

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 October 1, 2002.

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; Larry Burgess, Library Director (afternoon session); Mel Enslow, Fire Chief; Bonnie Johnson, Finance Director; Ronald C. Mutter, Public Works Director; Karen Olsen, 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 Councilmember Harrison followed by the pledge of allegiance.

PRESENTATIONS

Employee Service - Introductions were made by the department heads and Mayor Gilbreath presented five year service pins to: Bob Dalquest, Planning Division, Community Development Department; Cheryl Crosby, Police Department; Michael Reiss, Police Department; Dempsy Chappell, Fire Department; Vera Rodriguez, Fire Department; Tom Fujiwara, Administration, Public Works Department; Rick Cross, Street Division, Public Works Department; Shannon Trunnell, Library; Monica Ynda, Library; Frank Garcia, Solid Waste Division, Municipal Utilities Department; and Brenda McGlasson, Utility Billing Division, Municipal Utilities Department.

Ten year service pins were presented to: Karen Olsen, Personnel Director; Richard Barnes, Police Department; Mike Landavazo, Police Department; Rich Lindner, Fire Department; Scott MacDonald, Fire Department; and Terry Welsh, Fire Department.

Fifteen year service pins were presented to: Bobby Yzquierdo, Police Department; Leonard Temby, Fire Department; Larry Butler, Administration, Public Works Department; Dennis Andrews, Street Division, Public Works Department; Allen Wilker, Wastewater Division, Municipal Utilities Department; and Gilbert Rodriguez, Water Division, Municipal Utilities Department.

Twenty year service pins were presented to: Beatrice Sanchez, Deputy City Clerk; John Burke, Fire Department; Fred Eberhardt, Fire Department; Darrell Feuerhahn, Fire Department; Joe Pompa, Fire Department; Al Stevens, Fire Department; Cameron Teter, Fire Department; Steve Young, Fire Department; Mary Petite, Administration, Public Works Department; Cynthia Sepulveda, Street Division, Public Works Department; and Bill Keel, Solid Waste Division, Municipal Utilities Department.

Twenty-five year service pins were presented to: Mary Ellen Lambert, Finance Department; Carlos Pimentel, Police Department; Richard Murillo, Electrical Division, Public Works Department; William Roberts, Parks Division, Public Works Department; and Percy Eubanks, Solid Waste Division, Municipal Utilities Department.

In recognition of 30 years of service, a gold watch was presented to: Linda Emmerson, City Manager's Office, and Larry Burgess, Director, A. K. Smiley Public Library.

Employee of the Quarter - City Manager Davidson introduced the following nominees for the Employee of the Quarter award:

Category: Field	
Mike Garcia	Water Line/Fire Specialist Municipal Utilities Department
Category: Safety	
John Burke	Firefighter/Paramedic Fire Department
Steve Dickey	Police Corporal Police Department
Sean Flynn	Police Officer Police Department
Brad Kloepfer	Police Detective Police Department
Todd McMeans	Police Detective Police Department
Carlos Pimentel	Police Sergeant Police Department
Ricky Smith	Police Sergeant Police Department
Category: Administration	
Stephanie Barbo-Jorgenson	Community Service Officer Police Department
Kathy Ramirez	Community Service Officer Police Department
Derek Schott	Recreation Program Coordinator

Police Department

Mayor Haws presented a plaque with the City seal to the selected employees of the quarter as follows:

Mike Garcia - Mr. Garcia was nominated as a result of receiving a letter from a citizen who was grateful for his exemplary customer service especially on Superbowl Sunday.

Carlos Pimentel - Sgt. Pimentel was nominated for being instrumental in developing very vibrant and positive relationships with the community living in his area of responsibility, the North Orange Community Policing Station.

Derek Schott - Mr. Schott was nominated again this quarter by five employees who work with him for his ability to turn his ideas into thriving activities for our citizens and for being a caring mentor for children in the community.

CONSENT CALENDAR

Minutes - On motion of Councilmember Gilbreath, seconded by Councilmember Pepler, the minutes of the regular meeting of September 17, 2002, were approved as submitted.

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

Resolution No. 6075-6076 - CFD District 2002-1 - On motion of Councilmember Gilbreath, seconded by Councilmember Pepler, the City Council unanimously adopted Resolution No. 6075, a resolution of the City Council of the City of Redlands of intention to establish a Community Facilities District (CFD 2002-1, Redlands Business Center) and to authorize the levy of special taxes. On motion of Councilmember Gilbreath, seconded by Councilmember Pepler, the City Council unanimously adopted Resolution No. 6076, a resolution of the City Council of the City of Redlands to incur bonded indebtedness of the proposed City of Redlands Community Facilities District No. 2002-1 (Redlands Business Center) and set a public hearing to be held on November 5, 2002, at 7:00 P.M. or as soon thereafter as City Council business permits.

