

## 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 March 18, 2008, 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; Steven H. Dukett, Interim Redevelopment Agency Director; Rosemary Hoerning, Municipal Utilities and Engineering Director; Tina Kundig, Finance Director; Deborah Scott-Leistra, Human Resources Director; Bob Dalquest, Interim Community Development Director; Kurt Smith, Chief Information Officer; Gary Van Dorst, Quality of Life Director

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

## PRESENTATIONS

Pet Adoptions - Lynda Ackerman, volunteer for Redlands Animal Control, introduced Joey, a one-to-two year old darling terrier mix. This very friendly dog, and his brother, are available for adoption at the Redlands Animal Shelter. Ms. Ackerman reported that every dog showcased at these City Council meetings has been adopted. Joey "kissed" Animal Control Officer Bill Miller and wagged his tail when asked to speak to the audience.

31st Senate District Woman of the Year - Senator Bob Dutton presented a certificate from the State Legislature to Mayor Pro Tem Gilbreath honoring her with the 2008 31st Senatorial District Woman of the Year Award for her outstanding contributions to the State of California. A letter from the Lt. Governor, who is also President of the Senate, commending Mayor Pro Tem Gilbreath in honor of receiving this award was also given to her. With humility, Mayor Pro Tem Gilbreath said she was proud and pleased to receive this award.

Proclamation - Hiroshima Peace Memorial Museum - Councilmember Harrison moved to authorize issuance of a proclamation commending the efforts of Mr. Kohji Hosokawa, Mr. Steven Leeper, the University of Redlands and the Hiroshima Peace Memorial Museum. Motion seconded by Councilmember Gilbreath and carried unanimously. Mayor Harrison presented the proclamation to Messrs. Hosokawa and Leeper. A message was read from our Sister City's

Mayor congratulating the City of Redlands for displaying the Hiroshima and Nagasaki exhibit at the University of Redlands.

Proclamation - Women's History Month - Councilmember Gilbreath moved to approve the issuance of a proclamation declaring March 2008 as *Women's History Month* with special recognition of the San Bernardino Sexual Assault Services for their dedication in assisting those women who have been battered or abused and for their efforts to reduce violence against women. Motion seconded by Councilmember Gallagher and carried unanimously. Jennifer Celise-Reyes, member of the Human Relations Commission, presented the proclamation to Sandy Schauben, Direct Service Coordinator for San Bernardino County Sexual Assault Services.

Proclamation - César E. Chávez Day - Councilmember Gilbreath moved to approve the issuance of a proclamation declaring March 28, 2008, as *César E. Chávez Day* in Redlands. Motion seconded by Councilmember Gallagher and carried unanimously. John Walsh, member of the Human Relations Commission, presented the proclamation to Police Chief Jim Bueermann and members of the Redlands Police Officers Association, and thanked them for their support for the annual César E. Chávez breakfast. This year the breakfast will be held on March 28, 2008, and four scholarships will be presented to high school students.

#### ANNOUNCEMENT/REPORTS

SANBAG Meeting - Mayor Pro Tem Gilbreath reported on the SANBAG meeting held on March 5, 2008; said report is on file in the Office of the City Clerk.

Omnitrans Meeting - Councilmember Gallagher reported on the Omnitrans meeting held on March 5, 2008.

#### CONSENT CALENDAR

Minutes - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the minutes of the special meeting of March 4, 2008, and the regular meeting of March 4, 2008, were approved as submitted.

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

Planning Commission Actions - Due to a potential conflict of interest, Councilmember Bean 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. Councilmember Gilbreath moved to acknowledge receipt of the report of the Planning Commission meeting held on

March 11, 2008. Motion seconded by Councilmember Gallagher and carried with Councilmember Bean having abstained.

Notice of Environmental Actions - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, a report on notices of pending environmental actions and pending projects received from surrounding jurisdictions was acknowledged as received.

