

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 Wednesday, July 5, 2006, at 3:00 P.M.

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

ABSENT None

STAFF John Davidson, City Manager; Daniel J. McHugh, City Attorney; Lorrie Poyzer, City Clerk; Michael Reynolds, City Treasurer; Jim Bueermann, Police Chief; Jim Drabinski, Fire Chief; Don Gee, Redevelopment Agency Director; Tina Kundig, Finance Director; Ronald C. Mutter, Public Works Director; Marjie Pettus, Administrative Services Director; Douglas Headrick, Municipal Utilities Department; and Jeffrey L. Shaw, Community Development Director

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

PRESENTATIONS

365 Club - Mayor Harrison, Police Chief Bueermann and Civilian Volunteer Patrol member Jim Stellar presented "365 Club" membership certificates to its members. Mayor Harrison and Police Chief Bueermann thanked the "365 Club" members for their generous financial support and thanked the Civilian Volunteer Patrol members for all they do for the City.

Heroes - Mayor Harrison and Police Chief Bueermann presented certificates of commendations in recognition of heroism shown on June 19, 2006, when a purse snatching occurred at a local business. The victim, Kathryn Bolter, chased the thief and two construction workers, Nicholas Rotondi and Guy Kelly, stopped and detained the thief until police arrived. The purse snatcher was identified as one of America's Most Wanted criminals.

DEPARTMENTAL INFORMATION REPORT

Municipal Utilities Department - Chief of Water Resources Headrick presented a PowerPoint focusing on their new customer service program.

CONSENT CALENDAR

Minutes - Councilmember Harrison moved to approve the minutes of the regular meeting of June 20, 2006, as amended to reflect the addition of

conditions regarding the Kangaroo Rat habitat in the Walton project. Motion seconded by Councilmember Gilbreath and carried unanimously. Minutes of the adjourned regular meeting of June 20, 2006, were unanimously approved as submitted on motion of Councilmember Harrison, seconded by Councilmember Gilbreath.

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

Planning Commission Actions - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the report of the Planning Commission meeting held on June 27, 2006, was acknowledged as received.

Notice of Environmental Actions - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the report on pending environmental actions received from surrounding jurisdictions was acknowledged as received.

Redlands Community Vision Component - General Plan Update - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously received and filed the Report on Redlands Community Vision for the General Plan Update and authorized staff to post the report on the City's website (<http://www.ci.redlands.ca.us>).

Agreement - Redlands Commons - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved an agreement with John Thomas to allow Ultrasystems and their related sub-consultants to enter his property located on Assessor's Parcel Nos. 167-091-09, 10, 11 and 12 for visual site inspection and investigation of the property for biological, cultural and geotechnical information gathering and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

CRA 774 - Time Extension - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously found that the extension of time for Commission Review and Approval No. 774 does not require further environmental processing, pursuant to Section 15162 of the California Environmental Quality Act Guidelines, based on the following findings: the proposed project would not result in new significant environmental effects or a substantial increase in the severity of previously identified effects; no substantial changes have occurred with respect to the circumstances under which the project will be undertaken; and, there is no new information of substantial importance with respect to this project's environmental consequences that was not known at the time the previous Mitigated Negative Declaration was adopted. On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved the time extension for Commission Review and Approval No. 774 for the construction of a 3,872

square foot medical office on a 14,980 square foot lot located at 317 Brookside Avenue (between Grant Street and Parkwood Drive) in the A-P, Administrative and Professional Office District.

CEQA Waiver and Release - Bulldog Commons, LLC - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved the agreement with Bulldog Commons, LLC waiving the time limits for environmental processing and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Tract Map No. 17502 - Ryland Homes of California, Inc. - Final Approval - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously granted final approval for Tract No. 17502 located between San Bernardino and Pioneer Avenues, approximately 2,600 feet west of Judson Street.

Proclamation - Parks and Recreation Month - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously authorized issuance of a proclamation declaring July, 2006, as *Parks and Recreation Month*.

Reappointment - Park Commission - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously reappointed Dennis Bolt to serve another four-year term on the Parks Commission as recommended by Mayor Harrison.

Fee Waiver - Optimist Club - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved the waiver of \$540.00 in fees for the Optimist Club of Redlands for use of a portion of Sylvan Park in conjunction with their annual car show and chili cook-off on July 15, 2006.

Fee Waiver - Recovery Happens Walk and Rally - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved the waiver of reservation, picnic area, gazebo and table fees in the amount of \$645.00 for use of Sylvan Park by the Association of Community Based Organizations for the Recovery Happens Walk and Rally to be held on September 23, 2006.

