

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 December 2, 2003.

This being the time set for a regular meeting of the City Council of the City of Redlands, and there being no quorum present, the City Clerk declared the meeting recessed to 7:00 P.M.

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; Michael Reynolds, City Treasurer; Jim Bueermann, Police Chief; Mel Enslow, Fire Chief; Tina Kundig, Finance Director; Ronald C. Mutter, Public Works Director; Marjie Pettus, Administrative Services Director; Gary G. Phelps, Municipal Utilities Director; and Jeffrey L. Shaw, Community Development Director.

The meeting was opened with an invocation by Mayor Haws followed by the pledge of allegiance.

ELECTION RESULTS AND REORGANIZATION OF CITY COUNCIL

Resolution No. 6219 - Election Results - City Clerk Poyzer presented Resolution No. 6219, a resolution of the City Council of the City of Redlands reciting the fact of the general and special municipal elections held on Tuesday, November 4, 2003, declaring the results and such other matters as provided by law:

MEMBER OF THE CITY COUNCIL	VOTES CAST
Susan D. Pepler	4,987
Gilberto Gil	3,732
Theresa W. Kwappenberg	3,168
Caroline D. Laymon	2,598
Mark A. Cantrell	2,222
John L. Freedman	846
 CITY CLERK	
Lorrie Poyzer	7,596
 CITY TREASURER	

Michael Reynolds

7,577

MEASURE N - ORDINANCE NO. 2550

Yes	6,084
No	2,827

On motion of Councilmember Gilbreath, seconded by Councilmember Harrison, the City Council unanimously declared and determined that Susan D. Pepler and Gilberto Gil were elected as Members of the City Council for four year terms, Lorrie Poyzer was elected as City Clerk for a four year term, Michael Reynolds was elected as City Treasurer for a four year term, and as a majority of the voters did vote in favor of Measure N (Ordinance No. 2550), relating to a contract with the County of San Bernardino to apportion sales and use tax revenue generated by businesses located within the unincorporated area known as the "Donut Hole" and for the City's provision of municipal services to the "Donut Hole" and approving an amendment to the City's General Plan relating to development within the City's planning area and sphere of influence, that the measure carried, and unanimously adopted Resolution No. 6219 and ordered that the complete text of the resolution be filed in the Office of the City Clerk.

Presentations - Mayor Pro Tem Pepler presented a plaque with the City seal to Mayor Emeritus Haws in commemoration of his four years of service as a Councilmember and the past two years as Mayor. She also presented a bouquet of flowers to Julia Haws thanking her for supporting her husband during his term in office. The Honorable Dennis Hansberger, County Supervisor for the Third District, presented Mr. Haws a resolution from the County Board of Supervisors. Accolades and gifts were also bestowed upon Mr. Haws from City Manager John Davidson, President Dan Crow and members of the Redlands Professional Fire Fighters Association; Police Chief Jim Bueermann; Corporal Chris Catren and members of the Redlands Police Officers Association; Ed Flores, Northside Impact Committee; Wayne Stair, Redlands Chamber of Commerce; Joe Gonzales, Northside Impact Committee; and City Clerk Lorrie Poyzer. Mayor Emeritus Haws thanked everyone for allowing him the opportunity to serve and read his list of the top 10 things he will miss about serving on the City Council.

Oaths of Office - Certificates of election were presented by City Clerk Poyzer to Councilmembers-elect Pepler and Gil. City Clerk Poyzer then administered the oaths of office to the newly elected Councilmembers and they took their seats at the City Council dais at which time they each thanked their supporters and pledged to serve the City well during their terms in office.

Election of Mayor - City Clerk Poyzer called for nominations for the office of Mayor for a two year term. Councilmember Harrison nominated Councilmember Pepler and Councilmember George nominated Councilmember Gilbreath. There being no further nominations, a roll call vote, in alphabetical order, was taken:

For Councilmember Pepler: Councilmembers Gil, Harrison, Pepler
For Councilmember Gilbreath: Councilmembers Gilbreath and George
City Clerk Poyzer declared Susan Pepler elected to the office of Mayor for a term of two years.

