

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 March 18, 2003.

There being no quorum present, the City Clerk recessed the meeting to 7:00 P.M.

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; Beatrice Sanchez, Deputy City Clerk; Michael Reynolds, City Treasurer; Jim Buermann, Police Chief; Mel Enslow, Fire Chief; Ronald C. Mutter, Public Works Director; Gary G. Phelps, Municipal Utilities Director; Jeffrey L. Shaw, Community Development Director; and Tom Steele, Accounting Manager, Finance Department.

The meeting was opened with Councilmember George who asked those present to join him in a moment of silence to pray for peace followed by the pledge of allegiance.

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 March 4, 2003, were approved as submitted.

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

Lease-Purchase Agreement - Police Vehicles - Following discussion regarding capital expenditures, Councilmember Haws moved to approve a lease purchase agreement with Ford Motor Credit Company for four Crown Victoria sedans and one Expedition SUV for the police department with the understanding staff would return with an appropriation request at the next meeting. Motion seconded by Councilmember George and carried with Councilmember Gilbreath voting NO and Councilmember Pepler being absent.

Planning Commission Actions - On motion of Councilmember Gilbreath, seconded by Councilmember George, the report of the Planning Commission meeting held on March 11, 2003, was acknowledged as received.

Contract Amendment - Sports Park EIR - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council approved, by AYE votes of all present, Revision No. 4 to the Michael Brandman Associates contract for preparation of an Environmental Impact Report/Environmental Assessment (EIR/EA) for the sports park.

Contract - Business License Software - Following discussion regarding capital expenditures, Councilmember Haws moved to approve a contract with Hdl Software LLC for business license software for the City Treasurer's office with the understanding staff would return with an appropriation request at the next meeting. Motion seconded by Councilmember George and carried with Councilmember Gilbreath voting NO and Councilmember Pepler being absent.

Doors - Redlands Bowl - The request to issue a purchase order for removal and replacement of doors at the Redlands Bowl was withdrawn from the agenda.

Agreement - Lugonia Avenue Street Improvement Plans - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council approved, by AYE votes of all present, a consultant services agreement with Hicks and Hartwick, Inc. for preparing street improvement plans for the widening of Lugonia Avenue between Church Street and Orange Street in the amount of \$12,000.00.

Funds - Engineering Consulting Services - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council authorized, by AYE votes of all present, an additional appropriation and issuance of a purchase order in the amount of \$100,000.00 for engineering consulting services to Willdan to assist the Public Works Department in their plan review process.

Agreement - Exchange Entitlement Water - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council approved, by AYE votes of all present, an agreement to exchange entitlement water with Steven and Sharon Guggisberg and authorized the Mayor and City Clerk to execute the document on behalf of the City.

Mutual Water Company Water Stock Purchase - Due to a potential conflict of interest, Councilmember Gilbreath did not participate in this matter; a Public Disclosure of Potential Conflict of Interest form is on file in the City Clerk's Office. On motion of Councilmember George, seconded by Councilmember Harrison, the City Council approved the purchase of 444 shares of Bear Valley Mutual Water Company stock from Frank Gaspar for a total price of \$55,500.00

with Councilmember Gilbreath having abstained and Councilmember Pepler being absent.

Contract Amendment - Recycled Water Project - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council approved, by AYE votes of all present, Southern California Integrated Watershed Program Grant Funding Contract Amendment No. 2 with the Santa Ana Watershed Project Authority which provides \$5 million in funding for the Recycled Water Project.

Agreement - Building A Generation - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council approved, by AYE votes of all present, an independent contractor agreement with Dustin Clelen for the purpose of conducting case management services for the Children and Families Commission grant for Building A Generation and authorized the Mayor and City Clerk to execute the document on behalf of the City.

Agreement - Building A Generation - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council approved, by AYE votes of all present, an independent contractor agreement with Jennifer Camp for the purpose of conducting case management services for the Children and Families Commission grant for Building A Generation and authorized the Mayor and City Clerk to execute the document on behalf of the City.

Phone System - Community Center - Following discussion regarding capital expenditures, the request for the purchase of a Definity phone system upgrade for the Community Center was withdrawn and may be returned with further information at a future meeting.

Settlement Agreement - Roberts/Tiedt - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council acknowledged a settlement agreement with Messrs. Daniel Roberts and Kurt Tiedt and authorized the Mayor and City Clerk to execute the document on behalf of the City.

