of all 19 eucalyptus trees on Cedar Avenue. The inspection was completed on August 28, 2007, and the arborist identified 10 of the 19 trees for removal.

Mitigated Negative Declaration - Councilmember Gilbreath moved to approve the Mitigated Negative Declaration for the Street Tree Removal Project on Cedar Avenue 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.

Tree Removal - Reluctantly, Councilmember Gilbreath moved to approve the removal of 10 eucalyptus trees along Cedar Avenue between Monterey Street and Center Street. Motion seconded by Councilmember Gallagher and carried unanimously.

Funds - Councilmember Gilbreath moved to use \$7,500.00 in salary savings in the Quality of Life Department for replacement of the trees that are removed. Motion seconded by Councilmember Gallagher and carried unanimously.

Lease Purchase - Landfill Dozer - Following a discussion about purchasing policies with Councilmember Bean asking that future bid specification not be brand specific, Councilmember Gilbreath moved to authorize the Mayor to execute, and the City Clerk to attest to, a lease purchase agreement in the amount of \$414,026.00 for a 2008 Caterpillar D7R waste handling dozer from Johnson Machinery with the trade-in of a 1994 D6H II landfill dozer, and approved an additional appropriation in the amount of \$67,344.00 for this year's installment payments. Motion seconded by Councilmember Aguilar and carried unanimously.

## PUBLIC COMMENTS

Police Retirement Pension Plan - Debra Nester asked the City Council to support the police officers retirement pension plan.

## ADJOURNMENT

There being no further business, Mayor Harrison adjourned the City Council meeting at 8:36 P.M. wishing everyone a Merry Christmas and Happy New Year. Mayor Pro Tem Gilbreath asked everyone to leave their cell phones off when driving during the holidays.

The City Council meeting scheduled for January 2, 2008, will not be held. The next City Council meeting will be held on January 15, 2008.