Election of Mayor Pro Tempore - City Clerk Poyzer called for nominations for the office of Mayor Pro Tem for a two year term. Councilmember Gilbreath nominated Councilmember George. Councilmember Harrison nominated Councilmember Gil. There being no further nominations, a roll call vote, in alphabetical order, was taken:

For Councilmember George: Councilmembers Gilbreath and George
For Councilmember Gil: Councilmembers Gil, Harrison and Pepler
City Clerk Poyzer declared Gilberto Gil elected to the office of Mayor Pro Tem for a term of two years.

Following brief comments from Mayor Pro Tem Gil and Mayor Pepler, the City Council recessed at 7:55 P.M. and reconvened at 8:10 P.M.

ANNOUNCEMENTS/REPORTS

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

CONSENT CALENDAR

Minutes - On motion of Councilmember Gilbreath, seconded by Councilmember George, the minutes of the regular meeting of November 18, 2003, were approved as submitted.

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

Annual Report - Development Impact Fees - This item was continued to the December 16, 2003, meeting.

Annual Report - CFD 2001-1 - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council unanimously accepted the annual report for the Community Facilities District No. 2001-1 (Northwest Development Project) as required by SB 165.

Ordinance No. 2563 - Development Agreement No. 16 - Ordinance No. 2563, an ordinance of the City of Redlands approving a development agreement (Development Agreement No. 16) with the Redlands Community Hospital, was unanimously adopted on motion of Councilmember Gilbreath, seconded by Councilmember George.

Ordinance No. 2564 - Development Agreement No. 17 - Ordinance No. 2564 an ordinance of the City of Redlands approving a development agreement (Development Agreement No. 17) with Redlands Health Services, a California Corporation, and AV Associates, a California Limited Partnership, was unanimously adopted on motion of Councilmember Gilbreath, seconded by Councilmember George.

Resolution No. 6202 - General Plan Policy 5.20b - Traffic Service - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council unanimously adopted Resolution No. 6202, a resolution of the City Council delegating authority of the City Council to the Planning Commission regarding General Plan Policy 5.20b pertaining to standards for traffic service.

Agreement - Bus Shelters - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council unanimously approved a bus shelter services agreement with Omnitrans to administer a comprehensive passenger amenities program which includes the construction and maintenance of bus shelters within the City of Redlands and authorized the Mayor and City Clerk to execute the agreement of the City.

Agreement - Downtown Lighting - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council unanimously approved the recommendation of the Downtown Redlands Business Association Board of Directors and approved an agreement for a public improvement project with B & B Electric for installation of electrical for the lighting of trees in Ed Hales Park and the perimeter of the Fifth Street and Redlands Boulevard parking lot, authorized the Mayor and City Clerk to execute the agreement on behalf of the City, and approved an additional appropriation in the amount of \$9,239.00 for said project.

Release of Lien Agreement - 1379 Knoll Road - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council unanimously authorized the release of a lien agreement dated September 1, 1978, for improvements in front of 1379 Knoll Road between Crescent and Fountain Avenues.

Agreement - Bridges - CEQA Compliance - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council unanimously approved a consultant services agreement with Tom Dodson and Associates to complete the California Environmental Quality Act and regulatory compliance requirements for the Alabama Street Bridge and Orange Street Bridge project in an amount not to exceed \$25,000.00.

Agreement Amendment - Lugonia Avenue Project - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council unanimously approved the first amendment to a consultant services

agreement with Hicks and Hartwick, Inc. for preparing street improvement plans for the widening of Lugonia Avenue between Church and Streets in the amount of \$5,000.00.

Agreement - Redlands Sports Park - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council unanimously approve an agreement between the City of Redlands and the Redlands Horticulture Society outlining each organizations' roles and responsibilities for the National Tree Trust 2004 Roots Grant for Community Action for the Redlands Sports Park in the amount of \$25,000.00 and authorized the Mayor and City Clerk to execute the agreement on behalf of the City.