## COMMUNICATIONS

Appointments - Housing Commission - Mayor Haws moved to nominate Peter Rey Aguilar to a four-year term on the Housing Commission. Motion seconded by Councilmember George and carried by AYE votes of all present. Mr. Aguilar was present and expressed his appreciation to the City Council for the appointment. Mayor Haws moved to reappoint Barbara Gallert to another four-year term on the Housing Commission. Motion seconded by Councilmember Harrison and carried by AYE votes of all present.

Fee Waiver - Redlands Bicycle Classic - On behalf of the Redlands Bicycle Classic, Director Jim Reed and Brian King addressed the City Council extolling the benefits the Redlands Bicycle Classic brings to town. Mayor Haws praised the organizers of this Premier event and moved to waive all City-related fees, costs and charges associated with the 19th annual race to be held on April 1-6, 2003. Motion seconded by Councilmember George and carried by AYE votes of all present.

San Timoteo Creek Restoration Study - Councilmember George explained the Federal government is authorized to conduct investigations and studies to improve the quality of the environment and has provided a draft letter to the U. S. Army Corps of Engineers asking them to initiate an environmental restoration study for the San Timoteo Creek project. The City will seek Proposition 40 and Proposition 50 bond funding to assist with the local sponsorship share with the understanding the project will not proceed if matching funds are not obtained. Councilmember George moved to authorize preparation of a letter to be forwarded to the U. S. Army Corps of Engineers under the Mayor's signature. Motion seconded by Councilmember Harrison and carried by AYE votes of all present.

## PLANNING AND COMMUNITY DEVELOPMENT

Residential Development Allocation - Community Development Director Shaw presented requests for consideration of Residential Development Allocations as follows:

1. RDA 2003-I-01 - Tentative Tract Map No. 16390, an approved residential subdivision consisting of 139 residential lots on 46.45 acres located along the south bank of the Santa Ana River, west of Orange Street and north of Pioneer Avenue, in the R-E (Residential Estate) District and R-1 (Single Family Residential) District - Beazer Homes, applicant
2. RDA 2003-I-02 - Tentative Tract No. 16350, an approved residential subdivision consisting of 37 lots on 4.91 acres in Specific Plan No. 56 located on the south side of Orange Avenue, approximately 300 feet west of Tennessee Street - Quantum Structures, LLC, applicant
3. RDA 2003-I-03 - Tentative Tract No. 16360, an approved 76 lot subdivision on approximately 8.86 acres in Specific Plan No. 57 located at the southeast corner of Orange Avenue and Iowa Street - Alexander Communities, applicant

Community Development Director Shaw explained the Residential Development Allocation process and analysis. The minimum required by the Redlands Municipal Code to receive development allocations for residential development is 90 points. The three projects received points as follows:

RDA 2003-I-01 - Beazer Homes	90 points
RDA 2003-I02 - Quantum Structures, Inc.	86 points
RDA 2003-I-03 - Alexander Communities	75 points

Jerry Zigrossi, Quantum Structures, addressed the City Council describing his project as it was approved by the City Council. On behalf of Alexander Communities, Pat Meyer addressed the City Council asking why the points allocated were different from that of the same project on Fern Avenue which was approved last year. City Planner Jaquess explained the Historical points allocated for the Alexander Communities project reflected the Historic and Scenic Preservation Commission's concerns about demolishing an existing house and covering an historic ditch. Historic and Scenic Preservation Commissioner Dan Eliseuson clarified the Commission's position.

RDA 2003-I-01 - Beazer Homes - Councilmember Gilbreath moved to approve the allocation of 35 units to RDA 2003-I-01, Beazer Homes. Motion seconded by Councilmember George and carried by AYE votes of all present. Councilmember Gilbreath moved to authorize an additional five (5) units to RDA 2003-I-01, Beazer Homes. Motion seconded by Councilmember George and carried by AYE votes of all present.

RDA 2003-I-02 - Quantum Structures - Councilmember Gilbreath moved to change the point allocations for the Quantum Structures' project as follows: add two (2) points under Architectural Design, add two (2) points under Site and Grading Design, and add one (1) point under Landscaping. Motion seconded by Councilmember George and carried by AYE votes of all present. Councilmember Gilbreath moved to approve the allocation of 35 units to RDA 2003-I-02, Quantum Structures. Motion seconded by Councilmember George and carried by AYE votes of all present. Councilmember Gilbreath moved to authorize an additional 12 units to RDA 2003-I-02, Quantum Structures. Motion seconded by Councilmember George and carried by AYE votes of all present.

