

MINUTES of a regular meeting of the City Council of the City of Redlands held in the Council Chambers, Civic Center, 35 Cajon Street, at 3:00 P.M. on April 15, 2003.

PRESENT Karl N. (Kasey) Haws, Mayor  
Susan Pepler, 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; Larry Burgess, Library Director (afternoon session); Mel Enslow, Fire Chief; Rod Hill, Interim Finance Director; Ronald C. Mutter, Public Works Director; Marjie Pettus, Acting Personnel Director (afternoon session); Gary G. Phelps, Municipal Utilities Director; and Jeffrey L. Shaw, Community Development Director.

The meeting was opened with an invocation by Mayor Pro Tem Pepler followed by the pledge of allegiance.

#### CONSENT CALENDAR

Minutes - On motion of Councilmember Gilbreath, seconded by Councilmember George, the minutes of the regular meeting of April 1, 2003, were approved as submitted.

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

Resolution No. 6153 - TRANS - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council unanimously adopted Resolution No. 6153, a resolution authorizing and approving the borrowing of funds for fiscal year 2003-04; the issuance and sale of a 2003-04 Tax and Revenue Anticipation Note therefore and participation in the California Communities Cash Flow Financing Program.

Planning Commission Actions - On motion of Councilmember Gilbreath, seconded by Councilmember George, the report of the Planning Commission meeting held on April 8, 2003, was acknowledged as received.

Settlement and Release Agreements - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council unanimously acknowledged settlement agreements with Christa A. Thompson-Scott and

Marco and Bertha Ramirez. The City Council authorized settlement of these matters in closed session and these agreements reflects the terms and conditions for said settlements.

Proclamation - National Volunteer Week - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council unanimously authorized issuance of a proclamation declaring April 27-May 3, 2003, as National Volunteer Week and urged all citizens to join the volunteer effort in our community by volunteering and recognizing those who serve.

Proclamation - National Community Development Week - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council unanimously authorized issuance of a proclamation declaring April 21-27, 2003, as National Community Development Week 2003 and with San Bernardino County join in the celebration of the 29th anniversary of the Community Development Block Grant Program.

Resolution No. 6156 - Senate Bill 981 - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council unanimously adopted Resolution No. 6156, a resolution of the City Council of the City of Redlands expressing the City Council's support for Senate Bill 981 (Soto & Romero) which would enact the Children's Health and Petroleum Pollution Remediation Act of 2003, as requested by Mayor Pro Tem Pepler.

Contract Amendment - Redlands Sports Complex - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council unanimously authorized a third amendment to the Purkiss-Rose RSI contract to modify the snack bar design to including cooking capability instead of only re-heating capability in the amount of \$8,700.00.

Contract Amendment - Redlands Sports Complex - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council unanimously authorized a fifth amendment to the STB Landscape Architects contract to modify the parking lot lighting in the Big League Dreams area to use 18-foot tall poles with metal halide lights instead of 30-foot tall poles with high pressure sodium lights in the amount of \$690.00.

OSC 03-03 - Richard and Donna Rozema, Applicants - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council unanimously determined that Outside City Case (OSC) 03-03 (property identified as 2160 Mentone Boulevard, APN 298-221-03) 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.

Funds - Paramedic Squad - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council unanimously authorized an additional appropriation from the General Fund in the amount of \$21,012.00 to purchase a replacement for the reserve paramedic squad.

Contract - Redlands Historical Museum - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council unanimously approved a contract with Tilden-Coil Constructors, Inc. for construction management services for the conversion of the former Redlands City Hall building (30 Cajon Street) into the Redlands Historical Museum.

Resolution No. 6157 - Salary - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council unanimously adopted Resolution No. 6157, a resolution of the City Council of the City of Redlands establishing salary schedule and compensation plan for City employees to authorize the addition of a new position of Utilities Project Manager to meet the needs of the administration of the Redlands Airport recently transferred to the Municipal Utilities Department.

