

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 September 20, 2005, at 3:00 P.M.

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; Lorrie Poyzer, City Clerk; Beatrice Sanchez, Deputy City Clerk (evening session); Michael Reynolds, City Treasurer; Jim Bueermann, Police Chief; Jim Drabinski, Fire Chief; Don Gee, Redevelopment Agency Director; Tom Steele, Assistant 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

Tribute - Wallace Alexander Sanchez - The meeting was opened with a tribute for Wallace Alexander (Wally) Sanchez who died on Monday, September 19, 2005, from Councilmember George followed by a moment of silence in his honor and the pledge of allegiance. A native of Redlands, Mr. Sanchez served his country for 20 years in the United States Air Force, taught for another 20 years as a special education teacher, was a tennis coach and served on the City's Recreation Commission.

CONSENT CALENDAR

Minutes - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the minutes of the regular meeting of September 6, 2005, were approved as submitted.

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

Cooperative Purchasing Policy - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved a cooperative purchasing policy which interprets Section 2.16.180 of the Redlands Municipal Code.

Planning Commission Actions - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the report of the Planning Commission meeting held on September 13, 2005, was acknowledged as received.

Ordinance No. 2618 - Zone Change No. 414 - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously adopted Ordinance No. 2618, an ordinance of the City of Redlands amending the Redlands Municipal Code by adopting a revised land use zoning map and effecting Zone Change No. 415 for .43 acres of property located at 31588 Alta Vista Drive, approximately 200 feet southwest of Outer Highway 10 and further identified as Assessor's Parcel No. 0300-161-04. The zoning designation is to be changed from C-4 (Highway Commercial) District to R-R-A (Rural Residential Animals) District on the City's Land Use Zoning Map (Diane Short, applicant).

Ordinance No. 2619 - Zone Change No. 414 - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously adopted Ordinance No. 2619, an ordinance of the City of Redlands amending the Redlands Municipal Code by adopting a revised land use zoning map and effecting Zone Change No. 414 for 6.74 acres identified as Assessor Parcel No. 297-121-07 located on the northeast corner of Wabash Avenue and San Bernardino Avenue. The zoning designation is to be changed from the unincorporated San Bernardino County I-C (Community-Industrial) District to the City of Redlands' M-1 (Light Industrial) District and the remaining 8.90 acres identified as Assessor Parcel Nos. 297-121-10 and 11 is to be changed from the unincorporated San Bernardino County AG-AP (Agricultural/Agricultural Preserve) District to the City of Redlands' C-N (Commercial Industrial) District (Larry Jacinto, applicant).

Ordinance No. 2620 - Zone Change No. 412 - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously adopted Ordinance No. 2620, an ordinance of the City of Redlands amending the Redlands Municipal Code by adopting a revised land use zoning map and effecting Zone Change No. 412 for 2.6 acres of vacant property located on the south side of Highland Avenue, on the west side of Ford Street and immediately east of the I-10 Freeway and further identified as Assessor's Parcel No. 0174-152-12. The zoning designation is to be changed from R-S (Suburban Residential) District to R-2 (Multiple Family Residential) District (Buckeyes Limited Partnership, applicant).

Resolutions 6427-6428 - Parking and Business Improvement Area B - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously adopted Resolution No. 6427, a resolution of the City Council of the City of Redlands approving the annual report for the Parking and Business Improvement Area B for fiscal year 2004-05. On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously adopted Resolution No. 6428, a resolution of the City Council of the City of Redlands declaring the City Council's intention to levy and collect assessments for improvements and activities occurring within the boundaries of Parking and Business Improvement Area B and setting 3:00 P.M. on

November 15, 2005, as the time and date of the public hearing to consider the assessments.

Ordinance No. 2617 - Parades and Public Assemblies - Ordinance No. 2617, an ordinance of the City of Redlands amending Chapter 12.40 of the Redlands Municipal Code relating to parades and public assemblies, was unanimously adopted on motion of Councilmember Gilbreath, seconded by Councilmember Gil.

