

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 October 3, 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; 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 Aguilar followed by the pledge of allegiance.

DEPARTMENTAL INFORMATION REPORT

Police Department - Deputy Police Chief Hyman presented a PowerPoint explaining what the Police Department does with the grant funds received.

CONSENT CALENDAR

Minutes - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the minutes of the regular meeting of September 19, 2006, were approved as submitted.

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

Planning Commission Actions - Eric Shamp expressed concerns about the location of the Rossmore Enterprises application for a site located on the east side of Nevada Street, south of Park Avenue and north of Citrus Avenue. The San Bernardino County Redlands Special Education School is located across the street and because of its proximity, Mr. Shamp was concerned about the health risks for the children. Community Development Director Shaw noted staff and the Planning Commission took his concerns under consideration and that their recommendation for approval was appropriate. Councilmember Gilbreath moved to acknowledge the report of the Planning Commission meeting held on September 26, 2006. Motion seconded by Councilmember Gallagher and carried unanimously.

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.

Agreement - Illuminated Decorations - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved an agreement with Southern California Edison Company for illuminated decorations on ornamental street lights in the downtown area and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Funding - Santa Ana River Wash Plan - Councilmember Gilbreath again expressed fiscal concerns about additional appropriations. Community Development Director Shaw explained the Wash Plan is critical and that staff felt the benefits will eventually offset the cost. Councilmember Harrison moved to approve an increase in the budget appropriation for the Community Development Department and the payment of the City's share of additional costs in the amount of \$12,481.90 associated with the preparation of environmental documentation for the Upper Santa Ana River Wash Land Management and Habitat Conservation Plan. Motion seconded by Councilmember Gallagher and carried with Councilmember Gilbreath voting NO.

Resolution No. 6549 - Grant Funds - Trail and Open Space - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously adopted Resolution No. 6549, a resolution of the City Council of the City of Redlands approving application for grant funds for the California River Parkways Grant Program under the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 (Proposition 50), in order to receive funds for the acquisition of Assessor's Parcel No. 294-121-20 (English Property) to preserve a potential creek side trail segment along the San Timoteo Creek and open space for habitat conservation contiguous to other City of Redlands' properties.

Proclamation - University of Redlands' Centennial - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously authorized issuance of a proclamation in recognition of its 100th anniversary and designating October 20, 2006, as *University of Redlands Day*.

Proclamation - White Cane Safety Day - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously authorized issuance of a proclamation declaring October 15, 2006, as *White Cane Safety Day*.

Resolution No. 6545 - Traffic - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously adopted Resolution No. 6545, a resolution of the City Council of the City of Redlands establishing the following traffic regulations pursuant to Title 10 of the Redlands Municipal Code: create a no parking zone for approximately 1,200 feet on the south side of Lugonia Avenue from Alabama Street west to the westerly end of Lot 1, Tract No. 12419; designate "Redlands Bowl Personnel Only" parking stalls at the Joslyn Senior Center parking lot; create a bus loading zone for approximately 79 feet on the north side of Cypress Avenue, along the frontage of the Montero House located at 932 West Cypress Avenue; and create a two-hour time limit parking zone on the west side of Cajon Street from Citrus Avenue, south to Vine Street, excluding the existing no parking zones.

Assignment Agreement - Friends of Prospect Park - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved an assignment agreement with the Friends of Prospect Park for the transfer of contracts entered into by the Friends of Prospect Park for events scheduled at the Carriage House in Prospect Park and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Agreement - Paramedic Training Site - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved renewal of an agreement with Emergency Medical Services Training Institute identifying the Redlands Fire Department as a paramedic clinical/field internship-training site and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Agreement - USDA Fire Protection - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved renewal of the cooperative fire protection agreement with the USDA-Forest Service, San Bernardino National Forest, and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Funds - COPS 2000 Technology Grant - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously accepted a U. S. Department of Justice COPS 2006 Technology grant and authorized an additional appropriation in the amount of \$987,228.00 to equip the Redlands Police Department with a state-of-the-art communications center.

Agreement - Redlands Unified School District - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved a joint use agreement with the Redlands Unified School District to utilize facilities, parks, sports fields and classrooms as needed for community activities and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Funds - COMPASS Initiative - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously accepted a U. S. Department of Justice Office of Community Oriented Policing Services 2006 Technology grant for the East Valley COMPASS Initiative and authorized an additional appropriation in the amount of \$493,614.00.