#### NEW BUSINESS

Community Facilities District No. 2003-1 - Citrus Plaza - Municipal Utilities Director Phelps reported the San Bernardino County Board of Supervisors has approved various action required to form a Community Facilities District (CFD) for the Citrus Plaza Project. In order to complete the documents for the CFD to issue bonds, the County and City need to have an agreement that the City consents to the establishment of the CFD and allows for the City to accept future ownership and transfer of title of the specified improvements which either have been and will be installed by the developer, Redlands Joint Venture, LLC, and acknowledges fees payable to the City by the developer for water and sewer service. The CFD will finance public infrastructure costs including water, sewer, and other public improvements for the Citrus Plaza Project, Phase I and II, within the unincorporated area known as the "Donut Hole." Emil Marzullo, Director of the County Special Districts Department, was present to answer any questions. Councilmember Gilbreath moved to approve the joint community facilities financing agreement with the County of San Bernardino for water and sewer, facilities and fees, related to the Citrus Plaza Project. Motion seconded by Councilmember Pepler and carried unanimously.

Smoking Prohibition - Public Works Director Mutter reported the Parks Commission, on March 13, 2003, discussed an item regarding tobacco-free areas in parks in the vicinity of playgrounds and sports fields. The item was presented by the American Cancer Society Clubs at Redlands High School and Redlands East Valley High School. The Parks Commission supported the request and recommended the City Council initiate action to prepare the appropriate ordinance. Urging the City Council to approve this

recommendation were: Ann Davis-Schultz from the American Cancer Society and Coalition for Tobacco Free County; students from the American Cancer Society Clubs: Srikanth Krishnan, Jessica Kanady, Steven Kim, Carlene E. Henriques; Judy Dods, Advisor for the Redlands High School American Cancer Society Club; representing the SADD Club Kristen Frammer, Lauren Donaldson and Carolyn Kim; Kaitlyn Mazzei, a student from Loma Linda Junior High School representing Tobacco Use Reduction Now; and Kay Adkins, San Bernardino County Department of Public Health for Tobacco Use Reduction Now. Kenneth Hunt commended the students for getting involved in government but expressed concerns against the proposal which he felt was based on "big brother mentality" and asked Councilmembers "where do we stop?" Councilmembers discussed at length the boundary distance 25 feet versus 50 feet versus 100 feet and commended this issue back to staff for study and recommendation. Councilmember Pepler moved to direct staff to prepare the appropriate ordinance for the prohibition of smoking in City parks within the vicinity of playgrounds, sports fields, and Community Field. Motion seconded by Councilmember George and carried unanimously. City Attorney McHugh promised the proposed ordinance would be presented at the May 6, 2003, City Council meeting.

## COMMUNICATIONS

Wal-Mart - Grant Opportunities - This matter was continued to the 7:00 P.M. session at which time Mayor Pro Tem Pepler introduced Manager Dwight Kirksey and Co-Manager Matthew Lesley from the Redlands' Wal-Mart who advised Councilmembers on the availability of grant opportunities from Wal-Mart for non-profit groups and shared information on donations made in 2001: \$20,818.69, 2002: \$49,380.23, and to date in 2003: \$11,590.77. Non-profit groups may contact Mr. Kirksey or Mr. Lesley at the Redlands' Wal-Mart for further information.

Downtown Economic Development - Councilmember George presented a proposed letter to be sent to Congressman Lewis indicating the economic development of downtown Redlands is the highest priority for this City Council and moved to forward the letter, signed by each Councilmember, to Congressman Lewis. Motion seconded by Councilmember Harrison and carried unanimously.

## JOINT MEETING - CITY COUNCIL AND REDEVELOPMENT AGENCY

Great Neighborhoods - Termination of Agreement - Councilmember George moved to approve termination of a Great Neighborhoods participation agreement and revocation of declaration of covenants and restrictions with Israel A. Virgen, 838 West Brockton Avenue. Motion seconded by Councilmember Gilbreath and carried unanimously. (Also see Redevelopment Agency minutes for April 15, 2003.)

Mountain Crest Project - Councilmember George moved to approve an allocation of \$250,000.00 from the Neighborhood Initiative Program funds and an allocation of \$250,000.00 in Redevelopment Agency set-aside funds for the Mountain Crest multi-unit housing project. Motion seconded by Councilmember Gilbreath and carried unanimously. (Also see Redevelopment Agency minutes for April 15, 2003.)