Agreement - Co-Generation Facility - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council unanimously approved an agreement for a public improvement project for the installation of the standby power generating system for the Co-Generation Facility at the Wastewater Treatment Plant to Stover Electric, Inc. for the total amount of \$17,080.00, authorized staff to approve costs up to ten percent (10%) over the total amount, and authorized the Mayor and City Clerk to execute the agreement on behalf of the City.

Agreement - Emissions Testing - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council unanimously approved an agreement with SCEC to furnish source emissions testing services at the California Street Landfill Flare and Electricity Co-Generation Facility for the amount of \$18,087.00, authorized staff to approve contingent costs up to ten percent (10%) over the initial amount, and authorized the Mayor and City Clerk to execute the agreement on behalf of the City.

Purchase of Pickup Truck - Fire Department - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council unanimously authorized the expenditure of \$28,000.00 from a Homeland Security Grant for the purchase of a 4X4 F240 pickup truck for the Fire Department.

Purchase - Police Vehicle - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council unanimously approved the use of \$30,000.00 in Citizens' Option for Public Safety funds for the purchase of a police vehicle and emergency equipment.

Funds - Citizens' Option for Public Safety Funds - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council unanimously approved the use of Citizens' Option for Public Safety funds as follows and authorized an additional appropriation in the amount of \$100,699.00:

Equipment for grant funded officers	\$ 15,600.00
Vehicle and equipment	30,500.00

Computer equipment	11,000.00
Crime Scene Technician equipment	3,569.00
Forensic computers	7,500.00
Wireless data network	20,000.00
Specialized training	2,500.00
Directed patrol overtime	<u>10,000.00</u>
Total	\$100,669.00

Independent Contractor Agreement - Community Center - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council unanimously approved an independent contract agreement with Jody Hoelle for a storytelling workshop class to be held in the Community Center and authorized the Mayor and City Clerk to execute the agreement on behalf of the City.

Lease Agreement - Police Substation - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council unanimously approved a lease agreement with Orange Street Plaza, LLC for the downtown policing station located at 406 Orange Street and authorized the Mayor and City Clerk to execute the lease agreement on behalf of the City.

Independent Contractor Agreement - Value Based Initiative - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council unanimously approved an independent contractor agreement with Felix Roger Jones III to provide consulting services to the Police Department's Value Based Initiative and authorized the Mayor and City Clerk to execute the agreement on behalf of the City.

LAND USE AND PUBLIC HEARINGS

Ion Communities, LLC, Applicant - Public notice was advertised for this time and place to consider a draft mitigated negative declaration and public hearings for Socio-Economic Analysis and Cost/Benefit Study for Tentative Tract No. 16556, a tentative tract map to subdivide approximately 39.99 gross acres into 107 residential lots and four common lots located south of San Bernardino Avenue north of Pennsylvania Avenue approximately 300 feet east of University Street in the in the A-1 (Agricultural) District, proposed R-E (Residential Estate) District; Resolution No. 6214, Agricultural Preserve Removal No. 101, the removal from the Agricultural Preserve of 39.99 acres of property located south of San Bernardino Avenue, north of Pennsylvania Avenue, approximately 300 feet east of University Street in the A-1 (Agricultural) District; Ordinance No. 2566, Zone Change No. 393, a change of zone from A-1 (Agricultural) District to R-E (Residential Estate) District on three contiguous parcels totaling 39.99 gross acres located south of San Bernardino Avenue, north of Pennsylvania Avenue, approximately 300 feet east of University Street; and Conditional Use Permit No. 802, a conditional use

permit for a Planned Residential Development on 39.99 acres consisting of 107 residential lots and four common lots located south of San Bernardino Avenue, north of Pennsylvania Avenue approximately 300 feet east of University Street in the A-1 (Agricultural) District, proposed R-E (Residential Estate) District. Community Development Director Shaw described the proposed project. Mayor Pepler declared the meeting open as a public hearing for any questions or comments. On behalf of the applicant, Bud Thatcher, Thatcher Engineering, addressed the City Council urging approval of the project. Representatives from Ion were also present to answer questions. There being no further comments, the public hearing was declared closed.

