

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 May 6, 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; Michael Reynolds, City Treasurer; Jim Bueermann, Police Chief; Mel Enslow, Fire Chief (afternoon session); Jim Drabinski, Fire Department (evening session); Tina Kundig, 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 Haws followed by the pledge of allegiance.

Welcome - Mayor Haws welcomed Tina Kundig, our new Finance Director, and Marjie Pettus, Acting Personnel Director, who is on loan from the Police Department.

#### PRESENTATIONS

Water Awareness Month - On motion of Councilmember Gilbreath, seconded by Councilmember Pepler, the City Council unanimously authorized issuance of a proclamation declaring the month of May, 2003, to be Water Awareness Month to inform and educate the public about water conservation techniques and increase their levels of water awareness. Mayor Haws presented the proclamation to Douglas Headrick, Water Resources Chief, who reported on activities planned during the month including a booth at Market Night and presentation of a Water Conservation Consumer Guide to be televised on RTV 3. He also introduced Mark Ward, coordinator of the water awareness program.

Appointment - Student Commissioner - On motion of Councilmember Gilbreath, seconded by Councilmember Pepler, the City Council unanimously appointed Heather-Ann Thompson, Redlands East Valley High School, to the Human Relations Commission to serve as the student commissioner. Mayor Haws presented a commissioner's pin to Ms. Thompson who enthusiastically accepted it.

## CONSENT CALENDAR

Minutes - On motion of Councilmember Gilbreath, seconded by Councilmember Pepler, the minutes of the regular meeting of April 15, 2003, were approved as submitted.

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

Budget Study Sessions - The City Council will meet on May 20, 2003, from 9:00 A.M. to noon, May 29, 2003, from 9:00 A.M. to noon, on June 3, 2003, from 9:00 A.M. to noon, and June 12, 2003, from 9:00 A.M. to noon, to review the proposed 2003-04 budgets.

Planning Commission Actions - On motion of Councilmember Gilbreath, seconded by Councilmember Pepler, the report of the Planning Commission meeting held on April 22, 2003, was acknowledged as received.

Agreement - Mural - On April 8, 2003, the Downtown Redlands Business Association's Advisory Board recommended approval of a decorative mural on the parking structure located within the Association's boundaries on Citrus Avenue and Sixth Street. Councilmember Haws suggested this be referred to their Cultural Arts Commission for their review and comment. To avoid a delay, Councilmember Haws moved to approve an independent contractor agreement with Christine Curry to paint this mural and authorized the Mayor and City Clerk to execute the document on behalf of the City with the understanding that it be sent to the Cultural Arts Commission to give them an opportunity to comment. Motion seconded by Councilmember Pepler and carried unanimously.

Chamber of Commerce Business Expo - On motion of Councilmember Gilbreath, seconded by Councilmember Pepler, the City Council unanimously approved the request of the Redlands Chamber of Commerce to use the Citrus Avenue parking structure on Tuesday, June 10, 2003, from 5:00 P.M. to 7:00 P.M. for the purpose of hosting their annual Business Expo.

Sale of City Property - On motion of Councilmember Gilbreath, seconded by Councilmember Pepler, the City Council unanimously approved a for purchase and sale agreement and escrow instruction with Gardner Construction & Development authorizing the sale of Assessor's Parcel No. 173-191-16 located at 1132 East Cypress Avenue, and authorized the Mayor and City Clerk to execute the documents on behalf of the City.

Redlands 4th of July Committee - On motion of Councilmember Gilbreath, seconded by Councilmember Pepler, the City Council unanimously approved

waiving all fees and personnel costs for the Redlands 4th of July Committee, Inc. for their annual celebration in Redlands.

Settlement Agreement - On motion of Councilmember Gilbreath, seconded by Councilmember Pepler, the City Council unanimously acknowledged a settlement agreement, which was authorized in a closed session, with Zareen Fiaz and Khaled Khoury for property located at 1127 Post Street and authorized the Mayor and City Clerk to execute the document on behalf of the City.

Settlement Agreement - On motion of Councilmember Gilbreath, seconded by Councilmember Pepler, the City Council unanimously acknowledged a settlement agreement, which was authorized in a closed session, with Mary Bartosik and Daniel P. Roberts for property located at 1117 Oxford Drive and authorized the Mayor and City Clerk to execute the document on behalf of the City.