Fee Waiver - Pagan Pride Day - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved the request by the Pagan Inland Empire Fellowship for waiver of the reservation, use and Section A table fee of \$565.00 and permission to use Sylvan Park on September 30, 2006, for the *Pagan Pride Day Autumn Harvest Faire* including placement of vendor booths for sales in the park.

Fee Waiver - University of Redlands - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved the waiver of \$235.00 in fees for the University of Redlands for use of a portion of Sylvan Park in conjunction with their Centennial celebration on October 21, 2006.

Resolution No. 6523 - Landscape Maintenance District No. 1 - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously adopted Resolution No. 6523, a resolution of the City Council of the City of Redlands declaring its intention to levy and collect assessments within Redlands Landscape Assessment District No. 1 for Fiscal Year 2006-07 pursuant to the Landscaping and Lighting Act of 1972, establishing a time and place for hearing protests (July 18, 2006, at 7:00 P.M.) and rescinding Resolution No. 6487.

Resolution No. 6525 - Street Lighting District No. 1 - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously adopted Resolution No. 6525, a resolution of the City Council of the City of Redlands declaring its intention to levy and collect assessments within Redlands Street Lighting Assessment District No. 1 for Fiscal Year 2006-07 pursuant to the Landscaping and Lighting Act of 1972, establishing a time and place for hearing protests (July 18, 2006, at 7:00 P.M.) and rescinding Resolution No. 6491.

Ordinance No. 2640 - Airport Influence Area - Ordinance No. 2640 an ordinance of the City of Redlands adding Chapter 17.28 to the Redlands Municipal Code to establish regulations for signage and marketing disclosure requirements for new residential subdivision developments located within the Redlands Airport influence area, was unanimously adopted on motion of Councilmember Gilbreath, seconded by Councilmember Gil.

Agreement - Toddler Dance and Kinderdance Classes - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved an independent contractor agreement with Tiffany Collins to provide Toddler Dance and Kinderdance Classes at the Redlands Community Center and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Agreement - University of Redlands Work-Study Program - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved the agreement with the University of Redlands to participate in the 2006-07 Work-Study Program and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Resolution No. 6522 - Personnel Rules and Regulations - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council

unanimously adopted Resolution No. 6522, a resolution of the City Council of the City of Redlands establishing revised Personnel Rules and Regulations for the City of Redlands.

COMMUNICATIONS

Meeting Attendance - In accordance with Government Code Sections 53232.2 and 53232.3, Mayor Harrison reported on his trip to Sacramento on June 21, 2006, to work with the League of California Cities regarding AB 2987.

Federal Legislative Advocate - City Manager Davidson reviewed the reasons to hire a federal legislative advocate (lobbyist) to pursue funding opportunities through grants and appropriations. He reviewed the services provided since January, 2000, by Copeland, Lowery and Jacquez and provided an overview of the projects and/or programs they assisted the City of Redlands in obtaining funding. This firm is in the process of being dissolved and will no longer be providing lobbyist services as previously organized. City Manager Davidson also provided a survey conducted by his office of cities with similar populations regarding the use of a lobbyist. Councilmembers discussed the need for a federal lobbyist. Councilmember Gilbreath moved to authorize staff to develop a Request for Proposal and solicit services for a federal legislative advocate to pursue funding opportunities through available grants and appropriations. Motion seconded by Councilmember Aguilar and carried unanimously.

League of California Cities Annual Conference - Councilmember Harrison moved to designate Councilmember Gilbreath to serve as the voting delegate for the League of California Cities' 2006 Annual Conference to be held in San Diego September 6-9, 2006. Motion seconded by Councilmember Gil and carried unanimously. Councilmember Harrison moved to designate Councilmember Aguilar to serve as the alternate voting delegate for the League of California Cities' 2006 Annual Conference to be held in San Diego September 6-9, 2006.

Local Emergency - Ford Street - In accordance with Chapter 2.52 of the Redlands Municipal Code, Public Works Director Mutter reported on the status of the local emergency on Ford Street regarding the collapsed storm drain.

PUBLIC HEARING

Resolution No. 6515 - Appropriation Limit - Public hearing was advertised for this time and place to consider Resolution No. 6515, a resolution of the City Council of the City of Redlands establishing an appropriation limit for the Fiscal Year 2006-07 pursuant to Article XIII B of the California Constitution.