Contract - Nationwide Accumulated Benefit Conversion Program - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved a contract with Nationwide Financial and its subsidiaries to establish the Nationwide Accumulated Benefit Conversion Program for the Redlands Association of Safety Management Employees and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

MOU Amendment - RASME - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved Amendment No. 1 to the Memorandum of Understanding with the Redlands Association of Safety Management Employees (RASME) and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Amendment - Street Improvement Plans - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved the first amendment to the consultant services agreement with Albert A. Webb Associates to prepare traffic signal and street improvement plans for the intersection of Barton Road and San Timoteo Canyon Road in the amended amount of \$7,000.00 and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Amendment - Bridges Replacement Project - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved the first amendment to the consultant services agreement with Tom Dodson & Associates to ensure that the City is in compliance with regulatory permits for the project to build new bridges on Alabama Street and Orange Street at the Santa Ana River crossings and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Agreement - Lighting of Bus Shelters - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously directed staff to prepare an "electrical power lease agreement" with Lamar Advertising Company for the installation of lighting facilities in bus shelters and return said agreement to the City Council for approval.

Purchase - LNG Automated Sideloaders - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously authorized the purchase of three 05/06 automated sideloaders for the Solid Waste Division from Carmenita Truck Center in the amount of \$615,597.30.

Purchase - Laboratory Information Management System - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously authorized the purchase of Laboratory Information Management System software and equipment from Accelerated Technology Laboratories, Inc. of West End, North Carolina, for the City's Water and Wastewater Divisions.

License Agreement - SANBAG - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved a license agreement with San Bernardino Associated Governments (SANBAG) for an underground crossing of the railroad property for a 12-inch diameter water main on Nevada Street, south of Industrial Park Avenue, and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Contract - 1350 Zone Reservoir Project - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved a contract for extension of the Electric Distribution Line Rule No. 15 for the 1350 Zone Reservoir Project, Project No. 4-0518, with Southern California Edison for \$8,315.22 and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Funds - Purchase - Emergency Response Vehicles - Following discussion, Councilmember Gil moved to authorize the purchase of two emergency response vehicles for the Redlands Fire Department with funds from Fire Donations (\$30,000.00) and the Hazardous Waste Program (\$67,500.00) and approved an additional appropriation in the amount of \$97,500.00. Motion seconded by Councilmember Gilbreath and carried unanimously.

Independent Contractor Agreement - Ginny McNutt - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved an independent contractor agreement with Ginny McNutt for beginning line dance lessons.

Independent Contractor Agreement - Armando Neri - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved an independent contractor agreement with Armando Neri for Flamenco dance lessons.

Independent Contractor Agreement - Lucy Guss - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously

approved an independent contractor agreement with Lucy Guss for ballroom dance lessons.

MOU - Redlands Police Officers Association - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved the Memorandum of Understanding with the Redlands Police Officers Association.

COMMUNICATIONS

Tennis and Swim Facility - Public Works Director Mutter reported that at their meeting of August 11, 2005, the Parks Commission recommended to the City Council to locate and acquire a 10- to 15-acre site on the north side of Redlands for a public tennis and swimming facility. Representing the Redlands Racquet Club, Michelle Proctor and Debbie Klink made a brief presentation explaining their vision for a public tennis and swimming facility. Kyle Larick encouraged Councilmembers to refrain from chopping up the Sports Park citing the needs for more soccer fields. Public Works Director Mutter reported the Parks Commission and Recreation Commission are holding joint meetings open to the public on the second Thursday of each month; both commissions are aware of the huge needs of the citizens and are starting a planning process to meet these needs. Councilmember Pepler moved to direct staff to research the idea on expanding existing facilities and to work with the Redlands Unified School District and the Redlands Racquet Club to make their tennis courts available to the public. Motion seconded by Councilmember Gil and carried unanimously.