Seniors of Distinction - On motion of Councilmember Gilbreath, seconded by Councilmember Pepler, the City Council unanimously authorized issuance of certificates of recognition for the 2003 Seniors of Distinction by Plymouth Village: Dr. Frederick (Fritz) Bromberger, Barbara Craven, Barbara Phelps, and Harriet Talbert.

Funds - Agreements - Carpet Installation - On motion of Councilmember Gilbreath, seconded by Councilmember Pepler, the City Council unanimously authorized an additional appropriation in the amount of \$35,000.00 and awarded contracts to New Image Commercial Flooring for the removal and replacement of carpet in the Fire Administration, Treasurer's Office, Community Development Department, and Public Works Department and authorized the Mayor and City Clerk to execute the documents on behalf of the City.

Donation of Score Booths - On motion of Councilmember Gilbreath, seconded by Councilmember Pepler, the City Council unanimously approved the recommendation of the Parks Commission and accepted the donation from Redlands Baseball for Youth of two score booths at Community Field subject to the submission of a hold harmless agreement for the construction of the score booths.

Ordinance No. 2544 - Recycling Requirements - Ordinance No. 2544, an ordinance of the City of Redlands adding Chapter 13.66 to the Redlands Municipal Code relating to recycling requirements for specified development activity, was unanimously adopted on motion of Councilmember Gilbreath, seconded by Councilmember Pepler.

Agreement - Water Reservoir Inspections - On motion of Councilmember Gilbreath, seconded by Councilmember Pepler, the City Council unanimously approved an agreement with DIVE/CORR, Inc. for underwater inspections services of the City's water storage reservoirs and authorized the Mayor and City Clerk to execute the document on behalf of the City.

Bids Rejection - North Orange Wellfield - On motion of Councilmember Gilbreath, seconded by Councilmember Pepler, the City Council unanimously rejected both bids received for the North Orange Wellfield Pump and Equipment Installation Project as recommended by staff.

Agreement - Orange Street Wellfield Well Design - On motion of Councilmember Gilbreath, seconded by Councilmember Pepler, the City Council unanimously approved a professional services agreement with Black & Veatch Corporation to perform design services for the Orange Street Wellfield wells and authorized the Mayor and City Clerk to execute the document on behalf of the City.

Agreement - Henry Tate Water Treatment Plant - On motion of Councilmember Gilbreath, seconded by Councilmember Pepler, the City Council unanimously approved a professional services agreement with Black & Veatch Corporation to perform final design services for modifications to the Henry Tate Water Treatment Plant and authorized the Mayor and City Clerk to execute the document on behalf of the City.

Resolution No. 6159 - California Street Landfill - On motion of Councilmember Gilbreath, seconded by Councilmember Pepler, the City Council unanimously approved Resolution No. 6159, a resolution of the City Council of the City of Redlands providing financial assurance for corrective action for foreseeable releases to groundwater at the California Street Landfill.

Leases - Mutual Water Company Stock - Due to a potential conflict of interest, Councilmember Gilbreath 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. On motion of Councilmember Harrison, seconded by Councilmember Pepler, the City Council approved leases for Bear Valley Mutual Water Company stock from San Bernardino Valley Municipal Water District (14,500 shares), Western Water Company (4,950 shares), David Knight (1,000 shares), and Arnold and Margaret Wright (918 shares) for the 2003-04 water delivery season and authorized the Mayor and City Clerk to execute the leases on behalf of the City with Councilmember Gilbreath having abstained from the vote.

Agreement - Henry Tate Water Treatment Plant - On motion of Councilmember Gilbreath, seconded by Councilmember Pepler, the City Council unanimously approved an agreement with Tom Dodson & Associates to provide environmental services for expansion of the Henry Tate Water Treatment Plant and authorized the Mayor and City Clerk to execute the agreement on behalf of the City.

East Redlands Water Company - Due to a potential conflict of interest, Councilmember Gilbreath 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. On motion of Councilmember Pepler, seconded by Councilmember Harrison, the City Council approved the dissolution of the East Redlands Water Company and the conversion of the City-owned shares to an equivalent number of shares in Bear Valley Mutual Water Company, Crafton Water Company, and Happe and Seventh Street Wells and authorized the Municipal Utilities Director to sign each stock certificate to facilitate the dissolution with Councilmember Gilbreath having abstained from the vote.