Conditional Use Permit No. 768 - Senior Housing Services, LLC - Due to a potential conflict of interest, Councilmember Aguilar 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. Councilmember Gilbreath moved to find the extension of time for Conditional Use Permit No. 768 does not require further environmental processing, pursuant to Section 15162 of the California Environmental Quality Act Guidelines based on the following findings: (1) the proposed revision would not result in new significant environmental effects or a substantial increase in the severity of previously identified effects; (2) no substantial changes have occurred with respect to the circumstances under which the project will be undertaken; and (3) there is no new information of substantial importance with respect to the project's environmental consequences that was not known at the time the previous Mitigated Negative Declaration was adopted. Motion seconded by Councilmember Gallagher and carried with Councilmember Bean having abstained. Councilmember Gilbreath moved to approve a second one-year time extension for Conditional Use Permit No. 768 subject to the original conditions of approval. Motion seconded by Councilmember Gallagher and carried with Councilmember Bean having abstained.

Ordinance No. 2687 - Hillside Development District - Ordinance No. 2687, an ordinance of the City of Redlands adding Chapter 18.138 to the Redlands Municipal Code to establish the Hillside Development District, was unanimously adopted on motion of Councilmember Gilbreath, seconded by Councilmember Gallagher.

Resolution No. 6693 - Tax Exchange - Annexation Nos. 88 and 89 - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously adopted Resolution No. 6693, a resolution of the City Council of the City of Redlands determining the amount of property tax revenues to be exchanged between the County of San Bernardino and the City of Redlands resulting from the jurisdictional change described by LAFCO No. 3093 for Annexation Nos. 88 and 89.

General Plan - Annual Report - Planning Consultant Jeff Shaw presented the annual report of the General Plan for 2006-2007. Following discussion, Councilmember Gilbreath moved to acknowledge receipt and accept the annual report of the General Plan for 2006-2007. Motion seconded by Councilmember Gallagher and carried unanimously.

Resolution No. 6692 - Records Destruction - Mayor Harrison suggested continuance of Resolution No. 6692, a resolution of the City Council of the City of Redlands approving the destruction of certain video and audio City records, as he was concerned about the destruction of the video tapes of City Council meetings. City Clerk Poyzer reported that the audio tapes were only used in the preparation of minutes of City Council, commission and board minutes and were becoming a storage problem. Chief Information Officer Smith noted the new equipment for the television production would make it easier to store as the VHS video tapes are no longer used. City Attorney McHugh noted that destruction of any City records required the consent of both the City Council and the City Attorney, and he would hold his approval while working with staff regarding the storage issue. Councilmember Harrison moved to adopt Resolution No. 6692; motion seconded by Councilmember Gilbreath and carried unanimously.

Settlement Agreement - Foster Farms - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously acknowledged a Release of all Claims for settlement of a lawsuit filed against the City by Foster Farms resulting from the accident, casualty or event which occurred on or about December 23, 2007, at or near Citrus Avenue, Redlands.

Outside City Utility Connection 08-07 - Mike Barre - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously determined Outside City Case (OSC) 08-07, APN 298-231-36, is consistent with the City of Redlands General Plan and that the public health, safety and welfare, and the best interests of the citizens of Redlands, are served by the City's continued processing of the application.

Agreement - Drainage Culverts - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously approved the revised contract agreement among the County of San Bernardino, the Inland Valley Development Agency, the City of San Bernardino, the City of Highland and the City of Redlands for the construction and installation of drainage culverts, bank protection and roadway improvements on Alabama Street at City Creek and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Resolution No. 6682 - Traffic - On behalf of staff at Cope Middle School, Redlands Police Officer Greeley informed Councilmembers of the support for the passenger loading zone along Fern Avenue at Cope Middle School. Councilmember Gilbreath moved to adopt Resolution No. 6682, a resolution of the City Council of the City of Redlands establishing the following traffic regulations in accordance with Title 10 of the Redlands Municipal Code, as recommended by the Traffic and Parking Commission: create a white painted passenger loading zone along the Fern Avenue frontage of Cope Middle School; remove white painted curb loading zone from Pennsylvania Avenue frontage of

Lugonia Elementary School; create three 2-hour time limit parking zones along the Pennsylvania Avenue frontage of Lugonia Elementary School. Motion seconded by Councilmember Gallagher and carried unanimously.

