

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 September 16, 2003.

PRESENT Karl N. (Kasey) Haws, Mayor  
Pat Gilbreath, Councilmember  
Gary George, Councilmember  
Jon Harrison, Councilmember

ABSENT Susan Pepler, Mayor Pro Tem

STAFF John Davidson, City Manager; Daniel J. McHugh, City Attorney; Lorrie Poyzer, City Clerk; Jim Buermann, 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 Gilbreath followed by the pledge of allegiance.

#### PRESENTATIONS

Friends of Hillside Memorial Park - On behalf of the Friends of Hillside Memorial Park, Caroline Schuiling accepted a certificate of commendation from Mayor Haws commending and thanking the Friends of Hillside Memorial Park for their continuing hard work and philanthropic efforts to help preserve one of Redlands' historic landmarks. The group, which was founded in 1996, has worked diligently to raise funds through general gifts and fees for the continued growth of the endowment fund that provides for the upkeep of Hillside Memorial Park. Also on hand to accept the commendation were Fritz Baumgartner, Howard Hill and Bill Cunningham.

#### CONSENT CALENDAR

Minutes - On motion of Councilmember Gilbreath, seconded by Councilmember George, the minutes of the regular meeting of September 2, 2003, and the adjourned regular meeting of September 9, 2003, were approved as submitted.

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

Planning Commission Actions - Councilmember Gilbreath moved to appeal the decision of the Planning Commission to deny Conditional Use Permit No. 800 to construct a 9,600 square foot community facility located at 1251 Clay Street

(Boys and Girls Club of Redlands, applicant) and to hear the appeal on November 18, 2003, by which time the demolition of the church building on the site will have been acted upon by the Historic and Scenic Preservation Commission and both applications can be considered by the City Council. Motion seconded by Councilmember Harrison and carried by AYE votes of all present. On motion of Councilmember Gilbreath, seconded by Councilmember George, the balance of the report of the Planning Commission meeting held on September 9, 2003, was acknowledged as received.

Ordinance No. 2524 - Socio-Economic Analysis and Cost/Benefit Studies - Ordinance No. 2524 an ordinance of the City of Redlands amending Chapter 18.12 of the Redlands Municipal Code relating to administrative provisions of the City's Zoning Code relating to the review of socio-economic analysis and cost/benefit studies, was adopted by AYE votes of all present on motion of Councilmember Gilbreath, seconded by Councilmember George.

Subdivision Improvement Agreement - Tract No. 16174 - Final Approval - Dedications - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council, by AYE votes of all present, approved a subdivision improvement agreement for Tract No. 16174, a subdivision of 69 single family lots on 29.2 acres located on the north side of Pioneer Avenue, approximately 4,000 feet east of Occidental Drive (CRR Associates, LP, applicant). On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council accepted Tract No. 16174 and granted final approval and authorized recordation with the County Recorder by AYE votes of all present. On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council, by AYE votes of all present, accepted an offer of dedication for a 4.04 net acre parcel shown as Lot "A" and for a 5.99 net acre parcel shown as Lot "B" on the final map.

Annual Review - Development Agreements - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council accepted, by AYE votes of all present, the Report for the Annual Review of Approved Development Agreement and directed staff to initiate the following actions:

1. Notify Bixby Land Company (previously Barton Development Company and The Glorious Redland Investment Partnership) that their annual report submittal is incomplete and advise them that they have 30 days to provide a complete report or the City will initiate termination proceedings based on a Finding of Noncompliance.
2. Notify Kaiser Foundation Hospitals that their annual report submittal is incomplete and advise them that they have 30 days to provide a complete report or the City will initiate termination proceedings based on a Finding of Noncompliance.
3. Determine that the annual reports for the Cities Pavilion LLC, Mountainview Power, Robertson's Ready Mix, and Cemex are complete and

direct staff to prepare a Certificate of Compliance that can be recorded by the applicants.