Resolution No. 6550 - Orange Blossom Trail - Following an explanation from Administrative Services Director Pettus, Councilmember Gilbreath moved to adopt Resolution No. 6550, a resolution of the City Council of the City of Redlands accepting the local match requirement of Caltrans' Community-Based Transportation Planning Grant for the Orange Blossom Trail/East Valley Citrus Heritage Linear Park and Trail, and rescinding Resolution No. 6530. Motion seconded by Councilmember Gallagher and carried unanimously.

Funds - Appraisal Services - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously authorized retention of appraisal services for property located at the southeast corner of Palm Avenue and Alvarado Street (Assessor's Parcel No. 173-231-05) and approved an additional appropriation in an amount not to exceed \$5,000.00.

PLANNING AND COMMUNITY DEVELOPMENT

MOU - Redlands Conservancy - Community Development Director Shaw presented a memorandum of understanding with the Redlands Conservancy relating to the establishment of a land donation and conservation easement noting the Redlands Conservancy has asked for additional time to complete a further review of the document. Councilmember Gilbreath asked for an expanded staff report when this item is rescheduled outlining the benefit to the City. Councilmember Harrison moved to continue this matter to November 7, 2006. Motion seconded by Councilmember Aguilar and carried unanimously.

Residential Development Allocations - 2006-III - Community Development Director Shaw reviewed the following applications for residential development allocations for the third quarter of 2006 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 2006-III-01 - Tentative Tract No. 16586, an approved 76 unit single-family Planned Residential Development project on a 66.20 acre site located north of Reservoir Road, on both the east and south sides of Wabash Avenue, in the R-E (Residential Estate) District - Granite Homes, Inc. Applicant

2. RDA 2006-III-02 - Tentative Tract No. 13649, an approved seven (7) unit single-family Planned Residential Development project on a 2.69 acre site located on the south side of Franklin Avenue, between Rhonda Lane and Paige Lane, in the R-E (Residential Estate) District - Franklin Court Partnership, Applicant
3. RDA 2006-III-03 - Tentative Tract No. 16402, an approved 27 unit single-family residential development project on a 9.43 acre site located south of Madeira Avenue, west of Sapphire Avenue, north of Cedar Lane and east of Plumwood Lane, in the R-E (Residential Estate) District and R-1 (Single-Family Residential) District - Victoria Homes, Inc., Applicant

Granite Homes, Inc. received 100 points and Franklin Court Partnership received 96 points, making them eligible for an allocation of building permits. Victoria Homes, Inc. did not receive the required 90 points, making it ineligible for an allocation of building permits. Representatives from Victoria Homes presented a PowerPoint of their proposed project with adjusted side and rear elevations and reviewed in detail their "Sunergy" (solar power) feature and urged the City Council to award four additional points under Architectural, an additional two points under Site and Grading Design and an additional point under Landscaping. Supporting the project, Planning Commissioner Eric Shamp addressed the City Council noting there are deficiencies in some areas of the point allocation procedure in that the City cannot give points for energy efficiency. Councilmember Gilbreath moved to award the additional seven points subject to the re-design and grading of the project. Motion seconded by Councilmember Gallagher and carried unanimously. Councilmember Gilbreath moved to approve awarding points as follows:

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| 1. RDA 2006-III-01 - Granite Homes, Inc. | 100 points |
| 2. RDA 2006-III-02 - Franklin Court Partnership | 96 points |
| 3. RDA 2006-III-03 - Victoria Homes, Inc. | 92 points |

Motion seconded by Councilmember Gallagher and carried unanimously. Councilmember Gilbreath moved to approve allocations as follows:

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| 1. RDA 2006-III-01 - Granite Homes , Inc. | 35 units |
| 2. RDA 2006-III-02 - Franklin Court Partnership | 7 units |
| 3. RDA 2006-III-03 - Victoria Homes, Inc. | 27 units |
| 4. RDA 2006-III-01 - Granite Homes . Inc. | 41 units |

Motion seconded by Councilmember Gallagher and carried unanimously.

COMMUNICATIONS

Meeting Attendance - No reports forthcoming.

Appointment - Historic and Scenic Preservation Commission - Mayor Harrison moved to appoint Rosemary Lee Herenden to serve the remainder of the unexpired term ending January 18, 2007, on the Historic and Scenic Preservation Commission. Motion seconded by Councilmember Gil and carried unanimously.

Appointment - Cultural Arts Commission - Mayor Harrison moved to appoint Claudia Roach to serve the remainder of the unexpired term ending January 6, 2010, on the Cultural Arts Commission. Motion seconded by Councilmember Gilbreath and carried unanimously.