Negative Declaration - Councilmember Harrison moved to approve the Environmental Review Committee's mitigated negative declaration for Agricultural Preserve Removal No. 101, Zone Change No. 393, Conditional Use Permit No. 802 and Tentative Tract No. 16556 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 Harrison moved to approve the Socio-Economic Analysis and Cost/Benefit Study for Agricultural Preserve Removal No. 101, Zone Change No. 393, Conditional Use Permit No. 802 and Tentative Tract No. 16556 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.

Resolution No. 6214 - Agricultural Preserve Removal No. 101 - Councilmember Harrison moved to adopt Resolution No. 6214, a resolution of the City Council of the City of Redlands removing property from the City's Agricultural Preserve and approving Agricultural Preserve Removal No. 101 based on the findings contained in the staff report. Motion seconded by Councilmember Gilbreath and carried unanimously.

Ordinance No. 2566 - Zone Change No. 393 - Ordinance No. 2566, an ordinance of the City of Redlands amending Title 18 of the Redlands Municipal Code by adopting a revised Land Use Zoning Map and effecting Zone Change No. 393, was read by title only by City Clerk Poyzer, and on motion of Councilmember Harrison, seconded by Councilmember Gilbreath, further reading of the ordinance text was unanimously waived, and Ordinance No. 2566 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for December 16, 2003, based on the findings contained in the staff report.

Conditional Use Permit No. 802 - Councilmember Harrison moved to approve Conditional Use Permit No. 802 to take effect as of the effective dated of Ordinance No. 2566 and subject to the conditions of approval and

based on the findings contained in the staff report. Motion seconded by Councilmember Gilbreath and carried unanimously.

Tentative Tract No. 16556 - Councilmember Gilbreath moved to approve Tentative Tract No. 16556 to take effect as of the effective date of Ordinance No. 2566, subject to the conditions of approval and findings contained in the staff report. Motion seconded by Councilmember Harrison and carried unanimously.

CRA 754 - Tom Hodgin, Applicant - Public notice was advertised for this time and place to consider a draft mitigated negative declaration and public hearing for Socio-Economic Analysis and Cost/Benefit Study for the construction of a two-story, 12,000 square foot office and warehouse building on (approximately) a 1.93 acre property located at 11018 Iowa Street in the EV/IC (Commercial Industrial) district of the East Valley Corridor Specific Plan. Community Development Director Shaw described the proposed project. Councilmember George he could not support approving projects that impact the level of service at Redlands Boulevard and Alabama Street and showed a negative number in the cost benefit study. The Socio-Economic Analysis and Cost/Benefit Study formula was discussed at length with Councilmember Harrison noting it needed to be refined. Mayor Peppler declared the meeting open as a public hearing for any questions or comments. Tom Hodgin, the applicant, explained the use of the building for his landscaping business, and responded to Councilmember Harrison's inquiry indicating he would be willing to incorporate citrus in his landscaping if it was added as a condition of approval. There being no father comments, the public hearing was declared closed.

Mitigated Negative Declaration - Councilmember Gilbreath moved to approve the Environmental Review Committee's mitigated negative declaration for Commission Review and Approval No. 754 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 Harrison and carried with Councilmember George voting NO.

Socio-Economic Analysis and Cost/Benefit Study - Councilmember Gilbreath moved to approve the Socio-Economic Analysis and Cost/Benefit Study for Commission Review and Approval No. 754 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 Harrison and carried with Councilmember George voting NO.

LOS - Councilmember Gilbreath moved to approve a reduced Level of Service (LOS) at the intersection of Alabama Street/Redlands Boulevard during the peak hours as permitted in General Plan Police 5.20b and 5.20c. Motion seconded by Councilmember Harrison and carried with Councilmember George voting NO.