Mayor Harrison declared the meeting open as a public hearing. Finance Director Kundig reported the City of Redlands has consistently maintained an exceedingly wide and comfortable margin between its limits and its proceeds of taxes subject to the limit established by Article XIII B of the California Constitution. There being no comments, the public hearing was declared closed. Councilmember Gilbreath moved to adopt Resolution No. 6515. Motion seconded by Councilmember Gallagher and carried unanimously.

NEW BUSINESS

Ordinance No. 2645 - Administrative Citations - City Attorney McHugh introduced Assistant City Attorney Michael Reiter who explained implementation of administrative citations. The administrative citation system is an alternative to criminal prosecution in routine matters as it requires less procedural steps and is oriented towards compliance of the Redlands Municipal Code. While the administrative citation system is flexible enough to allow for a citation for any violation of the Redlands Municipal Code, it is best used for relatively minor violations such as illegal signs, property-related nuisances (such as graffiti) and animal control violations. Ordinance No. 2645, an ordinance of the City of Redlands amending Chapter 1.22 of the Redlands Municipal Code regarding administrative citations, 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. 2645 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for July 18, 2006.

Payless ShoeSource - Community Development Director Shaw explained staff has been approached by the Inland Empire Economic Partnership in regard to a widely recognized and respected Fortune 1000 publicly traded specialty retailer who was evaluating sites in California and Nevada to locate its new west coast distribution facility. Shortly afterwards, Ernst & Young brought in their client, PaylessShoe Source, to discuss with staff their competitive location evaluation criteria and informed staff that the Redlands' area was one of three final locations under consideration. Community Development Director Shaw reviewed their justification and request for support from the County and the City for Payless ShoeSource to located in the "Donut Hole" area of Redlands. The proposed e-commerce and warehouse complex, which would provide a point of sales for all of their e-commerce sales (internet sales), would be Payless ShoeSource's west coast facility. The City would benefit by receiving a portion of the sales tax revenue that would be generated by this specialty retailer. Following discussion, Councilmember Gil moved to authorize the City Manager to negotiate and prepare an agreement to purchase an operating covenant with Payless ShoeSource to promote the development of its west coast e-commerce center and warehouse in the Redlands "Donut Hole" area. Motion seconded by

Councilmember Aguilar and carried with Councilmember Gilbreath voting NO as she has never supported this type of agreement.

CLOSED SESSION

The City Council meeting recessed at 4:16 P.M. to a closed session to discuss the following:

1. Conference with real property negotiator - Government Code Section 54956.8
Property: APN 0174-281-24 and APN 0174-281-26
Negotiating parties: John Davidson, Ron Mutter and Granite Homes
Under negotiation: Terms and price

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

John Davidson, City Manager; Daniel J. McHugh, City Attorney; Lorrie Poyzer, City Clerk; Teresa Ballinger, Assistant City Clerk; Jim Bueermann, Police Chief; Jim Drabinski, Fire Chief; Don Gee, Redevelopment Agency Director; 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

CLOSED SESSION REPORT

None forthcoming.

PRESENTATION

Dog Park - Public Works Director Mutter reported the Parks Commission recommended, at their meeting of June 8, 2006, that the City Council grant final approval to the concept plans for the dog park facility at Ford Park and to authorize staff to issue any required permits for the construction subject to final approval of plans and any appropriate development and maintenance agreements between the City and the Redlands Rotary Club (Adopt-A-Park Program). The proposed dog park facility will be located in Ford Park, immediately south of the Fire Demonstration Garden which is on Roosevelt Road, south of Highland Avenue. The facility is 1.2 acres in size and will be divided into two sections, one for small dogs and the other for large dogs.

Access to the facility will be achieved by walking through Ford Park from the tennis court area or by driving south on Roosevelt Road to the parking area at the Fire Demonstration Garden. Several additional parking spaces are planned at the northeast corner of the facility. On June 27, 2006, the Planning Commission reviewed the project and determined that the proposed dog park was consistent with the City of Redlands General Plan. The Commission also complimented the design and indicated support for the project. Elizabeth Kulbin, representing the Rotary Club, made a presentation outlining the benefits of a dog park and provided information on how such a project could be accomplished. There will be no cost to the City at this time. All design and construction costs would be paid by the Redlands Rotary Club. Long-term costs would include maintenance of the grounds within the dog park area. Such maintenance is anticipated to be higher than normal ground maintenance and would include trash disposal, grounds clean-up as necessary, drinking fountains (both for the dogs and their owners) and maintenance of fencing. The Rotary Club is developing an ongoing maintenance program where they would pay any incremental cost increases related to this facility. Ongoing routine costs such as mowing and watering, which are currently provided by the City, would continue to be included in the Parks Division (General Fund) budget. Councilmembers expressed their appreciation for these efforts. Councilmember Gilbreath moved to accept the recommendation of the Parks Commission and approve the final concept plans for the dog park facility at Ford Park by the Redlands Rotary Club subject to approval of final plans and issuance of permits by the City and the approval of an on-going maintenance agreement pursuant to the Adopt-A-Park program. Motion seconded by Councilmember Aguilar and carried by AYE votes of all present.

