

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 16, 2003.

PRESENT Susan Pepler, Mayor  
Gilberto Gil, Mayor Pro Tem  
Pat Gilbreath, Councilmember  
Gary George, Councilmember  
Jon Harrison, Councilmember

ABSENT None

STAFF John Davidson, City Manager; Leslie E. Murad, II, Assistant City Attorney; Lorrie Poyzer, 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 Councilmember George followed by the pledge of allegiance.

#### PRESENTATIONS

Employee Service - Introductions were made by the department heads and Mayor Pepler presented five year service pins to: James Brittain, Purchasing, Finance Department; Richard Smith, Purchasing, Finance Department; David Ketcherside, Fire Department; Linda Baker, Police Department; Arthur Ramos, Community Services, Recreation Bureau, Police Department; Jesse Peralta, Streets Division, Public Works Department; Maureen Miller, A. K. Smiley Public Library; and Tino Torrez, Wastewater Division, Municipal Utilities Department. Ten year service pins were presented to: James Weiler, Solid Waste Division, Municipal Utilities Department; and Nick Ynda, Solid Waste Division, Municipal Utilities Department. Fifteen year service pins were presented to: Gary Barnes, Equipment Maintenance, Administrative Services Department; David Gonzales, Solid Waste Division, Municipal Utilities Department; and Mario Saucedo, Water Division, Municipal Utilities Department. Twenty year service pins were presented to: James Drabinski, Fire Department, and Ralph Morrison, Fire Department.

#### PUBLIC HEARING

Community Facilities District No. 2003-1 (Redlands Business Center) - Public hearing was advertised for this time and place to consider formation of Community Facilities District No. 2003-1 and other necessary legal requirements. As recommended by Finance Director Kundig, this public

hearing was unanimously continued to January 6, 2004, on motion of Councilmember Gilbreath, seconded by Councilmember Harrison.

## CONSENT CALENDAR

Minutes - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the minutes of the regular meeting of December 2, 2003, were approved as submitted.

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

Annual Report - Development Impact Fees - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously accepted the annual report of development impact fees for the year ending June 30, 2003.

Funds - Year-End Encumbrances and Carry-Over Balances - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved additional appropriations to the 2003-04 budget for the 2002-03 year-end encumbrances and carry-overs.

Planning Commission Actions - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the report of the Planning Commission meeting held on December 9, 2003, was acknowledged as received.

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, changing the zoning designation for 39.99 acres located south of San Bernardino Avenue, north of Pennsylvania Avenue, approximately 300 feet east of University Street from A-1 (Agriculture) District to R-E (Residential Estate) District, was unanimously adopted on motion of Councilmember Gilbreath, seconded by Councilmember Gil.

Ordinance No. 2559 - Landscaping, Fences, Walls and Signs - 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 Zoning Code, was unanimously adopted on motion of Councilmember Gilbreath, seconded by Councilmember Gil.

Subdivision Improvement Agreement - Tract No. 16408 - Final Approval - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved the subdivision improvement agreement for Tract No. 16408, a 64 single-family subdivision on 40.06 acres generally located on the southwest corner of Wabash and Fifth Avenues (Centex Homes,

applicant). On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously accepted Tract No. 16408 and granted final approval to authorize recordation with the County Recorder.

Local Appointments List - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously acknowledged receipt of the local appointments list for 2004 pursuant to Government Code Section 54972 and directed said list be filed.

Funds - Street Improvement Project - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved an appropriation of funds in the amount of \$3,300.00 to order preliminary title reports for the New York Street, Lugonia Avenue, Tennessee Street Improvement Project.

Proclamation - Arbor Day - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved issuance of a proclamation for 2003 for the celebration of National Arbor Day in the City of Redlands.

Resolution No. 6231 - Traffic - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously adopted Resolution No. 6231, a resolution of the City Council of the City of Redlands establishing the following traffic regulations pursuant to Title 10 of the Redlands Municipal Code: install a multi-way stop at the Lugonia Avenue and Research Drive intersection and install a one-way stop on northbound Research Drive at the Almond Avenue intersection.

Agreement - California Street Landfill - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved an agreement with 3DGeoServices, Inc. to provide hydrogeologic support, technical analysis, and reporting services for the California Street Landfill and 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.

OSC 03-06 - Jerry Zigrossi, Applicant - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously determined that Outside City Case (OSC) 03-06 for Tentative Parcel Map 15941, APNs 299-231-16 and 21, 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.