Appointment - Housing Commission - Mayor Harrison moved to appoint Thomas Cosand to serve the remainder of the unexpired term ending January 18, 2009, on the Housing Commission. Motion seconded by Councilmember Aguilar and carried unanimously.

PUBLIC HEARINGS

Resolution No. 6537 - Parking and Business Improvement Area B - Public hearing was advertised for this time and place to consider Resolution No. 6537, a resolution of the City Council of the City of Redlands ordering the continued

operation of Parking and Business Improvement Area B and confirming the annual report and assessment for Fiscal Year 2006-2007. Mayor Harrison declared the meeting open as a public hearing. Community Development Director Shaw reviewed the annual report outlining assessments, district boundaries, proposed improvements and activities and the budget. Mayor Harrison called for a public comments. There being no verbal or written comments, the public hearing was declared closed. Councilmember Gilbreath moved to adopt Resolution No. 6537. Motion seconded by Councilmember Gallagher and carried unanimously.

Resolution No. 6540 - TEFRA Hearing - Montessori School - Due to a potential conflict of interest, Councilmember Harrison retired from the Council Chambers and did not participate in this matter; a Public Disclosure of Potential Conflict of Interest form is on file in the City Clerk's Office. Public hearing was advertised for this time and place to consider Resolution No. 6540, a resolution of the City Council of the City of Redlands, State of California, approving the issuance of California Statewide Communities Development Authority Revenue Bonds (Montessori in Redlands), Series 2006, in the amount of \$6,000,000.00 to finance the costs of acquisition, improvement renovation, furnishing and equipping of the Montessori School located at 1890 Orange Avenue. Mayor Pro Tem Gilbreath declared the meeting open as a Tax Equity and Fiscal Responsibility Act (TEFRA) hearing. Finance Director Kundig explained the proposal emphasizing the City will have no liability with respect to the issuance of bonds or repayment of any debt service relating to such bonds. In addition, City is not a party to any of the financing documents relating to the issuance of the bonds nor is it named in any of the disclosure documents describing the bonds or the proposed financing. Mayor Pro Tem Gilbreath called for a public comments. There being no verbal or written comments, the hearing was declared closed. Councilmember Gallagher moved to adopt Resolution No. 6540. Motion seconded by Councilmember Gil and carried with Councilmember Harrison having abstained.

CLOSED SESSION

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

1. Conference with real property negotiator - Government Code Section 54956.8
 - a. Property: APN 169-362-08
Negotiating parties: John Davidson and Fred Dill
Under negotiation: Terms and price
 - b. Property: APN 173-231-05
Negotiating parties: John Davidson and Thomas J. Heeney, Jr.
Under negotiation: Terms and price

The meeting reconvened at 7:00 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; Teresa Ballinger, Assistant City Clerk; Michael Reynolds, City Treasurer; Jim Bueermann, Police Chief; Jim Drabinski, 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

CLOSED SESSION REPORT

None forthcoming.

PUBLIC HEARING

Resolution No. 6548 - Cable Franchise Agreement - Verizon California, Inc. - Public hearing was advertised for this time and place to consider Resolution No. 6548, a resolution of the City Council of the City of Redlands granting a non-exclusive franchise to provide cable service to Verizon California, Inc. Mayor Harrison declared the meeting open as a public hearing. Chief of Water Resources Headrick reviewed the proposal submitted by Verizon California, Inc. Assistant City Attorney Reiter was also available for questions. Representing Verizon, Scott Holbrook and their attorney Ramona L. Monroe answered questions from Councilmembers. Mayor Harrison and Councilmember Gil expressed several concerns. Mayor Harrison called for public comments. On behalf of the North Redlands Visioning Committee, Mario Saucedo spoke in favor of granting this franchise. There being no further comments, the public hearing was declared closed at 7:42 P.M. Councilmember Gilbreath moved to adopt the determination contained in the staff report and to adopt Resolution No. 6548 and the findings of fact and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City. Motion seconded by Councilmember Aguilar and carried with Councilmember Gil voting NO as he felt the quality of the PEG service could be improved.

PUBLIC COMMENTS

Sk8Park - The following members of the Sk8Park Kids provided an update on the progress of their efforts to build a skateboard park in Redlands: Erik Anwar, Blake Broderick, Ben Booth, Max Broderick, Sk8Prk Mom Susan Broderick, Tanner Orland, Jake Donahue, Victoria Townsend, Alex Wiley, and Danny Avina.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 7:50 P.M. The next regular meeting will be held on October 17, 2006.

City Clerk