Contract Amendment - Redlands Sports Park - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council approved an agreement with Michael Brandman Associates for preparation of an addendum to the Environmental Impact Report/Environmental Assessment, Revisions to the Biological Assessment, and completion of the Section 7 Consultation Process for the Redlands Sports Park and San Bernardino Kangaroo Rat Conservation Program and authorized the Mayor and City Clerk to execute the agreement on behalf of the City by AYE votes of all present.

Resolution No. 6196 - AYSO Community Event - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council adopted, by AYE votes of all present, Resolution No. 6196, a resolution of the City Council of the City of Redlands establishing American Youth Soccer Organization's (AYSO) Saturday activities at Moore Middle School as a special community event September 1st through June 30th annually.

Ordinance No. 2551 - Peddling, Solicitation and Distribution of Advertising - Ordinance No. 2551, an ordinance of the City of Redlands amending Chapter 5.36 of the Redlands Municipal Code relating to peddling, solicitation and distribution of advertising, was adopted, by AYE votes of all present, on motion of Councilmember Gilbreath, seconded by Councilmember George.

Appointment - Citrus Preservation Commission - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council approved, by AYE votes of all present, Mayor Haws' nomination of Robert S. Marsel to fill the unexpired term of Robert Scholton to April 16, 2006, on the Citrus Preservation Commission.

Contract - Street Repair - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council approved, by AYE votes of all present, a contract with Wheeler Paving, Inc. in the amount of \$11,310.00 for the widening and repair of Ninth Street, north of Central Avenue, and authorized the Mayor and City Clerk to execute the contract on behalf of the City. This project is in conjunction with the reconstruction of the Mill Creek Zanja inlet at Ninth Street.

Contract - Oak Tree Pruning - Due to a potential conflict of interest, Councilmember Gilbreath retired from the Council Chambers and did not participate in this matter. On motion of Councilmember Harrison, seconded by Councilmember George, the City Council approved a contract with West Coast Arborists, Inc. in the amount of \$18,720.00 for the pruning of 52 oak trees on Buena Vista Street between Fern Avenue and Palm Avenue and authorized the

Mayor and City Clerk to execute the contract on behalf of the City with Councilmember Gilbreath abstaining and Councilmember Pepler being absent.

Contract - Palm Tree Trimming - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council approved, by AYE votes of all present, a contract with West Coast Arborists, Inc. in the amount of \$14,520.00 for the trimming of 165 palms at various locations around school facilities and authorized the Mayor and City Clerk to execute the contract on behalf of the City.

Lease Agreement - FAA Remote Transmitter/Receiver Site - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council approved, by AYE votes of all present, a lease agreement with the United States of America, Department of Transportation, Federal Aviation Administration (FAA) for the FAA remote transmitter/receiver site at the Redlands Municipal Airport and authorized the Mayor and City Clerk to execute the lease agreement on behalf of the City.

Rejection of Bids - California Street Landfill Expansion Project - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council rejected, by AYE votes of all present, all bids, as they were unresponsive, received for the California Street Landfill Expansion Project. Staff plans to readvertise for bids and anticipates a wider response to a second bid advertisement which is likely to provide the City with a larger group of qualified bidders from which to select the lowest responsive bid.

Ordinance No. 2553 - Display of Drug Paraphernalia - Ordinance No. 2553, an ordinance of the City of Redlands adding Chapter 8.46 to the Redlands Municipal Code to regulate the display of drug paraphernalia, was adopted, by AYE votes of all present, on motion of Councilmember Gilbreath, seconded by Councilmember George.

Funds - Building A Generation's Family Resource Centers - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council, by AYE votes of all present, accepted donations in the amount of \$500.00 from the Kiwanis Club of Redlands (Noon) and approved an additional appropriation of said funds to be used towards emergency family needs at the Building A Generation's Family Resource Centers located in the Redlands Unified School District.

