City of Loma Linda Official Report

Floyd Petersen, Mayor
Karen Gaio, Mayor pro tempore
Robert Christman, Councilmember
Stan Brauer, Councilmember
Robert Ziprick, Councilmember

COUNCIL AGENDA: November 18, 2003

TO: City Council

VIA: Dennis R. Halloway, City Manager

FROM: Pamela Byrnes-O'Camb, City Clerk

SUBJECT: Minutes of October 28, 2003

RECOMMENDATION

It is recommended that the City Council approve the Minutes of October 28, 2003.

AGENDA ITEM 4

PENDING CITY COUNCIL APPROVAL

City of Loma Linda

City Council Minutes

Regular Meeting of October 28, 2003

A regular meeting of the City Council was called to order by Mayor Petersen at 5:45 p.m., Tuesday, October 28, 2003, in the City Council Chamber, 25541 Barton Road, Loma Linda, California.

Councilmen Present:	Mayor Floyd Petersen Mayor pro tempore Karen L. Hansberger Robert H. Christman Stan Brauer Robert Ziprick (Arrived 5:55 p.m.)
Councilman Absent:	None
Others Present:	City Manager Dennis Halloway City Attorney Richard E. Holdaway

Closed Session

CC-2003-137 – **Conference with Legal Counsel and Real Property Negotiator (Government Code Section 54956.8)**

Property:	City-owned acreage south and westerly of the prolongation of Mt. View Avenue
Negotiating Parties:	Dennis R. Halloway, Empire Homes
Under Negotiation:	Price and terms of payment

The City Council immediately recessed to consider the closed session item as listed, and reconvened at 7:05 p.m. with all members present. City Attorney Holdaway announced that the City Council would recess at the close of the open session to conclude the matter. No announcement was expected.

Mayor Petersen led the invocation and Pledge of Allegiance. No items were added or deleted.

Oral Reports/Public Participation

Mayor Petersen commented on the recent fires and his visits to the various command posts and shelters.

Ardyce Koobs, 11591 Richardson Street, spoke regarding an incident involving a vicious dog, which was later euthanized, and asked about the possibility of regulating ownership of certain breeds prone to viciousness. Director of Public Safety Crawford noted that the Municipal Code regulated exotic animals in addition to requiring the licensing of dogs, but was unaware of any city regulating ownership of certain breeds.

Scheduled and Related Items

CC-2003-138 – **Presentation of contribution by Waste Management toward the SCE Easement Park between Beaumont Avenue and Hinckley Street**

Rosalie Mule', Director of Municipal Development, Waste Management, presented Mayor pro tempore Hansberger with a check in the amount of $2,500 toward improvements to the SCE Easement Park and trail system. Mayor pro tempore Hansberger graciously accepted the check on behalf of the City and thanked Waste Management for their contribution.

CC-2003-139 – **Presentation by Don Brad of Honeywell relating to co-generation**

Mayor Petersen stated that Mr. Brad was unable to attend and therefore, the item would be rescheduled.

CC-2003-140 – **Public Hearing** – 6.97 acres located south of Barton Road, east of the Southern California Edison Easement, west of Bryn Mawr Avenue (Steven Walker Homes)

a. Adopt Mitigated Negative Declaration
b. Council Bill #O-2003-9 (First Reading/Set Second Reading for November 18) – Amending the Zoning Map from Agricultural (A-1) and Multi-Family (R-3) to Planned Community (PC)
c. Tentative Tract Map 16382 – a subdivision of 50 single-family residential lots and 32,172 square feet of open space on 6.97 acres
d. Council Bill #O-2003-10 (First Reading/Set Second Reading for November 18) – Approving a Development Agreement between Steven Walker Homes and the City to assist in providing affordable housing throughout the City

The public hearing was opened and Assistant Planner Colunga presented the report into evidence, stating that the proposed project was located between the Bryn Mawr Post Office and the Post Office Annex and consisted of:

1) Fifty single-family lots within a gated community;
2) Two-story houses with two-car garages with access from a rear alley system;
3) Open space of 32,172 square feet located in the center of the community;
4) Access from Newport Avenue with a loop road for on-site circulation;
5) Two rows of orange trees at the front of the project along Newport Avenue to mitigate noise impacts and to memorialize the citrus industry of the area;
6) Lots ranging from 2,880 to 5,965 square feet, with an average lot size of 3,475 square feet.