Open Space Assessment District - Councilmember George reported that a recent polling, authorized by the City Council and paid for by the Redlands Conservancy, indicated a lack of the 66-2/3 percent support required for a general tax increase for the creation of the Emerald Necklace. However, the polling clearly indicated far more than 50 percent of those surveyed supported the concept of paying approximately \$50.00 per year to preserve and/or create the necklace. Therefore, there is a good probability that the more than 50 percent approval required to create a benefit assessment district for parks and open space could be achieved. The Redlands Conservancy is willing to pay the costs incurred in such an election. Councilmember Harrison engaged in a lengthy discussion with Councilmember George regarding the other needs of the City including a Justice Center, Civic Center, road repairs, and increasing the paramedic tax and urged asking the people what they wanted by conducting a survey to set priorities. Councilmember George was astounded that the City Council might not take advantage of the financial offer from the Redlands Conservancy. By consensus, the City Council authorized staff to solicit the services of an engineer for the preparation of a report which would include estimates for engineering such a district and bring forward a contract for City Council approval.

Hurricane Katrina - Councilmember George reminded Councilmembers that at the last City Council meeting, he was authorized to work with Monya Jones to identify a small town in the Hurricane Katrina disaster area in need of assistance with the concept of adopting a town and interfacing with that town in order to more efficiently direct resources and financial contributions to assist that town in rebuilding. Since that meeting, he and Ms. Jones have attempted to identify and contact an appropriate City and have narrowed out the search to two cities: Kenner and Westwego. The Redlands Charitable Resources Coalition is formulating recommendations on how to proceed which Councilmember George reviewed. Councilmember George noted Ms. Jones is the driving force behind this project and thanked members of the Coalition for lending their expertise and advise. Councilmembers concurred, with enthusiasm, the City will continue these efforts to set up this concept for Westwego, Louisiana, and send Reverend Felix Jones and Chief of Water Resources Doug Headrick to the area for two days to make contact with local authorities and conduct a fact-finding mission and then report back on how we might proceed with our local efforts.

Status Report - Covington Project - Councilmember Harrison reported on his discussions with the developers of Tract No. 16361 (Covington Project) to acquire, through gifting, up to 12 additional lots, specifically those lots in the most southerly portion of the project to be part of the Emerald Necklace for open space. The property owner and developer have agreed to this proposal and it will be part of the final map. Councilmember Harrison thanked Chad Covington and asked that staff continue to work with the development. Representing the property owner, Pat Meyer thanked Councilmember Harrison for working with them and reported that they would gift the 12 lots to the City and work out the details after the results of the November, 2005, election are known. Responding to questions, he stated that if Measure R (Ordinance No. 2606 for Zone Change No. 390) fails, the developer will start over and prepare a project with 5-acre ranchettes. Councilmember Gilbreath thanked Councilmember Harrison for his efforts. Mayor Pepler asked the press to do a public service by explaining the yes/no vote on Measure R.

Special Meeting - Airport Land Use - Gary Van Dorst, Municipal Utilities Department, reported staff is recommending the City Council schedule a special meeting with invitations to the Planning Commission and Airport Advisory Board to conduct a workshop to discuss and possibly act upon land use planning and policy issues related to the Redlands Municipal Airport and surrounding areas on Tuesday, October 4, 2005, at 10:00 A.M. Representing Walton Development, LLC, Mr. Everett Hughes read a letter expressing his concern that the underlying influence of this proposed workshop is to postpone his project. Councilmember Gilbreath's motion to schedule this special meeting as recommended by staff was seconded by Councilmember Harrison and carried unanimously.

CLOSED SESSION

The City Council meeting recessed at 4:28 P.M. to a closed session to discuss the following:

1. Conference with real property negotiator - Government Code Section 54956.8
 - a. Property: APNs 294-091-33, 175-221-07, 175-241-01, 175-122-06, 175-131-14, 175-231-01 and 175-251-04
Negotiating parties: Louis P. Cardinal and John Davidson
Under negotiation: Terms and price
2. Conference with legal counsel: Anticipated litigation - Government Code Section 54956.9(b)
 - a. One case - Facts and circumstances: Threatened litigation if the City Seal Initiative passes

The meeting reconvened at 7:00 P.M. at which all Councilmembers were present. Staff members present were City Manager Davidson, City Attorney McHugh, Community Development Director Shaw, Police Chief Bueermann, City Clerk Poyzer, and Deputy City Clerk Sanchez.