### CLOSED SESSION

The City Council meeting recessed at 3:36 P.M. to continue the Redevelopment Agency meeting and reconvened at 3:37 P.M. to a closed session to discuss the following:

1. Conference with real property negotiator - Government Code Section 54956.8  
Property: APN Nos. 169-281-19 and 23  
Negotiating parties: John Davidson and Johnny Moore  
Under negotiation: Terms and price
2. Conference with real property negotiator - Government Code Section 54956.8  
Property: APN No. 168-031-12  
Negotiating parties: Gary Phelps and Eric Fraiser (Airwest Logistics)  
Under negotiation: Terms and price

The meeting reconvened at 7:00 P.M.

### ANNOUNCEMENTS/REPORTS

Councilmembers reported on their activities and attendance at meetings during the past two weeks.

### LAND USE AND PUBLIC HEARINGS

Environmental Systems Research Institute, Applicant - Due to a potential conflict of interest, Councilmember Harrison 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 notices were advertised for a draft mitigated negative declaration and public hearing for a Socio-Economic Analysis and Cost/Benefit Study for Commission Review and Approval No. 661 (Revision 7) for the construction of a three-story addition to an existing building, with a floor area of 42,592 square feet, within an existing office complex on a 9.3 acre parcel located at 371 New York Street in the M-2 (General Industrial) District and M-P (Planned Industrial) District. Community Development Director Shaw described the project. Mayor Haws declared the meeting open as a public hearing for any questions or comments. None being forthcoming, the public hearing was declared closed.

Mitigated Negative Declaration - Councilmember Gilbreath moved to approve the Environmental Review Committee's mitigated negative declaration for Revision No. 7 to Commission Review and Approval No. 661 based on the finding that the project will not have a significant effect on the environment, determining this project will not individually or cumulatively have an adverse impact on wildlife resources as defined in Section 711.2 of the California Fish and Game Code and directed staff to file and post a Notice of Determination in accordance with the City's guidelines. Motion seconded by Councilmember Pepler and carried by AYE votes of all present with Councilmember Harrison abstaining from the vote.

Socio-Economic Analysis and Cost/Benefit Study - Councilmember Gilbreath moved to approve the Socio-Economic Analysis and Cost/Benefit Study for Revision No. 7 to Commission Review and Approval No. 661 as it has been determined that this project will not create unmitigable physical blight or overburden public services in the community and no additional information or evaluation is needed. Motion seconded by Councilmember Pepler and carried by AYE votes of all present with Councilmember Harrison abstaining from the vote.

Commission Review and Approval No. 661 - Revision No. 7 - Councilmember Gilbreath moved to approve Revision No. 7 to Commission Review and Approval No. 661 subject to the findings and conditions of approval contained in the staff report. Motion seconded by Councilmember Pepler and carried by AYE votes of all present with Councilmember Harrison abstaining from the vote.

R. P. Wages, applicant - Public notices were advertised for a draft mitigated negative declaration and public hearing for a Socio-Economic Analysis and Cost/Benefit Study for: Minor Subdivision No. 263, a tentative parcel map to subdivide 17.58 acres into 28 industrial parcels located on the southeast corner of Alabama Street and Park Avenue in the Commercial Industrial District of the East Valley Corridor Specific Plan and Commission Review and Approval No. 748 for the construction of an industrial park consisting of 28 concrete tilt-up buildings totaling 257,201 square feet on 17.58 acres located on the southeast corner of Alabama Street and Park Avenue in the Commercial Industrial District of the East Valley Corridor Specific Plan. Community Development Director Shaw described the project. He explained in detail two general plan issues that the City Council has not as yet encountered. The issues concern the three guiding policies relative to standards for traffic Level-of-Service (LOS) as amended by Measure U in relation to the Redlands Boulevard/Alabama Street intersection. He provided a copy of Resolution No. 6081 which was adopted by the City Council on September 17, 2002, and approved the Measure I five year capital improvement program and twenty year transportation plan. Councilmember Pepler wanted to know if we added the Redlands Boulevard/Alabama Street intersection as a priority item on the capital improvement program which project would be bumped. Public Works Director