Funds - Building A Generation's Decafé - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council, by AYE votes of all present, accepted donations in the amount of \$250.00 received from the Kiwanis Club of Redlands (Noon) and approved an additional appropriation of said funds to be used towards the community service programs at the Decafé and Building A Generation.

COPS Grant - Councilmember Gilbreath stated she could not support the Police Department's request to accept the United States Department of Justice, Office of Community Oriented Policing Services (COPS), Universal Hiring Grant to hire four police officers with a City-funded \$150,000 cash match, per officer, during these tough financial times. Police Chief Bueermann explained that the proposed motion contained a stipulation that no officers will be hired until a funding plan is presented to, and approved by, the City Council. He stated his commitment was that the matching funds would not come from the General Fund, and noted the City had up to three years to access these fund but are under no obligation to accept the funds. Councilmember Haws moved to accept the United States Department of Justice, Office of Community Oriented Policing Services (COPS), Universal Hiring Grant with the stipulation that no officers will be hired until a funding plan is presented to, and approved, by the City Council. Motion seconded by Councilmember George and carried with Councilmember Gilbreath voting NO and Councilmember Pepler being absent.

License Agreement - First American Real Estate Solutions - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council approved, by AYE votes of all present, an updated license agreement with First American Real Estate Solutions, L.P. to allow continuance of the use of Metroscan software and allow for the downloading of current property data, and authorized the Mayor and City Clerk to execute the license agreement on behalf of the City.

Agreement - Work Study Program - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council approved, by AYE votes of all present, an agreement with the University of Redlands for the 2003-04 Work-Study Program and authorized the Mayor and City Clerk to execute the agreement on behalf of the City.

## PLANNING AND COMMUNITY DEVELOPMENT

Development Standards for Rural Areas - Community Development Director Shaw reported a discussion of rural development standards and policies was initiated in March of this year by the Ad Hoc Committee on Zoning and Development Standards and the Planning Commission. After several meetings and hearings before the Ad Hoc Committee and the Planning Commission, development standards for rural areas were prepared and recommended for City Council consideration. The standards include recommendations pertaining to streets and roadways, street lighting, paths and trails, grading, landscaping, drainage, rural character, preservation of natural areas, fire safety, architecture, and general concepts. They also reviewed and are recommending the development of a new zone district, the Rural Living Zone District, that accommodates 2.5 acre parcels and related to the Rural Living General Plan Land Use designation on the General Plan. Councilmember Gilbreath

expressed concerns about General Plan Policy 7.11A regarding the creation and maintenance of a system of trails. Community Development Director Shaw explained that this is an existing policy with the addition of adding the prohibition of motorized vehicles. Councilmember Harrison commended staff for their work as he felt this was a positive step; he presented several suggestions regarding natural trails, street lighting, grading, landscaping, drainage and clustering of houses which will be incorporated in future documents. Councilmember George felt we needed to use stronger phrases and make clear distinctions for developer to understand what we wanted. Councilmember Haws asked that the information compiled by the Trails Committee be included in this process. Councilmember Harrison moved to direct staff to prepare the necessary amendments to the General Plan, specific plans and/or prepare ordinance amendments to implement the development standards for rural areas as recommended by the Planning Commission in their Resolution No. 999. Motion seconded by Councilmember George and carried by AYE votes of all present. Councilmember Harrison moved to direct staff to prepare an ordinance to implement the Rural Living Zone District. Motion seconded by Councilmember George and carried by AYE votes of all present.

#### CLOSED SESSION

The City Council meeting recessed at 3:50 P.M. to the Redevelopment Agency meeting and reconvened at 3:52 P.M. to a closed session to discuss the following:

1. Conference with labor negotiator - Government Code Section 54957.6  
Agency Negotiator: John Davidson, Tina Kundig, and Marjie Pettus  
Employee Organization: San Bernardino Public Employees Association
2. Conference with labor negotiator - Government Code Section 54957.6  
Agency Negotiator: John Davidson, Tina Kundig, and Marjie Pettus  
Employee Organization: Redlands Association of Mid-Management Employees
3. Conference with real property negotiator - Government Code Section 54956.8  
Property: APN 168-121-03  
Negotiating parties: John Davidson and Tom Soffel  
Under negotiation: Terms and price
4. Conference with legal counsel: Existing litigation - Government Code Section 54956.9(a) - Sunset Drive Corporation v Richard Larsen, et al - San Bernardino Superior Court Case No. SCVSS 106157

The meeting reconvened at 7:00 P.M.