OSC 04-29 - Mary Miller, Applicant - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously determined that

Outside City Case (OSC) 04-29 for Tentative Tract Map 16292, APNs 298-193-03 and 20, 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.

Reorganization - Water and Wastewater Divisions - The reorganizations in the Water and Wastewater Divisions of the Municipal Utilities Department was not acted upon.

Contract - EOC Carpet - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved a contract with New Image Commercial Flooring for the purchase and installation of carpet at the Emergency Operations Center in the amount of \$3,112.14 and authorized the Mayor and City Clerk to execute the contract on behalf of the City.

Contract - Joslyn Senior Center Carpet - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved a contract with New Image Commercial Flooring for the purchase and installation of carpet in the office of the Joslyn Senior Center in the amount of \$1,455.72 and authorized the Mayor and City Clerk to execute the contract on behalf of the City.

Resolution No. 6239 - Salary - Councilmember Gil asked Police Chief Bueermann for clarification of his proposed new position, Executive Police Assistant. Councilmember Gil expressed concerns about hiring new employees before the City Council has had the opportunity to address the budget concerns caused by the State's financial crisis. Mayor Pepler asked that staff bring back suggestions regarding filled/unfilled/unfunded employee positions. Councilmember Gil thought the City Council should approve any positions to be filled. Councilmember Gilbreath felt this discussion needed to be incorporated with the budget review. Councilmember Harrison moved to adopt Resolution No. 6239, a resolution of the City Council of the City of Redlands establishing a salary schedule and compensation plan for City employees and rescinding Resolution No. 6218. Motion seconded by Councilmember George and carried unanimously.

Amend MOU - RAMME - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved Amendment No. 1 (bereavement leave) to the Memorandum of Understanding between the City of Redlands and the Redlands Association of Mid-Management Employees and authorized the Mayor and City Clerk to execute the Memorandum of Understanding on behalf of the City.

Appointment - Library Board - The appointment to the A. K. Smiley Public Library Board was not acted upon.

Settlement and Release Agreement - Darrin Brown - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously acknowledged a settlement agreement with Darrin Brown for personal injury and authorized the Mayor and City Clerk to execute the agreement on behalf of the City. The City Council authorized settlement of this matter in closed session and this release reflects the terms and conditions for said settlement.

## PLANNING AND COMMUNITY DEVELOPMENT

Residential Development Allocations - Community Development Director Shaw reviewed the following applications for residential development allocations for the fourth quarter of 2003:

1. RDA 2003-IV-01 - A Residential Development Allocation for Tentative Tract No. 16174, an approved residential subdivision consisting of 68 lots on 30 acres generally located on the north side of Pioneer Avenue, approximately 440 feet east of Occidental Drive - Centex Homes, Applicant.
2. RDA 2003-IV-2 - A Residential Development Allocation for Tentative Tract No. 16139, an approved residential subdivision consisting of 19 lots on 7.2 acres generally located on the north side of Cypress Avenue, east of Heather Lane and west of Linda Vista Avenue - Joseph F. O'Brien, Meadow Wood Homes Applicant.

Wendy Walsh and Kay Wood, neighbors of the Meadow Wood Homes' project thanked Mr. O'Brien for his efforts and working with them. Mr. O'Brien was present to answer questions. Councilmember George moved to approve the allocation of 31 units to RDA 2003-IV-01, Centex Homes and the allocation of 19 units to RDA 2003-IV002, Joseph F. O'Brien, Meadow Wood Homes. Motion seconded by Councilmember Harrison and carried unanimously. Councilmember Gilbreath complimented Mr. O'Brien and the neighbors for working together.

## COMMUNICATIONS

Core Block - Councilmember Harrison introduced Economic Development Director Ralph Megna who presented a proposal for the Core Block which included two potential sites for a hotel and a four-level parking garage to be located between the railroad tracks and Stuart Avenue. The land for the parking garage is owned by George Krikorian and the City. Councilmember George would like to see this project to work in conjunction with the Downtown Redlands Business Association's plan for parking in the downtown area. Bob Roberts addressed the City Council asking why this could not be a private project and stated he felt parking in downtown was more important. Following discussion, Councilmembers concurred to direct staff to proceed with an RFP (Request for Proposals) for the concept and schematic phase for both parking structures and authorized staff to continue discussions with Mr. Krikorian and the Public Utilities Commission.