Planning Commission Actions - On motion of Councilmember Gilbreath, seconded by Councilmember Pepler, the report of the Planning Commission meeting held on September 24, 2002, was acknowledged as received.

Contract - Business License Software - A contract with HdL Software, LLC for business license software for the City Treasurer's Office was withdrawn from the agenda.

Proclamation - On motion of Councilmember Gilbreath, seconded by Councilmember Pepler, the City Council unanimously authorized issuance of a proclamation declaring the month of October, 2002, as Breast Cancer Awareness Month and inviting all who wish to participate in the Inland Empire Komen Race for the Cure ® on October 20, 2002.

Fee Waiver - Optimist Club of Redlands - On motion of Councilmember Gilbreath, seconded by Councilmember Pepler, the City Council unanimously approved a fee waiver to the Optimist Club of Redlands for use and reservation of the bandstand (gazebo) in Sylvan Park on July 19, 2003, for their annual car show.

Resolution No. 6084 - Grant Application - On motion of Councilmember Gilbreath, seconded by Councilmember Pepler, the City Council unanimously adopted Resolution No. 6084 authorizing the submittal of an application to the California Integrated Waste Management Board for the 2002/2003 Waste Tire Track and Other Recreational Surfacing Grant Program for a recreational jogging track at the sports complex.

Agreement - Texas Street Pumping Plant - On motion of Councilmember Gilbreath, seconded by Councilmember Pepler, the City Council unanimously approved an agreement for the amount of \$21,805.00 to furnish services for subsurface site investigations at the Texas Street pumping plant with Warren Duncan Contracting, authorized the Mayor and City Clerk to execute the document on behalf of the City, and authorized staff to approve contingent costs up to ten percent (10%) over the initial amount.

Funds - CVP Patrol Vehicle - On motion of Councilmember Gilbreath, seconded by Councilmember Pepler, the City Council unanimously authorized an additional appropriation not to exceed \$20,000.00 to purchase a patrol vehicle for the Citizen Volunteer Patrol unit. These funds are available through the CVP donation account.

Funds - Grant Receipt - On motion of Councilmember Gilbreath, seconded by Councilmember Pepler, the City Council unanimously accepted the State of California Office of Traffic Safety Seat Belt Compliance Campaign Grant; authorized the Mayor and City Clerk to execute the State of California Office of Traffic Safety Seat Belt Compliance Campaign Grant agreement and award up to \$14,015.00 on behalf of the City; and authorized an additional appropriation up to \$14,015.00 and approved the grant budget and personnel as contained in the staff report.

Lugonia Avenue Street Improvement - On motion of Councilmember Gilbreath, seconded by Councilmember Pepler, the City Council unanimously directed staff to design and obtain bid estimates for the Lugonia Avenue Street

Improvement Project for the widening of Lugonia Avenue between Orange Street and Tribune Street as part of the Neighborhood Initiative Program.

PLANNING AND COMMUNITY DEVELOPMENT

Land Uses Evaluation - Community Development Director Shaw explained that at the September 17, 2002, City Council meeting, the public hearing was opened to discuss the entitlements being requested by Western Realco. Their project includes General Plan, Specific Plan and Concept Plan amendments that include modifying the land use component of the area bounded by San Bernardino Avenue on the north, Lugonia Avenue on the south, California Street on the east and Mountainview Avenue on the west. Councilmember George had expressed concerns with the land use amendments and specifically issues with the number of large regional warehouse distribution centers being developed in this area. His concerns included truck traffic, air pollution, and utilization of land (as a limited resource). Councilmember Harrison had also indicated he had similar concerns. The City Council suggested these issues, while specific to this project, were also applicable to the broader East Valley Corridor area, and that a discussion of land use alternatives in a study session format prior to the next hearing on Western Realco would be beneficial. A joint meeting with the Planning Commission for a similar study session has also been scheduled for October 8, 2002, at 2:00 P.M. At this time, Community Development Director Shaw reviewed his staff report through a PowerPoint presentation covering the background of the East Valley Corridor Specific Plan; a comparison of office, commercial, industrial and warehouse uses; a similar study prepared in 1996 in the City of Ontario; development phases; the study area; the General Plan and zoning as it applies to the study area; and potential alternatives. Economist John Husing also addressed the City Council and suggested the City not offer any incentives for warehousing unless there is a high sales tax involved and to keep warehousing isolated from residential and retail. Councilmember George complimented Community Development Director Shaw for a job well done in such a short period of time.

COMMUNICATIONS

Adjourned City Council Meetings - The City Council will adjourn this meeting to Tuesday, October 8, 2002, at 2:00 P.M. in the City Council Chambers to meet jointly with the Planning Commission to continue the study session regarding the evaluation of land uses. The City Council will also meet on Tuesday, October 15, 2002, at 2:00 P.M. in the City Council Chambers to discuss the 2002-03 budget.