PUBLIC HEARING

Ordinance No. 2646 - Parolee Homes Moratorium - Public hearing was advertised for this time and place to consider Ordinance No. 2646, an ordinance of the City of Redlands extending the effect of Ordinance No. 2624 of the City of Redlands providing for a temporary moratorium on the approval of non-state licensed parolee homes. Mayor Harrison declared the meeting open as a public hearing. Community Development Director Shaw reviewed a report presented at the last meeting identifying those measures taken to alleviate the condition which led to the adoption of Ordinance No. 2624 which provided for a prohibition (moratorium) on the approval of non-state licensed parolee homes. To protect residents and businesses from potential harmful secondary effects of unlicensed parolee homes, including sensitive land uses such as schools and child day care facilities, City staff needs additional time to determine whether unlicensed parolee homes should be permitted within the City, to study the licensing and permitting of such homes, the possibility of employing criminal background check procedures for such homes, as well as to determine which zoning districts, if any, might be appropriate for parolee homes, and pursuant to what level of discretionary review by the City. Ordinance No. 2646 will extend

the interim prohibition/moratorium for a period of one year on land use approvals and building permits in all zoning districts for parolee homes. This is the last extension allowed as not more than two extensions may be adopted. This extension will allow the City staff time to research and prepare an ordinance to bring back to the City Council for consideration of a permanent ordinance to regulate the placement and operating provisions of parolee homes.

Urging the City Council to extend the moratorium in order to carefully craft an ordinance which will meet the needs of the community were: Sharon Graff, Lois Lauer, Bernie DeYoung, Tami Chester and Jerry Holtz. George Cruzen expressed concern about the placement of these homes in residential neighborhoods. There being no further comments, the public hearing was declared closed. At the request of Mayor Harrison, Police Chief Bueermann explained this ordinance does not address state-licensed homes, that the City cannot regulate their location, but the Police Department will work with the neighbors and the operator of a state-licensed home. Ordinance No. 2646 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. 2624 was introduced and laid over under the rules with adoption scheduled for July 18, 2006, by AYE votes of all present.

UNFINISHED BUSINESS

Zone Change No. 396 and Zone Change No. 399 - Councilmember Harrison moved to continue Ordinance No. 2628, Zone Change No. 396, a change of zone from A-1 (Agricultural) District to R-E (Residential Estate) District on three contiguous parcels totaling 30.4 gross acres located north of San Bernardino Avenue, south of Pioneer Avenue, and west of Judson Street in the A-1 (Agricultural) District, and Ordinance No. 2629, Zone Change No. 399, a change of zone A-1 (Agricultural) District to R-E (Residential Estate) District on 12.1 gross acres located at the southeast corner of Pioneer Avenue and Judson Street in the A-1 (Agricultural) District, to July 18, 2006. Motion seconded by Councilmember Gallagher and carried by AYE votes of all present.

NEW BUSINESS

Resolution No. 6512 - Cemetery Fees - Following an explanation by Municipal Utilities Director Phelps, Councilmember Gilbreath moved to adopt Resolution No. 6512, a resolution of the City Council of the City of Redlands amending the fees for the sale of cemetery plots, crypts, niches, setting of markers and miscellaneous services at Hillside Memorial Park. Motion seconded by Councilmember Gallagher and carried by AYE votes of all present.

Resolution No. 6519 - Adult Sport Recreation League Fees - As directed by the City Council on June 20, 2006, Police Chief Bueermann presented a resolution

to increase fees for the recreation adult sport leagues to ensure the total cost of supplying sports officials would be fully recovered from the fees paid by the participating teams. Councilmember Gilbreath moved to adopt Resolution No. 6519, a resolution of the City Council of the City of Redlands establishing fees for facility rentals and recreation services, program and other activities and rescinding Resolution No. 5894. Motion seconded by Councilmember Aguilar and carried by AYE votes of all present.

PUBLIC COMMENTS

None forthcoming.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 7:52 P.M. The next regular meeting will be held on July 18, 2006.

Mayor of the City of Redlands

Attest:

City Clerk

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