Agreements - Undercover Police Vehicles - On motion of Councilmember Gilbreath, seconded by Councilmember Pepler, the City Council unanimously approved agreements with Hatfield Buick-GMC and Toyota of Redlands to allow the businesses to loan the Police Department motor vehicles on a rotating basis for use in undercover operations and authorized the Mayor and City Clerk to execute the agreements on behalf of the City.

Agreement - Carpet Installation - Police Department - On motion of Councilmember Gilbreath, seconded by Councilmember Pepler, the City Council unanimously approved an agreement with New Image Commercial Flooring for carpet installation at a certain location within the Police Department and authorized the Mayor and City Clerk to execute the agreement on behalf of the City.

Agreement - Great Neighborhood Program - On motion of Councilmember Gilbreath, seconded by Councilmember Pepler, the City Council unanimously approved a Great Neighborhoods program participant agreement with Richard A. and Delores N. Cortez, 1239 Sixth Street, \$10,000.00 and authorized the Mayor and City Clerk to execute the document on behalf of the City. On motion of Councilmember Gilbreath, seconded by Councilmember Pepler, the City Council unanimously approved the Declarations of Covenants and Restrictions dated May 6, 2003, for the program participants and authorized the Mayor and City Clerk to execute the document on behalf of the City.

Funds - Police Vehicles - On motion of Councilmember Gilbreath, seconded by Councilmember Pepler, the City Council unanimously approved an additional appropriation of \$75,000.00 and authorized the purchase of two motorcycles and five unmarked police vehicles.

Funds - California Law Enforcement Equipment Program - On motion of Councilmember Gilbreath, seconded by Councilmember Pepler, the City Council unanimously accepted the California Law Enforcement Equipment Program funds and authorized an additional appropriation in the amount of \$25,933.00.

Funds - Building A Generation - On motion of Councilmember Gilbreath, seconded by Councilmember Pepler, the City Council unanimously accepted donations and approved an additional appropriation of \$1,020.00 to fund supplies for the Decafé and send appropriate monies to the Federal government

Agreement - Building A Generation - On motion of Councilmember Gilbreath, seconded by Councilmember Pepler, the City Council unanimously approved an independent contractor agreement with Maureen O'Keefe Hodge dba Bright Ideas, Inc. for the purpose of providing grant administration and program management services for Building A Generation and authorized the Mayor and City Clerk to execute the agreement on behalf of the City.

Funds - Community Center Gymnasium - On motion of Councilmember Gilbreath, seconded by Councilmember Pepler, the City Council unanimously approved an additional appropriation in the amount of \$1,350.00 from the State Proposition 12 Grant Fund for unexpected seismic requirements that must be done to the basketball standards for the Community Center gymnasium.

Funds - Recreation Bureau - On motion of Councilmember Gilbreath, seconded by Councilmember Pepler, the City Council unanimously approved an additional appropriation of \$9,000.00 to fund games, supplies and equipment for the Recreation Bureau. These funds will come from donations received by the Recreation Bureau.

## COMMUNICATIONS

Redlands Historical Museum Sign - Councilmember Harrison reported the Redlands Historical Museum Association has asked to erect a sign in front of the Police Annex building (located at 30 Cajon Street) indicating that the building is the future home of the Redlands Historical Museum. Public Works Director Mutter reported it is proposed the sign be installed at the northeast corner of the building in the landscaped area. The Police Annex is located in the Open Land Use Zoning district, and the Sign Code permits signs related to a public use or purpose in this district. There are no specific standards identified for such signs. The proposed sign is 12 square feet in area, 4 feet high by 3 feet wide, and will be mounted on two sign posts such that the maximum height of the sign is no higher than 12 feet. The text of the sign will be: "Future Home of the Redlands Historical Museum, Info 798-7632." It was recommended by staff the City Council evaluate and take action on the proposed sign based on whether it is appropriate to have such a sign at this time and whether it serves a public purpose. This is a policy matter for the City Council's consideration. On behalf of the Board of Directors of the Redlands Historical Museum Association, Ron Kibby and Nelda Stuck urged approval of their request. Councilmember Harrison moved to approve the placement of a sign in front of the Police Annex for the Redlands Historical Museum Association and

authorized the City to furnish the sign posts, hardware and labor to install the sign. Motion seconded by Councilmember Pepler and carried unanimously.