Budget Workshops - In order to address the critical financial issues facing us, Mayor Pepler asked for support to hold a workshop or retreat within the next thirty days to chart a course of action to determine how the City is going to proceed over the next two years. The workshop is intended to foster informal discussion that will result in the prioritization of City goals, projects and activities. This will be accomplished through a creative exchange between Councilmembers and staff, culminating in clear Council policy direction to staff. Councilmembers discussed the venue and asked City Manager Davidson to set this meeting up by the end of January, 2004.

Statement of Investment Policy - City Treasurer Reynolds presented a Statement of Investment Policy to the City in accordance with state legislation. Councilmember George moved to approve the Statement of Investment Policy as presented by City Treasurer Reynolds. Motion seconded by Councilmember Harrison and carried unanimously.

Transient Occupancy Tax - Councilmember George asked Councilmembers to consider establishing a percentage allocation of the Transient Occupancy Tax received from newly constructed hotels/motels for the promotion of tourism. As liaison to the Cultural Arts Commission, Councilmember Harrison felt the concept made sense but that it may have to wait awhile because of the state budget crises. Councilmember Pepler concurred that this would be a great idea to consider when economic times are more favorable.

Initiative Petition - The Redlands Association - City Clerk Poyzer reported that on December 8, 2003, representatives of The Redlands Association filed an initiative petition entitled, "An initiative ordinance of the people of Redlands amending the principles of managed growth and the land use, circulation, open space and conservation, health and safety and noise elements of the Redlands General Plan." The petition consisted of 85 sections and an estimated 5,155 raw signatures. She expects to determine the sufficiency of the petition by January 20, 2004. While the petition is being examined or at the time the City Clerk certifies the results of the examination, the City Council may refer the proposed initiative ordinance to any City Agency or agencies for a report on any or all of the following:

1. Its fiscal impact.
2. Its effect on the internal consistency of the city's general and specific plans, including the housing element, the consistency between planning and zoning, and the limitations on city actions under Section 65008 of the Government Code and Chapters 4.2 (commencing with Section 65913) and 4.3 (commencing with Section 65915) of Division 1 of Title 7 of the Government Code.
3. Its effect on the use of land, the impact on the availability and location of housing, and the ability of the city to meet its regional housing needs.

4. Its impact on funding for infrastructure of all types, including, but not limited to, transportation, schools, parks and open space. The report may also discuss whether the measure would be likely to result in increased infrastructure costs or savings, including the cost of infrastructure maintenance, to current residents and businesses.
  5. Its impact on the community's ability to attract and retain business and employment.
  6. Its impact on the uses of vacant parcels of land.
  7. Its impact on agricultural lands, open space, traffic congestion, existing business districts, and developed areas designated for revitalization.
  8. Any other matters the legislative body requests to be in the report.  
(California Elections Code Section 9212).
- No action was taken at this meeting.

### CLOSED SESSION

The City Council meeting recessed at 5:02 P.M. to the Redevelopment Agency meeting and reconvened at 5:08 P.M. to a closed session to discuss the following:

1. Conference with real property negotiator -  
Government Code Section 54956.8  
Property: APN 168-121-04  
Negotiating parties: David O. Reck and Linda Emmerson  
Under negotiation: Terms and price
2. Conference with legal counsel: Existing litigation -  
Government Code Section 54956.9(a) -  
Vanessa Velez v City of Redlands - Case No. SCVSS 109317

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

Resolution No. 6220 - General Plan Amendment No. 95 - Public notice was advertised for this time and place to consider a Draft Negative Declaration as well as public hearings for a Socio-Economic Analysis and Cost/Benefit Study for a draft mitigated negative declaration and public hearing for Resolution No. 6220, General Plan Amendment No. 95, an amendment to the General Plan to change the land use designation from Medium Density Residential with a Housing Conservation Overlay to Office on two parcels located at 224-226 Nordina Street (James Ballard and Russ Huston, applicants). Community Development Director Shaw reviewed the proposed project. Mayor

Peppler declared the meeting open as a public hearing for any questions or comments. Representing the applicant was Richard Hickey who was available to answer any questions. None being forthcoming, the public hearing was declared closed. Councilmember Gilbreath moved to approve the Environmental Review Committee's negative declaration for General Plan Amendment No. 95 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 unanimously. Councilmember Gilbreath moved to approve Resolution No. 6220, a resolution of the City Council of the City of Redlands adopting Amendment No. 95 to the Redlands General Plan. Motion seconded by Councilmember Harrison and carried unanimously.