Ordinance No. 2679 - Property Maintenance - Ordinance No. 2679, an ordinance of the City of Redlands adding Chapter 8.08 to the Redlands Municipal Code relating to property maintenance and deleting Chapters 8.16, 8.28 and 8.32 relating to hospitals, public eating places and slaughtering of animals, respectively, was unanimously adopted on motion of Councilmember Gilbreath, seconded by Councilmember Gallagher.

Proclamation - Waiver of Fees - Relay for Life - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously approved the issuance of a proclamation declaring the City of Redlands a *Relay for Life Community* and supporting the 9th Annual Redlands Relay for Life event to be held on April 12-13, 2008, at the Redlands East Valley High School. On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously authorized a waiver of \$1,100.00 in fees to the American Cancer Society for the two-day use of the City's Showmobile providing that certain other requirements noted in the rental contract are met for towing, set-up, deposit, insurance coverage and rental period.

Agreement - Redlands Conservancy - On motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, the City Council unanimously approved an agreement with the Redlands Conservancy for the maintenance of public trails and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Ordinance No. 2696 - Wildland-Urban Interface Code - Ordinance No. 2696, an ordinance of the City of Redlands adding Chapter 15.30 to the Redlands Municipal Code by adopting and amending the 2006 Edition of the International Wildland-Urban Interface Code, was unanimously adopted on motion of Councilmember Gilbreath, seconded by Councilmember Gallagher.

Agreement - Workers' Compensation Program - Responding to Councilmember Bean's questions, Human Resources Director Scott-Leistra explained she will be going out for proposals for plan administration for our Workers' Compensation program but during the interim, recommended approving an agreement with Dynamic Claims Services, Inc. Councilmember Bean moved to approve an agreement for professional services for plan administration for the Workers' Compensation Program with Dynamic Claims Services, Inc. and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

## PLANNING AND COMMUNITY DEVELOPMENT

Ordinance No. 2698 - Rental Dwelling Units Licensing Requirements - Planning Consultant Jeff Shaw presented Ordinance No. 2698, an ordinance of the City of Redlands adding Chapter 5.98 to the Redlands Municipal Code establishing licensing requirements for owners of rental dwelling units, and explained there were two alternates: A-with an inspection program and B-with no inspection program. He noted a fee resolution will be presented to the City Council in the near future to ensure the program is self-funded. Councilmembers discussed this proposed ordinance at length. Karen Frickle, Apartment Association for the Greater Inland Empire, and Ryan Smith, Inland Valleys Association of Realtors, both supported the reduction in the license fee if the landlord participated in the Crime Free Multi-Family Housing Program. Describing a problem with the property adjacent to his residence, Carl Jordan asked that the ordinance have "real teeth for enforcement." Quality of Life Director Van Dorst offered to assist Mr. Jordan with his situation. Following further discussion, Councilmember Gilbreath moved to recommend staff bring back Ordinance No. 2698, version B, and with a scope of services that provides for an inspection program. Motion seconded by Councilmember Gallagher and carried with Councilmember Bean voting NO as he felt there were sufficient regulations now available to address any problems with rental properties.

## COMMUNICATIONS

Meeting Attendance - In compliance with Government Code Sections 53232.2 and 53232.3, Councilmember Aguilar reported on his attendance at the San Bernardino County City Mayors Conference held on March 14, 2008, in Chino Hills. Mayor Harrison reported on his attendance at the NLC Congressional City Conference held on March 8-12, 2008, in Washington, D.C. noting the City only paid for his conference registration.

Resolution No. 6694 - Healthy City Sponsorship - Mayor Pro Tem Gilbreath reported the adoption of Resolution No. 6694, a resolution of the City Council of the City of Redlands authorizing submission of a grant application to the County of San Bernardino, Department of Public Health, for a "Healthy City Sponsorship" will authorize submission of an application for grant funds from the County that can be used to foster a Healthy Redlands community program. Councilmember Gilbreath moved to adopt Resolution No. 6694; motion seconded by Councilmember Gallagher and carried unanimously. Mayor Pro Tem Gilbreath announced 32 people attended the first meeting in early March and that the next meeting will be held on April 10, 2008.