Appointment - BEDAC - Mayor Haws moved to nominate Rama K. Atluri to fill the unexpired term of Lorraine Beal Shoaf to October 15, 2005, on the Business and Economic Development Advisory Commission. Motion seconded by Councilmember Pepler and carried unanimously.

Appointments - Street Tree Committee - Mayor Haws moved to nominate for reappointment Char Burgess and Shelli Stockton for reappointment to addition four-year terms on the Street Tree Committee. Motion seconded Councilmember Harrison and carried unanimously. Mayor Haws moved to nominate Eric Kasarjian, Christine Sedmack, and Tish Sandos for reappointment to two-year terms on the Street Tree Committee. Motion seconded by Councilmember Pepler and carried unanimously. Mayor Haws moved to nominate Donald G. Buchanan and Steven A. Murray to four-year terms on the Street Tree Committee. Motion seconded by Councilmember Pepler and carried unanimously.

Appointments - Housing Commission - Mayor Haws moved to nominate Kurt W. Mayer for appointment to fill an unexpired term ending January 18, 2005, on the Housing Commission. Motion seconded by Councilmember Harrison and carried unanimously. Mayor Haws moved to nominate Reyes L. Quezada for appointment to fill the unexpired term ending January 18, 2007, on the Housing Commission. Motion seconded by Councilmember Pepler and carried unanimously.

Appointments - Airport Advisory Board - Mayor Haws moved to nominate William W. Angliss for appointment to the Airport Advisory Board to four-year term ending May 1, 2007. Motion seconded by Councilmember Harrison and carried unanimously. Mayor Haws moved to nominate Bill Flores, Jr. for appointment to the Airport Advisory Board to fill an unexpired term ending May 1, 2005. Motion seconded by Councilmember Harrison and carried unanimously. Mayor Haws moved to nominate Brian Holohan for appointment to the Airport Advisory Board to fill an unexpired term ending May 1, 2005. Motion seconded by Councilmember Harrison and carried unanimously.

## UNFINISHED BUSINESS

Ordinance No. 2546 - Smoking in Public Parks - Public Works Director Mutter presented a proposed ordinance resulting from the presentations heard at the April 15, 2003, City Council meeting to prohibit smoking in designated parks and play areas with equipment installed for public use by children. The proposed ordinance sets the distance at 100 feet to prohibit smoking around any "tot-lot" or playground equipment. Staff of the Police Department have expressed concerns about the department's ability to effectively enforce the



distance provision of this proposed ordinance and have recommended a total prohibition of smoking in City parks. Speaking in support were: Ann Davis-Schultz, Coalition for a Tobacco Free County; Jennifer Avila and Jessica Kanady, American Cancer Society Club, Redlands East Valley High School; Kristin France and Lauren Donaldson, SADD of Redlands High School; Heather-Ann Thompson, Redlands High School; Jordan Hall and Srikanth Vrishnan, American Cancer Society Club, Redlands High School; Kaithlyn Mazzei, TURN; Sheryl Jeske, Advisor for the Redlands East Valley High School Stand-Up Club; Kevin Posalski, Stand-Up Club; and Andrew Housel, Stand-Up Club. Councilmembers Gilbreath and Harrison expressed concerns about extending the distance. Councilmember Harrison also did not favor a total prohibition of smoking at the Redlands Sports Park complex and Redlands Community Field. Councilmembers Pepler, George, and Haws were in favor of a total prohibition. Ordinance No. 2546, an ordinance of the City of Redlands amending Chapter 12.54 of the Redlands Municipal Code relating to the prohibition of smoking in public places (designated parks) was read by title only by City Clerk Poyzer, and on motion of Councilmember Haws, seconded by Councilmember Pepler, further reading of the ordinance text was unanimously waived. Ordinance No. 2546 was amended to include a complete prohibition of smoking in all public parks within the City of Redlands as well as a direction for appropriate signage to be posted, introduced and laid over under the rules with adoption scheduled for May 20, 2003, with Councilmembers Gilbreath and Harrison voting NO.