CLOSED SESSION REPORT

None forthcoming.

ANNOUNCEMENTS/REPORTS

Reports from Councilmembers on their recent activities were dispensed with in light of the large audience in attendance.

NEW BUSINESS

Ordinance No. 2622 - Parolee Homes' Moratorium - Mayor Pepler announced she scheduled this matter for discussion to respond to concerns expressed by citizens over the past six years regarding groups home. She reported Third District County Supervisor Dennis Hansberger has called meetings of the mayors in his district to discuss this issue especially state-licensed facilities over which there is no local control. It also has been a topic of discussion within the League of California Cities. Fontana and Yucaipa have adopted similar ordinances providing some control over group homes which our City Attorney has been reviewing. She and Councilmember Gil along with City Attorney McHugh, City Manager Davidson, and Community Development Director Shaw, recently met with some of our residents who expressed concerns about group homes being "flipped" from handicapped facilities to parolee housing without notice to the community. Ordinance No. 2622, which would establish a 45-day moratorium on the approval of non-state licensed parolee

homes, will allow the City to prepare an ordinance addressing this issue. Councilmember George asked why the Police Chief's signature was missing from the report and the meeting. City Manager Davidson explained that Police Chief Bueermann was uncomfortable with the report but that he is bringing it forward for the City Council's review.

Urging approval of this moratorium were: Damon E. Needelman, Dorothy Cunningham, Clif Cunningham, George Cruzen, Wayne L. Johnson, Julie Waltz, Lois Looke, and Joe Pasquale.

Speaking in support of Sober Living houses in Redlands were: Adam Paulsen, Cynthia McGuigan, Monica Vill, Jerry Holt, Alicia Bell, Robert Ettleman, Lee Warrick, Kassandra Jarmillo, Philip Radmacher, George Favela, Gregory D. Burks, Steve Calleros, Oscar Fabela, Jr., Cedric Young, Debi MacVie, Brandy Prats, and Bob Ettleman. Mayor Peppler assured people in attendance in support of Sober Living facilities that this proposal does not prohibit group homes, but would be a regulatory tool. Many people expressed concerns about the fee to apply for the proposed conditional use permit.

Also speaking were Jeffrey Gaither and Alfred Martinez, Jr. from the California Department of Corrections and Rehabilitation. Retired Deputy Sheriff Bernie DeYoung, Vista Guidance Centers and East Valley Second Choice, urged the City Council to carefully consider legislation to prevent interfering with rehabilitation efforts and needs. Pastor Felix Roger Jones, III, cautioned everyone about over-reacting. Pastor Don Wallace asked what the urgency was to establish this moratorium. Joe Walloch, who found signs in the Clover Street neighborhood offensive, clarified that he asked for Code Enforcement who did advise him the signs may be offensive, but were not illegal. Ediberto Flores suggested forming a committee to study this matter in depth.

Councilmembers discussed this issue at length with a general consensus the City does not want to cause the Sober Living participants problems but there is a need to regulate and monitor sex offenders and violent parolees. Police Chief Bueermann reviewed his proposal to establish a parolee re-entry facility. George Hicks expressed concerns that if this facility was removed from residential areas, it could create an impact on the businesses. It was suggested to establish a focus group with State people, the Police Chief, parolees, and citizens for a wide discussion. With the understanding that more information would be assembled with the assistance of a focus group and that further information would be presented regarding a parolee re-entry facility at the October 4, 2005, City Council meeting, the City Council took action on the proposed ordinance. Ordinance No. 2622, an ordinance of the City of Redlands establishing a moratorium on the approval of non-state licensed parolee homes, was read by title only by City Clerk Poyzer, and on motion of Councilmember Peppler, seconded by Councilmember Gil, further reading of the ordinance text

was unanimously waived, and Ordinance No. 2622 was adopted by a unanimous vote.

PUBLIC COMMENTS

None forthcoming.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 9:50 P.M. The next regular meeting will be held on October 4, 2005.

City Clerk