Department Review - Fire Department - Fire Chief Drabinski reported the City Council, on August 7, 2007, authorized Citygate Associates of Folsom, California, to conduct a high level Fire Department review. The scope of work included: an operational review of line and staff resources and organization, including a review of non-emergency operations; an assessment of the ability of the present fire services to meet the needs of the community; an assessment of the department's deployment ability to meet the community risks, expectations

and emergency needs; and a fiscal analysis of the department. The Fire Department audit has been completed and Project Manager Stewart W. Gary from Citygate Associates presented the findings to the City Council. Mr. Gary concluded his presentation stating the residents have a caring, committed Fire Department which provides many of the services of a larger agency and is willing to take on new services and be a regional partner; that there are cost recovery programs in place where appropriate, but that significant community growth will strain or reduce the current positive service levels.

Orange Blossom Trail - JoAnn Ross, Dangermond Group, gave an updated presentation showing the recommended trail alignment along with opportunities, constraints and concept alternatives for the Orange Blossom Trail. The Dangermond Group has held presentations for staff and a public presentation of the conceptual alignment was held at the Joslyn Senior Center on March 6, 2008. Mayor Harrison suggested using the rail alignment as an alternative to provide connectivity in the University of Redlands area. Councilmember Gilbreath moved to acknowledge receipt and file the Orange Blossom Trail Conceptual Alignment Plan. Motion seconded by Councilmember Gallagher and carried unanimously.

Ordinance No. 2697 - Utility Advisory Commission - Interim Municipal Utilities Director Diggs presented Ordinance No. 2697, an ordinance of the City of Redlands adding Chapter 2.70 to the Redlands Municipal Code relating to the establishment of a Utilities Advisory Committee. Ordinance No. 2697 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. 2697 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for April 1, 2008.

Inland Valley Development Agency - Interim Redevelopment Agency Director Dukett presented the recommendation from the Business and Economic Development Advisory Commission to pursue the possibility of the City of Redlands joining the Inland Valley Development Agency. Councilmember Gilbreath moved to authorize the effort to pursue the possibility of the City of Redlands joining the Inland Valley Development Agency and authorized the Mayor and City Manager to take the necessary and appropriate actions in connection therewith. Motion seconded by Councilmember Gallagher and carried unanimously.

## UNFINISHED BUSINESS

Ordinance No. 2678 - Purchasing Policy - Ordinance No. 2678, an ordinance of the City of Redlands amending Chapter 2.16 of the Redlands Municipal Code relating to City purchases and deleting Chapter 3.74 of the Redlands Municipal Code was adopted on motion of Councilmember Gilbreath, seconded by Councilmember Harrison with Councilmembers Gallagher and Bean voting NO.

## NEW BUSINESS

Automatic Fire Aid Agreement - Annexation Nos. 88 and 89 - Fire Chief Drabinski presented an agreement with the county of San Bernardino to maintain the existing automatic aid agreement for fire services as it relates to Annexation Nos. 88 and 89. Councilmember Gilbreath moved to authorize the City Manager to enter into this agreement. Motion seconded by Councilmember Gallagher and carried unanimously.

## JOINT MEETING - CITY COUNCIL AND REDEVELOPMENT AGENCY

Resolution No. 6695 - North Redlands Revitalization Project - Interim Redevelopment Agency Director Dukett reviewed the process to proceed with the North Redlands Revitalization Project. Councilmember Gilbreath moved to adopt Resolution No. 6695, a resolution of the City Council of the City of Redlands consenting to and authorizing joint public hearings with the Redevelopment Agency of the City of Redlands in connection with the proposed North Redlands Revitalization Project and the proposed 2008 amendment to the Redevelopment Plan for the Redlands Redevelopment Project and directing notifications of the same. Motion seconded by Councilmember Gallagher and carried unanimously. (Also see Redevelopment Agency Board of Director minutes dated March 18, 2008.)