Appeal - Donut Hole - The Redlands Association, Appellant - Municipal Utilities Director Phelps reported an appeal filed by The Redlands Association regarding the issuance of a water connection permit and/or other entitlements (water meter) to Majestic Realty for its Citrus Plaza project was continued to this date. This matter was continued to await the Local Agency Formation Commission's reconsideration of its decision regarding service in the Donut Hole. At its meeting on April 16, 2003, LAFCO denied the request for reconsideration submitted by The Redlands Association. The City advised LAFCO that the request for reconsideration had no factual merit. It was conclusively determined, based on the factual record, that the area being served is within the City's water and sewer service area, which was established prior to January 1, 1994, and is therefore exempt under Section 56133 of the California Government Code. No new information had been presented by The Redlands Association that was not already considered by LAFCO at its January 15, 2003, meeting. LAFCO therefore upheld its prior action, the adoption of Resolution No. 2765, which set forth the findings and determinations of LAFCO for water and sewer service from the City of Redlands in the Donut Hole area, and confirmed an exemption from California Government Code Section 56133. The action taken by LAFCO confirmed the position taken by the City of Redlands that it was exempt from LAFCO review under Section 56133 of the California Government Code in providing water and sewer utility service to the Donut Hole. With regard to the appeal by The Redlands Association of the issuance of

"a water connection permit and/or other entitlements to Majestic Realty for its Citrus Plaza project on January 9, 2003," the water meter was set for Kohl's according to the standard procedures of the City and in accordance with City and State law. Therefore, staff recommend that the appeal should be denied.

Representing The Redlands Association, Bill Cunningham stated they felt the decision to provide water to the Donut Hole was in violation of Government Code Section 56133, Measure U, Chapters 12.16 and 13.62 of the Redlands Municipal Code, as well as the California Environmental Quality Act. Mr. Cunningham further stated The Redlands Association contends the City disregarded State law and Measure U by administratively granting an encroachment permit that allows the Donut Hole to connect to the City water and sewer system prior to annexation to the City. He requested the City Council reverse the decision. City Attorney McHugh reminded Councilmembers that the first action by City staff, extending water and sewer service to this property in the Donut Hole, was not properly appealed by The Redlands Association as they failed to exhaust their administrative remedies and a number of the arguments heard by the City Council are now in Court. City Attorney McHugh did not think the City Council had heard anything that said the issuance of a water meter, which is a ministerial matter, is in violation of any particular law. Councilmember Haws moved that the City Council find that the issuance of a water meter is a ministerial act, exempt from the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines, Section 15073, and the City's guidelines implementing CEQA. Motion seconded by Councilmember Pepler and carried unanimously. Councilmember Haws moved that the City Council deny the appeal of the issuance of a water connection permit and/or other entitlements to Majestic Realty for its Citrus Plaza Project. Motion seconded by Councilmember Pepler and carried unanimously.

#### CLOSED SESSION

The City Council meeting recessed at 4:15 P.M. to a Redevelopment Agency meeting and reconvened at 4:17 P.M. to a closed session to discuss the following:

1. Conference with legal counsel: Existing litigation - Government Code Section 54956.9(a)
  - a. The Redlands Association v City of Redlands SCVSS 08680
  - b. City of Redlands v Robert Ward et al - San Bernardino Superior Court Case No. 094761

The meeting reconvened at 7:00 P.M.

#### ANNOUNCEMENTS/REPORTS

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

## LAND USE AND PUBLIC HEARINGS

Pre-Annexation Agreement No. 98-02 - Neal T. Baker Enterprises - Due to a potential conflict of interest, Councilmember Gilbreath 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 notice was advertised for this time and place to consider a Draft Mitigated Negative Declaration as well as a public hearing for a Socio-Economic Analysis and Cost/Benefit Study for Pre-Annexation Agreement No. 98-02 (agreement for annexation and provision for City utility services) for property located on the east side of Ansley Lane and on the north side of Nice Avenue in the Mentone Area, approximately 2.41 acres. Community Development Director Shaw reviewed the application and recommended approval of the Negative Declaration, Socio-Economic Analysis and Cost/Benefit Study, and Pre-Annexation Agreement for Neal T. Baker Enterprises, Inc. Mayor Haws declared the meeting open as a public hearing for any questions or comments. None being forthcoming, the public hearing was declared closed.

Negative Declaration - Councilmember Harrison moved to approve the Environmental Review Committee's negative declaration for Pre-Annexation Agreement No. 98-02 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 with Councilmember Gilbreath having abstained from the vote.

Socio-Economic Analysis and Cost/Benefit Study - Councilmember Harrison moved to approve the Socio-Economic Analysis and Cost/Benefit Study for Pre-Annexation Agreement No. 98-02 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 with Councilmember Gilbreath having abstained from the vote.