He then reviewed the tract map and site plan and responded to questions, noting that a Precise Plan of Design would be submitted at a later date. Steve Razansky of Steven Walker Homes also responded to questions and stated that the sales price of the homes would be in the $300,000 range.

David Barakian, 11464 Via Lido, commented on the traffic generated from the development and possible restriction of on street parking on Newport Avenue. Tricia Thrasher, 26058 Via Oro expressed concern about the density, but acknowledged that the developer was very responsive to the concerns of the community. Dick Wiley 10848 Pepper Way, also spoke.

No other public testimony was offered and the public hearing was closed.

Motion by Ziprick, seconded by Hansberger and unanimously carried to adopt the Mitigated Negative Declaration.

Motion by Brauer, seconded by Hansberger and unanimously carried to introduce Council Bill #O-2003-9 on First Reading and to set the Second Reading for November 18.

Motion by Hansberger, seconded by Ziprick and unanimously carried to approve Tentative Tract Map 16382, subject to the Conditions of Approval as submitted.

By common consent, the public hearing relating to Council Bill #O-2003-10 pertaining to a Development Agreement to assist in providing affordable housing throughout the City was continued to November 18, pending confirmation of property ownership by Steven Walker Homes.

CC-2003-141 – **Consent Calendar**

Motion by Hansberger, seconded by Ziprick and unanimously carried to approve the following items:

The Demands Register dated October 28, 2003 with commercial demands totaling $512,066.52 and payroll demands totaling $176,395.27.

The Minutes of October 14, 2003 as presented.

The September 2003 Department of Public Safety Stats for filing.

Council Bill #R-2003-50 and Council Bill #R-2003-51.

Resolution No. 2305

A Resolution of the City Council of the City of Loma Linda, approving the applicant to apply for grant funds for the Per Capita Grant Program under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002

Resolution No. 2306

A Resolution of the City Council of the City of Loma Linda approving the applicant to apply for grant funds for the Roberti-Z'berg-Harris Block Grant Program under the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Act of 2002

Expenditure of funds from the Department of Conservation Recycling Grant for promotional and advertising of community recycling/clean up programs and installation of carpet made from 100% recycled material in a portion of City Hall.

Old Business

CC-2003-142 – **Request from Dr. Aqeel Khan for change of street name within Tract 16259**

Councilman Ziprick asked about a potential conflict of interest because he provided legal services to Loma Linda University Medical Center and Children's Hospital and the right to name a street was a fundraiser for the Children's Hospital. It was determined that there was no financial conflict of interest.

Director of Community Development Woldruff introduced the item, stating that Dr. Aqeel Khan won the opportunity to name a street within the Tract and requested that Street A be named "Dr. Aqeel Khan Drive." The City Council directed staff to reduce the street name to "Khan Drive." Dr. Khan is now requesting that the street be named Aqeel Khan Drive due to the numerous Khan families in the area, or to be named "Lodhi," his family name, or just his first name, "Aqeel.,"

Granite Homes, the developer of Tract 16259 opposes any change because of the cost and time involved to change and re-record the final map; revise all engineering improvement plans such as grading, street, sewer, water and storm drain; confirm the changes with the Post Office, electric, gas, telephone and cable utilities; revise and reprint the Granite Homes marketing materials; and revise the sales contracts as the homes along Khan Drive have already been sold.

Councilman Ziprick suggested that a street in a different tract be named to satisfy the request and concern of Dr. Khan. Discussion ensued.