Mutter explained the capital improvement program and transportation plan. It was noted that the Wabash Extension project would be a good project to put off, as residents in that area do not want the extension completed. Public Works Director Mutter agreed the list could be re-organized to include the Redlands Boulevard/Alabama Street intersection improvements. Mayor Haws declared the meeting open as a public hearing for any questions or comments. None being forthcoming, the public hearing was declared closed. Councilmember Harrison asked staff about the proposed recycling development standards and was assured by Municipal Utilities Director Phelps and Solid Waste Manager Gary Van Dorst that the standards have already been placed on this project.

Mitigated Negative Declaration - Councilmember Pepler moved to approve the Environmental Review Committee's mitigated negative declaration for Commission Review and Approval No. 748 and Minor Subdivision No. 263 based on the finding that the project will not have a significant effect on the environment, determining this project will not individually or cumulatively have an adverse impact on wildlife resources as defined in Section 711.2 of the California Fish and Game Code and directed staff to file and post a Notice of Determination in accordance with the City's guidelines. Motion seconded by Councilmember Gilbreath and carried unanimously.

Socio-Economic Analysis and Cost/Benefit Study - Councilmember Pepler moved to approve the Socio-Economic Analysis and Cost/Benefit Study for Commission Review and Approval No. 748 and Minor Subdivision No. 263 as it has been determined that this project will not create unmitigable physical blight or overburden public services in the community and no additional information or evaluation is needed. Motion seconded by Councilmember Gilbreath and carried unanimously.

Traffic Level of Service - Councilmember Gilbreath moved to approve a reduced traffic level of service (LOS) at the intersection of Alabama Street/Redlands Boulevard during the PM peak hours, as permitted in General Plan Policy 5.20c, and that the intersection of Alabama Street/Redlands Boulevard be placed as a priority item on the City's Capital Improvement Program with the understanding staff will return on May 6, 2003, with a revised Measure I five year capital improvement program and a twenty year transportation plan. Motion seconded by Councilmember Pepler and carried unanimously. (Note: this motion required a 4/5ths vote for approval.)

Commission Review and Approval No. 748 - Councilmember Pepler moved to approve Commission Review and Approval No. 748 subject to the findings, conditions of approval, and departmental recommendations contained in the staff report. Motion seconded by Councilmember Gilbreath and carried unanimously.

Minor Subdivision No. 263 - Councilmember Pepler moved to approve Minor Subdivision No. 263 subject to the findings, conditions of approval, and departmental recommendations contained in the staff report. Motion seconded by Councilmember Gilbreath and carried unanimously.

NEW BUSINESS (continued from afternoon session)

Ordinance No. 2544 - Recycling Development Standards - Municipal Utilities Director Phelps introduced Sold Water Manager Gary Van Dorst who reported an essential policy consideration is whether the City Council shall adopt development standards that promote sustainable development as applied to recycling. He reviewed proposed Ordinance No. 2544, an ordinance of the City of Redlands adding Chapter 13.66 to the Redlands Municipal Code to establish recycling requirements for specified development activity and establish standards and conditions of development that are intended to accomplish the following: facilitate the City's compliance with AB 939 and SB 1066 recycling requirements, remove architectural barriers to recycling, require recycling as a condition of development, and require recycling of construction and demolition debris. Ordinance No. 2544 was read by title only by City Clerk Poyzer, and on motion of Councilmember Harrison, seconded by Councilmember George, further reading of the ordinance text was unanimously waived. Ordinance No. 2544 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for May 6, 2003, on motion of Councilmember Harrison, seconded by Councilmember Pepler.

PUBLIC COMMENTS

Christmas Tree Farm Eviction - Clive Hinckley addressed the City Council and staff regarding a notice of eviction he received recently from the City Attorney. Mr. Hinckley indicated he continued to lease this parcel from the City following the City's purchase of the land in the 1980s, and that he would like to work with staff to continue maintaining the property in its present form.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 8:25 P.M. The next regular meeting will be held on May 6, 2003.

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City Clerk