Pre-Annexation Agreement No. 98-02 - Councilmember Harrison moved to approve Pre-Annexation Agreement No. 98-02. Motion seconded by Councilmember Pepler and carried with Councilmember Gilbreath having abstained from the vote.

Barton House - Public notices was advertised for this time and place to consider a Draft Mitigated Negative Declaration as well as public hearings for Resolution No. 6149, General Plan Amendment No. 89, a General Plan Amendment to change the land use designation from "Parks/Golf Courses" to "Commercial (Neighborhood Shopping)" on two contiguous parcels that total

3.21 acres located on the east side of Nevada Street, north of Barton Road, and Resolution No. 6150, Specific Plan No. 40 (Amendment No. 25), an amendment to the East Valley Corridor Specific Plan to: (a) change the land use designation of two contiguous parcels that total 3.21 acres (Barton Property) located on the east side of Nevada Street, north of Barton Road, from the EV/AP (Administrative Professional) District to EV/CN (Neighborhood Commercial) District; (b) delete Section EV3.0605(d) which establishes a one-mile separation between any shopping area or Neighborhood Commercial District; and (c) amend Section EV3.0613 (Conditionally Permitted Uses) by adding Subsection 8 to allow the conduct of weddings and receptions on property containing a designated historic landmark. Community Development Director Shaw reviewed the proposed amendments, noting that a small triangular parcel north of the site needed to be included in this application; therefore, staff recommended the application be tabled after hearing comments which can be addressed when the matter is returned. Councilmember Harrison suggested A-P Zoning rather than commercial and to consider keeping the orange grove designation as open space; he asked the applicant if this would fit with his vision for the property. Terry Vines, the applicant, addressed his concerns as to the use of the property and also updated Councilmembers on the progress thus far in the renovation and preservation of the Barton House. Shirley Harry expressed concern about the orange grove which was purchased with Measure O (open space) funds and planted by the Optimist Club and felt the City needed to protect the grove from commercial zoning. Councilmember Haws then moved to table this matter as recommended by staff. Motion seconded by Councilmember Pepler and carried unanimously.

General Plan Amendment No. 92 - Kohl's Site - Public notice was advertised for this time and place to consider a Draft Mitigated Negative Declaration as well as a public hearing for Resolution No. 6154, General Plan Amendment No. 92, a General Plan Amendment to change the land use designation from “non-designated” to “Commercial” for a 43.5-acre parcel (Kohl’s site) generally located on the west side of Citrus Plaza Drive (State Route 210 Freeway frontage road), approximately 500 feet north of Lugonia Avenue and the CalTrans right-of-way between Lugonia and San Bernardino Avenues. Councilmember Haws moved to table this matter as recommended by staff. Motion seconded by Councilmember Pepler and carried unanimously.

Redlands Sports Park - Public notice was advertised for this time and place to consider an Environmental Impact Report as well as a public hearing for:

1. Resolution No. 6151, General Plan Amendment No. 91, an amendment to the General Plan to change the designation of the grove area on the west side of the planned extension of Dearborn Street between San Bernardino Avenue and Pioneer Street from Agriculture/City Grove to Park/Golf Course, realign Dearborn Street between San Bernardino Avenue and Sessums Drive easterly to extend along the westerly boundary of the existing Parks designation, and change the land use designation on a 28-acre

area on the north side of the Redlands Municipal Airport from Public/Institutional to Flood Control/Construction Aggregates/Conservation/Habitat Conservation;