Motion by Hansberger, seconded by Ziprick and unanimously carried to allow a street in another development to be named "Aqeel Khan".

New Business

CC-2003-143 – **General Municipal Election scheduled for Tuesday, March 2, 2004**

a. Council Bill #R-2003-48 – Calling and giving notice
b. Council Bill #R-2003-49 – Regulations for Candidates Statements
c. Method of resolving a tie vote

Motion by Hansberger, seconded by Brauer and unanimously carried to adopt Council Bill #R-2003-48.

Resolution No. 2307

A Resolution of the City Council of the City of Loma Linda, California, calling and giving notice of the holding of a General Municipal Election to be held on Tuesday, March 2, 2004 for the election of certain officers as required by the provisions of the laws of the State of California relating to General Law Cities

Motion by Hansberger, seconded by Christman and unanimously carried to adopt Council Bill #R-2003-49.

Resolution No. 2308

A Resolution of the City Council of the City of Loma Linda, California, adopting regulations for candidates for elective office pertaining to candidates' statements submitted to the voters at an election to be held on Tuesday, March 2, 2004

Discussion ensued pertaining the method of resolving a tie vote.

Motion by Hansberger, seconded by Christman and carried to resolve a tie vote by means of a run-off election. Brauer opposed.

CC-2003-144 – **Amendment to Special Event Permit Fee Waiver Policy**

Community Development Director Woldruff presented the report, stating that since 2001, there had been a 300 percent increase in special events, and the corresponding fee waiver requests had taken a toll on budget of the City's Public Safety and Public Works Departments as well as the San Bernardino County Sheriff's Department in that those departments assisted with pedestrian and traffic control for the various events. The average cost per event for City services is $2,790. She then recommended that any waiver of fees be limited to a maximum of $500 per event.

Discussion ensued.

Motion by Christman, seconded by Ziprick and unanimously carried to amend the Special Event Permits Administrative Policy/Procedure to limit fee waiver requests to a maximum of $500 per event.

Reports of Officers

Director of Public Safety Crawford reported on the recent Reche Canyon, Grand Prix and Old Waterman Fires, which taxed the availability of equipment as well as personnel. He stated that the Department was involved with the Reche Canyon Fire in which houses were lost, and was also involved in helping the City of San Bernardino with both personnel and equipment in relation to the Old Waterman Fire. Several fire agencies throughout California as well as other states assisted in the Grand Prix and Old Waterman Fires as well as the San Diego Fires.

He also commented on the wind, weather, and fuel conditions that hindered fire-fighting efforts and caused massive mandatory evacuations and destruction, noting that although wind was a factor, the fires were mainly fuel driven. He then responded to questions.

Councilman Brauer commented on the Community Parade and suggested that due to the number of parents and students away at a tournament, that another date be considered for future events.

Mayor pro tempore Hansberger stated that the children looked forward to candy being thrown from the various car and float entries and suggested that a float for staff be considered.

Councilman Brauer commended the Sheriff's Department on their quick apprehension of suspects in the recent bank robbery.

Mayor Petersen stated that he received a letter complimenting the City on the Barton Road Median, and suggesting that a document containing the names of the plants be published.

The City Council recessed to allow completion of the Redevelopment Agency Agenda and reconvened at 8:45 p.m. with all members present except Mayor pro tempore Hansberger.

CC-2003-137 (Continued) – **Conference with Legal Counsel and Real Property Negotiator (Government Code Section 54956.8)**

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Negotiating Parties:	Dennis R. Halloway, Empire Homes
Under Negotiation:	Price and terms of payment

The City Council immediately recessed to consider the item as listed and reconvened at 9:20 p.m. with all members present except Mayor pro tempore Hansberger. City Attorney Holdaway announced that the City Council met with Legal Counsel and its Negotiator and gave direction. There was no final action to report.

The meeting adjourned at 9:20 p.m. to Tuesday, November 18 as previously determined, due to the Veterans Day Holiday.

Approved at the meeting of

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City Clerk