Fee Waiver - Family Service Association - Betsy Heinze, President of the Family Service Association of Redlands, reviewed a letter from their Board of Directors dated August 24, 2002, asking for a waiver or large reduction of the fees required by the City for their relocation and expansion project at the facilities on Lawton Street. It was noted there are \$55,000.00 Community Development Block Grant funds allocated for off-site improvements. Councilmember Haws moved to continue this request and directed staff to

return with a report on November 5, 2002, to include special fees and their breakdown (including CDBG allocations), clarification of the legal issues, a history of past waivers of fees of this type, an exploration for fee sharing under the Redevelopment Agency, possible credit for off-sites, and the possibility of an extended payment plan. Motion seconded by Councilmember George and carried unanimously.

CLOSED SESSION

The City Council meeting recessed at 5:14 P.M. to a closed session to discuss the following:

1. Conference with real property negotiator -
Government Code Section 54956.8
 - a. Property: Mountain Crest Apartments
Negotiating parties: Jim Bueermann and Chuck Fry
Under negotiation: Terms and price
 - b. Property: APNs 167-161-10 and 167-221-16
Negotiating parties: Linda Emmerson and Wilson Chen
Under negotiation: Terms and price
 - c. Property: APNs 171-271-11 and 171-271-13
Negotiating parties: Linda Emmerson and Calvin McLean
Under negotiation: Terms and price
 - d. Property: 617 North Texas Street
Negotiating parties: John Davidson and Major Ed Marlow
Under negotiation: Terms and price
 - e. Property: APNs 292-172-03, 292-172-5, and 292-166-09
Negotiating parties: John Davidson and Terry Vines
Under negotiation: Terms and price
2. Conference with legal counsel: Existing litigation -
Government Code Section 54956.9(a)
 - a. The Redlands Association v. City of Redlands - SSCVSS 79374
 - b. City Council v. City Clerk and The Redlands Association - E032138

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

Conditional Use Permit No. 753 - California Street Landfill - Public notice was advertised for this time and place to consider an Environmental Impact Report and a conditional use permit for the expansion of the California Street Landfill consisting of a horizontal expansion of an additional 51.65 acres, a vertical

expansion to increase the maximum height from 1,238 feet above mean sea level to 1,255 feet on the existing 43 acre West Side Landfill site and the proposed 51.65 acre expansion area, and to increase the maximum daily loading of the landfill located along the south bank of the Santa Ana River between California Street and Nevada Street in the Public Institutional District of the East Valley Corridor Specific Plan Area. Community Development Director Shaw explained the process and recommendations from the Planning Commission. Solid Waste Manager Gary Van Dorst presented information regarding the need for this expansion, the project and its minimal visual impact. Mayor Haws declared the meeting open as a public hearing for any questions or comments. None being forthcoming, the public hearing was declared closed. Councilmember Pepler moved to certify the Final Environmental Impact Report for the California Street Landfill Expansion Project; to adopt the findings of fact and statement of overriding considerations pursuant to Section 21081 of the California Environmental Quality Act, and to adopt the Mitigation Monitoring and Reporting Program. Motion seconded by Councilmember Harrison and carried unanimously. Councilmember Pepler moved to approve Conditional Use Permit No. 753 subject to the findings and Conditions of Approval contained in the staff report. Motion seconded by Councilmember Harrison and carried unanimously.

UNFINISHED BUSINESS

Redlands Municipal Airport Security System - Public Works Director Mutter reported the City Council approved an agreement on May 7, 2002, to install a security system at the Redlands Municipal Airport and appropriated \$104,518.00 to the Aviation Operating Fund. By the third week in July, the gate access control system was completed at the airport. The City Council adopted Resolution No. 6066 on July 16, 2002, establishing the fee for gate card issuance. The Public Works Department staff, working with the Police Department staff, formulated a gate card application for use. On July 22, 2002, the process of issuing gate cards was initiated. The process required everyone seeking to acquire a gate card to complete an application. The information required on the application was necessary in order for the Police Department to provide the appropriate level of security at the airport. The application was also reviewed by the City Attorney who determined that the information requested on the application was reasonable. There have been some individuals who refuse to provide the required information on the gate card because they felt that their privacy rights were being violated. In response to their concerns, meetings were held among the Police Department staff, Public Works Department staff, City Attorney and City Manager to discuss the issues. The outcome of the meetings was that some of the required information on the original application was deleted, modified, or made optional. The new application was implemented on September 11, 2002. There are people at the airport who still refuse to provide the information on the gate card application. Consequently, no gate cards were issued to these people. In the meantime, staff is keeping one

of the "old" gates in operation so that these people will still be able to access the airport by vehicle. The result of this is the security system at the airport is breached. Public Works Director Mutter described the airport security plan that has been installed. At this time, an implementation policy mutually compiled by the Police Department and the Public Works Department is recommended: that the City shall have an exclusive right to control all accesses to the airport as permitted by the tenant master lease agreement; that no airport access gate card shall be considered for issuance unless all of the required information on the application is provided; that no more than one gate card shall be issued per individual; and that gate card fees outlined in City Council Resolution No. 6066, adopted July 16, 2002, shall apply without exception.