2. Resolution No. 6152, Redlands Municipal Airport Land Use Compatibility Plan (Revision No. 1), an amendment to the Airport Land Use Compatibility Plan to relocate the helicopter flight training pattern 1,000 feet to the north of San Bernardino Avenue and revise the Compatibility Zone Designation from “B-2” (Extended Approach/Departure Zone) to “C” (Common Traffic Pattern) for the area between San Bernardino Avenue and 1,000 feet to the north extending from one-half mile west of Judson Street to approximately one-half mile east of Wabash Avenue;
3. Ordinance No. 2543, Specific Plan No. 32, Amendment No. 1, an amendment to Specific Plan No. 32 to delete the “Office Industrial” area from the specific plan boundary for the area on the south side of Sessums Drive;
4. Ordinance No. 2539, Zone Change No. 392, a change of zone from “A-1” (Agriculture) District to “O” (Open Land) District for an area generally bounded by San Bernardino Avenue on the south, Wabash Avenue on the east, Dearborn Street on the west, Sessums Drive on the north; and a Zone Change from “A-D” (Airport District) to “O” (Open Land) District for 28 acres of property located within the Santa Ana River on the north side of the Redlands Municipal Airport;
5. Ordinance No. 2542, Ordinance Text Amendment No. 292, an amendment to Section 18.124.100 of the “O” (Open Land) District to increase the permitted height of buildings and fences from 15 feet to 55 feet and to allow light poles to be up to a maximum of 80 feet; and
6. Conditional Use Permit No. 781 to establish a sports park consisting of a multi-use recreational area and soccer fields on approximately 108 acres located on the north side of San Bernardino Avenue south of Sessums Drive between Wabash Avenue and Dearborn Street.

Community Development Director Shaw recognized staff members working on the Sports Park project: City Planner John Jaquess, Associate Planner Manuel Baeza, Chief Building Inspector Richard Pepper, Public Works Director Ron Mutter, Engineer Bill Hemsley, Police Chief Jim Bueermann, Community Services Director Marjie Pettus, Municipal Utilities Director Gary Phelps, Water Resources Chief Doug Headrick, representatives from the Finance Department, City Attorney Dan McHugh, City Manager John Davidson, and Mayor Haws. He then described the project in detail. Mayor Haws expressed sincere appreciation to staff for the hundreds of hours devoted to this project which, when completed, will be a wonderful facility. He then declared the meeting open as a public hearing for any questions or comments. None being forthcoming, the public hearing was declared closed.

Final EIR - Councilmember Pepler moved to certify the Final Environmental Impact Report for General Plan Amendment No. 91, Airport Land Use Compatibility Plan Amendment No. 1, Specific Plan No. 32 Amendment No. 1, Zone Change No. 392, Ordinance Text Amendment

No. 292, Conditional Use Permit No. 781, and the City's *San Bernardino Kangaroo Rat Conservation Program*, and adopt the findings of fact and statement of overriding considerations pursuant to Section 21081 of the California Environmental Quality Act, and adopt the Mitigation Monitoring and Reporting Program. Motion seconded by Councilmember Gilbreath and carried unanimously.

Resolution No. 6151 - General Plan Amendment No. 91 - Councilmember Pepler moved to approve Resolution No. 6151, a resolution of the City Council of the City of Redlands adopting Amendment No. 91 to the Redlands General Plan to change the designation of the grove area on the west side of the planned extension of Dearborn Street between San Bernardino Avenue and Pioneer Street from Agriculture/City Grove to Park/Golf Course, realign Dearborn Street between San Bernardino Avenue and Sessums Drive easterly to extend along the westerly boundary of the existing Parks designation, and change the land use designation on a 28-acre area on the north side of the Redlands Municipal Airport from Public/Institutional to Flood Control/Construction Aggregates/Conservation/Habitat Conservation. Motion seconded by Councilmember Gilbreath and carried unanimously.

Resolution No. 6152 - Airport Land Use Compatibility Plan Amendment - Councilmember Pepler moved to approve Resolution No. 6152, a resolution of the City Council of the City of Redlands adopting Revision 1 to the Redlands Municipal Airport Land Use Compatibility Plan and amending Resolution No. 5344, to relocate the helicopter flight training pattern 1,000 feet to the north of San Bernardino Avenue and revise the Compatibility Zone Designation from "B-2" (Extended Approach/Departure Zone) to "C" (Common Traffic Pattern) for the area between San Bernardino Avenue and 1,000 feet to the north extending from one-half mile west of Judson Street to approximately one-half mile east of Wabash Avenue. Motion seconded by Councilmember Gilbreath and carried unanimously.

Ordinance No. 2543 - Specific Plan No. 32 Amendment - Ordinance No. 2543, an ordinance of the City of Redlands adopting Amendment No. 1 to Specific Plan No. 32 and amending Ordinance No. 1811 to delete the "Office Industrial" area from the Specific Plan boundary for the area on the south side of Sessums Drive, was read by title only by City Clerk Poyzer, and on motion of Councilmember Pepler, seconded by Councilmember Gilbreath, further reading of the ordinance text was unanimously waived, and Ordinance No. 2543 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for May 20, 2003.