A.K.S. and BEK Partners, Applicant - Public notice was advertised for this time and place to consider a Draft Mitigated Negative Declaration as well as public hearings for a Socio-Economic Analysis and Cost/Benefit Study for: Ordinance No. 2558, Zone Change No. 391, a change of zone from unincorporated County property to R-1 (Single Family Residential) District and R-E (Residential Estate) District on two contiguous parcels totaling 8.93 gross acres located south of Madeira Avenue, north of Mentone Boulevard, west of Sapphire Avenue and east of Plumwood Lane; and Tentative Tract No. 16402, a tentative tract map to subdivide approximately 8.93 gross acres into 27 residential lots located south of Madeira Avenue, north of Mentone Boulevard, west of Sapphire Avenue and east of Plumwood Lane in the R-1 (Single Family Residential) District and R-E (Residential Estate) District. Community Development Director Shaw described the proposed project, noting annexation of the project area will be initiated upon approval of the zone change and tract map. Mayor Peppler 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 Harrison moved to approve the Environmental Review Committee's mitigated negative declaration for Zone Change No. 391 and Tentative Tract No. 16402 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 Zone Change No. 391 and Tentative Tract No. 16402 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.

Ordinance No. 2558 - Zone Change No. 391 - Ordinance No. 2558, an ordinance of the City of Redlands amending Title 18 of the Redlands Municipal Code by adopting a revised land use zoning plan as part of the Official Land Use Zoning Map and effecting Zone Change No. 391, 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. 2558 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for January 6, 2004.

Tentative Tract No. 16402 - Councilmember Harrison moved to approve Tentative Tract No. 16402 to take effect on the effective date of Ordinance No. 2558, subject to the conditions of approval and findings contained in the staff report. Motion seconded by Councilmember Gilbreath and carried unanimously.

Ordinance No. 2552 - Sign Code - Public notice was advertised for this time and place to consider a Draft Mitigated Negative Declaration as well as public hearings for a Socio-Economic Analysis and Cost/Benefit Study for Ordinance No. 2552, Ordinance Text Amendment No. 299, an amendment to Chapter 15.36 of the Redlands Municipal Code relating to the regulation of signs. Community Development Director Shaw explained the proposed amendment to the City's Sign Code incorporates changes that were recommended by the Planning Commission on August 28, 2003. At that meeting, the Redlands Chamber of Commerce presented a number of proposed modifications to the Sign Code and clean-up issues were presented by staff. Community Development Director Shaw highlighted the major changes and the manner in which they were either incorporated into the Sign Code or addressed in another section of the Redlands Municipal Code. He expressed appreciation to John James and Bill Morris from the Redlands Chamber of Commerce for their work on this project. He also praised Richard Malacoff and Bob Dalquest from his staff for their quality of time and effort. Mayor Pepler declared the meeting open as a public hearing for any questions or comments. None being forthcoming, the public hearing was declared closed. Councilmember Gilbreath moved to approve the Environmental Review Committee's negative declaration for Ordinance Text Amendment No. 299 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 George and carried unanimously. Ordinance No. 2552, an ordinance of the City of Redlands amending Section 15.36 of the Redlands Municipal Code relating to signs, was read by title only by City Clerk Poyzer, and on motion of Councilmember

Gilbreath, seconded by Councilmember George, further reading of the ordinance text was unanimously waived, and Ordinance No. 2552 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for January 6, 2004.

#### PUBLIC HEARING

Ordinance No. 2568 - C-3 District - Public hearing was advertised for this time and place to consider Ordinance No. 2568, Ordinance Text Amendment No. 297, an ordinance of the City of Redlands amending Chapter 18.92 of the Redlands Municipal Code relating to additional uses within the C-3 (General Commercial) District by deleting Section 18.92.080(H) relating to the manufacturing, processing, or treatment of products that are incidental to retail businesses conducted on a premise in the C-3 (General Commercial) District. Community Development Director Shaw explained this proposed amendment. 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. 2568 was read by title only by City Clerk Poyzer, and on motion of Councilmember George, seconded by Councilmember Gilbreath, further reading of the ordinance text was unanimously waived, and Ordinance No. 2568 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for January 6, 2004.

#### PUBLIC COMMENTS

None forthcoming.

#### ADJOURNMENT

There being no further business, the City Council meeting adjourned at 7:33 P.M. The next regular meeting will be held on January 6, 2004.

---

City Clerk