Commission Review and Approval No. 754 - Councilmember Gilbreath moved to approve Commission Review and Approval No. 754 subject to the findings and conditions of approval contained in the staff report, with the addition of Condition 12(1) to the Conditions of Approval to read: That citrus be incorporated into the final landscape and that the modification be

subject to the review and approval of the Community Development Director. Motion seconded by Councilmember Harrison and carried with Councilmember George voting NO.

PUBLIC HEARINGS

Ordinance No. 2567 - Parking of Motor Homes - Public hearing was advertised for this time and place to consider Ordinance No. 2567, an ordinance of the City of Redlands amending Chapter 18.164 of the Redlands Municipal Code relating to parking of motor vehicles. Community Development Director Shaw explained this ordinance text amendment proposes modifications to Section 18.164.130 of the Redlands Municipal Code dealing with the parking of motor homes and other types of recreational vehicles in the residential zones as recommended by the Ad Hoc Committee on Zoning and Development Standards and the Planning Commission and explained the amendment was being proposed to address conflicts which recently came to light because of a code enforcement complaint regarding the parking of a travel trailer in the front-yard driveway of a residence. Mayor Pepler declared the meeting open as a public hearing for any questions or comments. Carol Sherer addressed the City Council and explained her situation with two "front" yards and asked that exceptions be allowed under certain circumstances. Police Chief Buermann encouraged the City Council to include within the ordinance what constitutes storage by adding a time limit in order for a Code Enforcement to have a clear definition. There being no further comments, the public hearing was declared closed. Councilmember Gil felt these suggestions needed to be incorporated into the proposed ordinance, and moved to continue the matter until the second meeting in January (January 20, 2004). Motion seconded by Councilmember Harrison and carried unanimously.

Ordinance No. 2559 - Fence Committee - Public hearing was advertised for this time and place to consider Ordinance No. 2559, an ordinance of the City of Redlands amending Chapter 18.168 of the Redlands Municipal Code relating to landscaping, fences, walls and signs of the City's Zoning Code. Community Development Director Shaw explained this proposal would modify the composition of the committee that reviews minor exception permits for fences and walls (known as "Fence Committee") by replacing the City Councilmember spot with another Planning Commissioner. The purpose being to further "due process" and avoid any appearance of bias on behalf of the City Council who hear appeals filed by property owners on decision's of the Fence Committee. The amendment also proposes to remove the Building Official from the committee to establish the membership at an odd number to avoid tie votes and for the appointed members (Planning Commissioners) to form a majority vote of the committee. Mayor Pepler declared the meeting open as a public hearing for any questions or comments. None being forthcoming, the public hearing was declared closed. Ordinance No. 2559 was read by title only by City Clerk Poyzer, and on motion of Councilmember Harrison, seconded by

Councilmember Gilbreath, further reading of the ordinance text was unanimously waived, and Ordinance No. 2559 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for December 16, 2003.

PUBLIC COMMENTS

Traffic Suggestions - Dr. Denise Whisler presented traffic calming and traffic/pedestrian safety suggestions for new residential projects. She was referred to staff for further study.

JOINT MEETING - CITY COUNCIL AND REDEVELOPMENT AGENCY

Resolution No. 6221 - Subordination Agreement - Councilmember Gilbreath moved to adopt Resolution No. 6221, a resolution of the City Council of the City of Redlands authorizing the use of low-and moderate-income housing funds outside the Redlands Project Area for the First Time HomeBuyer's Program. Motion seconded by Councilmember George and carried unanimously (also see Resolution No. 368 in the Redevelopment Agency minutes for December 2, 2003.)

Resolution No. 6223 - Great Neighborhood Program - Councilmember Gilbreath moved to adopt Resolution No. 6223, a resolution of the City Council of the City of Redlands authorizing the use of low- and moderate-income housing funds outside the Redlands Project Area. Motion seconded by Councilmember George and carried unanimously. (Also see Resolution No. 370 in the Redevelopment Agency minutes for December 2, 2003.)

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 9:32 P.M. The next regular meeting will be held on December 16, 2003.

City Clerk