Ordinance No. 2539 - Zone Change No. 392 - Ordinance No. 2539, an ordinance of the City of Redlands amending Title 18 of the Redlands Municipal Code by adopting a revised land use zoning plan, a change of zone from A-D (Airport) District to "O" (Open Land) District for the 28 acres of property located within the Santa Ana River on the north side of the Redlands Municipal Airport, was read by title only by City Clerk Poyzer,

and on motion of Councilmember Pepler, seconded by Councilmember Gilbreath, further reading of the ordinance text was unanimously waived, and Ordinance No. 2539 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for May 20, 2003.

Ordinance No. 2542 - OTA No. 292 - Ordinance No. 2542, an ordinance of the City of Redlands amending Chapter 18.124 of the Redlands Municipal Code relating to building height within the Open Land District, was read by title only by City Clerk Poyzer, and on motion of Councilmember Pepler, seconded by Councilmember Gilbreath, further reading of the ordinance text was unanimously waived, and Ordinance No. 2542 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for May 20, 2003.

CUP No. 781 - Councilmember Pepler moved to approve Conditional Use Permit No. 781, to be effective 30 days after Ordinance No. 2539, Zone Change No. 392, and Ordinance No. 2542, Ordinance Text Amendment No. 292, are adopted, and subject to the findings, submitted plans, and conditions of approval contained in the staff report. Motion seconded by Councilmember Gilbreath and carried unanimously.

#### UNFINISHED BUSINESS (continued from afternoon session)

Redlands Boulevard/Alabama Street/Colton Avenue Intersections - On April 15, 2003, the City Council reviewed and approved a request by R. P. Wages for a 28 building, 257,201 square foot industrial park. In conjunction with this project, the City Council recognized that the Level of Service (LOS) at the intersection of Redlands Boulevard and Alabama Street would drop from a LOS "D" to a LOS "E." The City Council unanimously supported a motion to allow this to occur and were in concurrence with the Planning Commission that the Redlands Boulevard and Alabama Street intersection be placed as a priority item on the City's Capital Improvement Program. Staff was directed to evaluate the costs of needed improvements and how these improvements would relate to our Capital Improvement Program. Public Works Director Mutter described the design and construction for the ultimate master-planned width for Alabama Street of three through lanes and two left-turn lanes for each direction as well as the realignment of Redlands Boulevard and Colton Avenue. He reviewed the costs estimated for all phases of this project, including engineering, appraisals, right-of-way acquisition, and all construction this project, which would be \$2,700,000.00 from Measure I and \$3,510,000.00 from Development Impact Fees for a total project cost of \$6,210,000.00. Councilmembers concurred this was the top intersection for congestion in town and directed staff to move this project to the top of the list.

Nevada Street - Street Improvements - Public Works Director Mutter provided a concept plan and cost estimates for the widening and improvement of Nevada Street between Barton Road and Orange Avenue and the lack of funding sources. The scope of construction could vary from the full-width complete

roadway section, including curbs, gutters, sidewalk, pavement, street lights, new utility lines, and striping to basic widening of the pavement section to accommodate two lanes of traffic with a minimum 36-foot total width. This latter concept would require future widening and improvements to comply with the General Plan. Development could be required to complete these ultimate improvements at such time as development occurs along any portion of the roadway frontage. However, it is anticipated that the City would be required to improve the roadway along the Redlands Heritage Park frontage as a part of the park's development and widen the portion of the roadway in front of existing residences as future development is not anticipated. Mayor Haws felt we should do at least the minimum to address the needs of the Barton House when renovation is completed. Councilmember Harrison was not comfortable taking funds away from re-surfacing projects and also felt the Church Street project was more important at this time. General concurrence was to study this issue further along with the development applications for the Barton House.

#### PUBLIC COMMENTS

Memorial Day - Councilmember George announced the American Legion Post will host a Memorial Day celebration at the Hillside Memorial Park on May 26, 2003. The keynote speaker will be Congressman Jerry Lewis and music will be provided by the Redlands 4th of July Band.

#### ADJOURNMENT

There being no further business, the City Council meeting adjourned at 8:35 P.M. to an adjourned regular meeting to be held on Tuesday, May 20, 2003, at 9:00 A.M. in the City Council Chambers, 35 Cajon Street, Redlands, California.

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City Clerk