Expressing concerns about the new security system and the process to receive an airport access gate card were: Eric Paul, Redlands Hangar Owners Association; Edwin H. Krick, Sr. M.D., Aerodynamics, Inc.; John Marquiss; Shauna Hodgins; Terry Harbison; Larry Fortier; David C. Blythe; Paul Wohlers; Deborah Davidson; Edwin Krick, Jr., Aerodynamics, Inc.; Sandy Suhay, Suhay Aircraft Company; Rafael Garcia; and Scott Showler. Airport Advisory Board members speaking in favor of the new security system were: John E. James, Bob Pearce, and Eric Fraser who also felt more review might be advantageous considering the information heard at this meeting. Expressing appreciation for the City's efforts was Bryon Jansen; Redlands Aviation. Prior to the meeting, correspondence to the City Council was received from Larry Fortier and Chuck Luetterodt expressing concerns about the new security system.

Police Chief Bueermann and Public Works Director Mutter responded to comments made and stated they would like to continue a dialog with airport users to work out solutions to their concerns. Councilmember Gilbreath moved to approve the Redlands Municipal Airport security system implementation policy as recommended by staff with the caveat staff continue to receive input. Following discussion, she withdrew her motion with the understanding staff would arrange to hold a special meeting of the Airport Advisory Board next week with Police Chief Bueermann and Public Works Director Mutter and report back to the City Council at the October 15, 2002, meeting.

The City Council meeting recessed briefly before the next item was discussed.

Northside Library Project - Councilmember Pepler reported the action on the Northside Library project would be re-scheduled.

Ordinance No. 2515 - Prohibit Smoking at Market Night - Ordinance No. 2515, an ordinance of the City of Redlands amending Chapter 8.54 of the Redlands Municipal Code relating to the prohibition of smoking at Market Night, was presented for the City Council's consideration following a presentation by the San Bernardino County Museum Youth Club at the September 17, 2002,

Council meeting. Michelle Artinian, a representative of the American Cancer Society at Redlands High School, urged approval of this ordinance. Ordinance No. 2515 was read by title only by City Clerk Poyzer, and on motion of Councilmember George, seconded by Councilmember Pepler, further reading of the ordinance text was unanimously waived, and Ordinance No. 2515 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for October 15, 2002.

NEW BUSINESS

Ordinance No. 2509 - Building Standards Code - Ordinance No. 2509, an ordinance of the City of Redlands amending Chapter 15.04 of the Redlands Municipal Code by making amendments to, and adopting, by reference, the 2001 California Building Standards Code, Part 2 of Title 24 of the California Code of Regulations, 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, and Ordinance No. 2509 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for October 15, 2002.

Ordinance No. 2510 - Plumbing Code - Ordinance No. 2510, an ordinance of the City of Redlands amending Chapter 15.08 of the Redlands Municipal Code by making amendments to, and adopting, by reference, the 2001 California Plumbing Code, Part 5 of Title 24 of the California Code of Regulations, 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, and Ordinance No. 2510 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for October 15, 2002.

Ordinance No. 2511 - Mechanical Code - Ordinance No. 2511, an ordinance of the City of Redlands amending Chapter 15.16 of the Redlands Municipal Code by making amendments to, and adopting, by reference, the 2001 California Mechanical Code, Part 4 of Title 24 of the California Code of Regulations, 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, and Ordinance No. 2511 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for October 15, 2002.

Ordinance No. 2512 - Electrical Code - Ordinance No. 2512, an ordinance of the City of Redlands amending Chapter 15.12 of the Redlands Municipal Code by making amendments to, and adopting, by reference, the 2001 California Electrical Code, Part 3 of title 24 of the California Code of Regulations, 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, and Ordinance No. 2512 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for October 15, 2002.

PUBLIC COMMENTS

Skateboard Park - Tom Worth and Peter Duperron urged the City Council to consider building a free public skateboard park and they felt it would be a good addition to the City. They offered their assistance in this endeavor. Mayor Haws said consideration of a skateboard was now on "radar" since the closure of the Brickyard meant the City would not be competing with private enterprise.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 10:10 P.M. to an adjourned regular meeting to be held on Tuesday, October 8, 2002, at 2:00 P.M. in the City Council Chambers, 35 Cajon Street, Redlands, California.

City Clerk