#### ANNOUNCEMENTS/REPORTS

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

## JOINT MEETING - CITY COUNCIL AND REDEVELOPMENT AGENCY

Redevelopment Project, Amendment No. 4 - (See Redevelopment Agency minutes for September 16, 2003, for their actions on this matter.) A joint public hearing was noticed for this time and place to consider an amendment to the Redevelopment Plan for the Redlands Redevelopment Project to establish eminent domain authority to include residential properties within the Project Area. Mayor Haws declared the meeting open as a joint public hearing for the purpose of considering the proposed fourth amendment to the Redevelopment Plan, as amended, for the Redlands Redevelopment Project and the Final Environmental Impact Report (EIR) prepared in connection therewith. The Redevelopment Agency staff will present evidence and testimony regarding this amendment and the Final EIR. Public testimony in connection with the amendment and the Final EIR will also be taken. Mayor Haws noted that under the law, it was his responsibility to preside over this joint public hearing. The State law under which the meeting is proceeding is Part 1 of Division 24 of the Health and Safety Code, commencing with Section 33000 (commonly referred to as the "Community Redevelopment Law") and the California Environmental Quality Act commencing with Section 21000 of the Public Resources Code (commonly referred to as "CEQA").

Community Development Director Shaw reported that based on Community Redevelopment Law (Health and Safety Code Sections 33000 et seq.) requirements, the Redevelopment Agency staff and GRC Redevelopment Consultants recommended action by the Redlands City Council and the Redevelopment Agency of the City of Redlands to adopt Amendment No. 4 to the Redevelopment Plan. Mr. Shaw reviewed the history of the Redevelopment Plan and the formation of a Project Area Committee and the meetings that have been held. On behalf of the City of Redlands and the Redevelopment Agency, Chairman Haws expressed appreciation to the members of the PAC: Chairman Daniel Alguire, Philemon Diaz, Ron Ludikhuize, Joanna Alguire, Bruce Humphries, Wayne Stair, and Richard Burkhart. The joint public hearing was declared open for any written or oral comments. Expressing concerns about eminent domain were: Michael Palmer, Miguel Robles, Jean Zeller, Benjamin Spring and Ann Gupta. A letter was received from Climet Instruments Company, 1320 West Colton Avenue. The joint public hearing was declared closed.

Resolution No. 6195 - Final EIR - Councilmember George moved to adopt Resolution No. 6195, a resolution of the City Council of the City of Redlands certifying the Final Environmental Impact Report for the Fourth Amendment to the Redevelopment Plan, as amended, for the Redlands Redevelopment Project, adopting findings pursuant to the California Environmental Quality Act, and adopting a Statement of Overriding Considerations. Motion seconded by Councilmember Harrison and carried by AYE votes of all present.

Ordinance No. 2556 - Fourth Amendment - Ordinance No. 2556, an ordinance of the City of Redlands approving and adopting the proposed Fourth Amendment to the Redevelopment Plan, as amended, for the Redlands Redevelopment Project, was read by title only by City Clerk Poyzer, and on motion of Councilmember George, seconded by Councilmember Harrison, further reading of the ordinance text was waived, and Ordinance No. 2556 was introduced, by AYE votes of all present, with and laid over under the rules with adoption scheduled for October 7, 2003.



PUBLIC COMMENTS

None forthcoming.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 7:55 P.M. The next regular meeting will be held on October 7, 2003.

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City Clerk