## CLOSED SESSION

The City Council meeting recessed at 5:24 P.M. to continue the Redevelopment Agency meeting and reconvened at 5:25 P.M. to a closed session to discuss the following:

1. Conference with legal counsel: Existing Litigation - Government Code §54956.9(a) (City Attorney McHugh)
  - a. Bunny Vincent v. City of Redlands, et al - San Bernardino County Superior Court - Case No. SCVSS 140612
  - b. Sunset Drive Corporation v. City of Redlands - United States District Court for the Central District of California Case No. CV-02-09109-TJH
2. Conference with labor negotiators - Government Code §54957.6
  - a. Unrepresented employee - City Manager (Mayor Harrison)

The meeting reconvened at 6:04 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; Jim Bueermann, Police Chief; Larry Burgess, Library Director; Don McCue, Library Archivist; Jim Drabinski, Fire Chief; Steven H. Dukett, Interim Redevelopment Agency Director; Rosemary Hoerning, Municipal Utilities and Engineering Director; Chris Diggs, Interim Municipal Utilities and Engineering Director; Tina Kundig, Finance Director; Tom Steele, Assistant Finance Director; Bob Dalquest, Interim Community Development Director; Deborah Scott-Leistra, Human Resources Director; Kurt Smith, Chief Information Officer; Gary Van Dorst, Quality of Life Director

CLOSED SESSION REPORT

There was no reportable action taken during the closed session.

WORKSHOP

2008-2009 City-Wide Goals - Prior to starting the workshop, Mayor Harrison asked if anyone from the public wished to address the City Council regarding the subject of this workshop. On behalf of the North Redlands Vision Committee, Mario Saucedo reminded Councilmembers of their priority list. Mayor Harrison noted the Mayor's Blue Ribbon Committee report was included in the City Council packet. He then introduced Jim Spee from the University of Redlands who acted as facilitator for this evening's meeting.

Reflections - At the end of the workshop, Mr. Spee reviewed the gathering of ideas which will spark some conversations so that the City can think about where it wants to go next and envision what could happen. These reflections included revenue enhancement; the physical appearance of the City; the "green" agenda; short and long term planning; educating the public on the process and future needs to build a support base; building trust over several years by balancing the budget and by being fiscally responsible; with emphasis on our physical assets and being aware of the impact of each of these things on the health of the community. Absent from the discussion were the General Plan, when and how it will be done, and performance measures. Actions steps included an inventory of physical assets (a report prepared by students from the University of Redlands when they surveyed the streets and sidewalks and a list prepared by former employee Marjie Pettus were mentioned); listing what the City wants to keep, what to enhance, and what not to have; pick three top

priority goals and do some detailed game planning; keeping the public informed of the City's financial condition; multi-year planning; planning for future financial pressures and recessions; forming Council committees combined with staff and commissioners to propose in-depth plans with sub-committees monitoring progress; focus commission attention; look for new revenue streams that are acceptable to the public such as an increase of the paramedic tax; economic development; stay conscious of open space and trails projects; and continue to improve public safety at a reasonable cost.

Speaking from the audience were Jeff Scerenka, Business and Economic Development Advisory Commissioner; Joe Gonzalez; Mario Saucedo, North Redlands Vision Committee; Jonathan Abraham; Reyes Quezada, member of the Mayor's Blue Ribbon Committee; and Paul Foster, chairman of the Mayor's Blue Ribbon Committee.

Mayor Harrison thanked staff and the public in attendance for participating in this workshop.

#### LAND USE

Lease Agreement - Omnipoint Communications, Applicant - Public notice was advertised for this time and place to consider approval of a Mitigated Negative Declaration and lease agreement for a proposed lease agreement to install a 60 foot high cellular tower for a wireless telecommunication facility within the Hillside Memorial Park located at 1540 Alessandro Road in the R-E (Residential Estate) District. Councilmember Gilbreath moved to continue this matter to the City Council meeting to be held on April 1, 2008, at 7:00 P.M. as recommended by staff. Motion seconded by Councilmember Gallagher and carried unanimously.

#### PUBLIC COMMENTS

None forthcoming.

#### ADJOURNMENT

There being no further business, the City Council meeting adjourned at 7:34 P.M. The next regular meeting will be held on April 1, 2008.

/s/ City Clerk