RDA 2003-I-03 - Alexander Communities - Councilmember Gilbreath moved to change the point allocations for the Alexander Communities' project as follows: add five (5) points under Location, add two (2) points under Architectural Design, add three (3) points under Site and Grading Design, add three (3) points under Landscaping, add five (5) points under Open Space, and add two (2) points under Historical. Motion seconded by Councilmember George and carried by AYE votes of all present. Councilmember Gilbreath moved to approve the allocation of 35 units to RDA 2003-I-03, Alexander Communities. Motion seconded by Councilmember George and carried by AYE votes of all present. Councilmember Gilbreath moved to authorize an additional five (5) units to RDA 2003-I-03, Alexander Communities. Motion seconded by Councilmember George and carried by AYE votes of all present.

Residential Development Allocation Policy - Councilmembers had discussed the process at length and agreed that the Planning Commission should also review the entire package when all points have been assigned in order to make a subjective decision regarding the total points to be recommended to the City Council.

## LAND USE

Resolution No. 6138 - Specific Plan No. 25 Amendment - Public hearing was advertised for this time and place to consider Resolution No. 6138, a resolution of the City of Redlands adopting Amendment No. 5 to Specific Plan No. 25 to include a provision allowing for variances. Community Development Director Shaw explained that Specific Plan No. 25 encompasses an area of approximately 68.3 acres and is generally located at the west end of the City, 1,300 feet east of California Street, 1,300 feet west of Alabama Street, south of Lugonia Avenue, and north of the I-10 Freeway. The need for this amendment arose during the processing of pending project (Commission Review and Approval No. 746 and Variance No. 645). The proposed amendment will refer to the variance provision of the Redlands Municipal Code. 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 Harrison moved to adopt Resolution No. 6138. Motion seconded by Councilmember George and carried by AYE votes of all present.

Pence Construction - 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 Variance No. 645, a variance from Section 3 A.4.d.3 of Specific Plan No. 25 to allow a four-foot reduction, from 25 feet to 21 feet, of the required building setback from Nevada Street for a two-story, 23,000 square foot building and for a variance from Section 3 A.4.d.1 of Specific Plan No. 25 to allow a 5.5-foot reduction, from 15 feet to 9.5 feet, of the required landscape setback from the Interstate 10 right-of-way for property located on the southwest corner of Orange Tree Lane and Nevada Street in the Urban Services Commercial District of Specific Plan No. 25 and Commission Review and Approval No. 746 for the construction of a two-story 23,000 square foot office building on a 1.47-acre vacant parcel located at the southwest corner of Orange Tree Lane and Nevada Street in the Urban Services Commercial District of Specific Plan No. 25. Community Development Director Shaw described the project. Mayor Haws declared the meeting open as a public hearing for any questions or comments. On behalf of the applicant, Chris Perhach addressed the City urging approval of this Class A office building. There being no further comments, the public hearing was declared closed.

Mitigated Negative Declaration - Councilmember George moved to approve the Environmental Review Committee's mitigated negative declaration for Variance No. 645 and Commission Review and Approval No. 746 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 by AYE votes of all present.

Socio-Economic Analysis and Cost/Benefit Study - Councilmember George moved to approve the Socio-Economic Analysis and Cost/Benefit Study for Variance No. 645 and Commission Review and Approval No. 746 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 by AYE votes of all present.

Variance No. 645 - Councilmember George moved to approve Variance No. 645 subject to the findings and conditions of approval contained in the staff report. Motion seconded by Councilmember Harrison and carried by AYE votes of all present.

Commission Review and Approval No. 746 - Councilmember George moved to approve Commission Review and Approval No. 746 subject to the findings and conditions of approval contained in the staff report. Motion seconded by Councilmember Harrison and carried by AYE votes of all present.

#### PUBLIC COMMENTS

None forthcoming

#### CLOSED SESSION

The City Council meeting recessed at 8:50 P.M. to a the Redevelopment Agency meeting and reconvened at 8:53 P.M. at which time Mayor Pro Tem Susan Pepler was present. The meeting recessed to a closed session to discuss the following:

1. Conference with legal counsel: Anticipated litigation - Government Code Section 54956.9(b) - one case

The City Council meeting reconvened at 8:27 P.M.

#### ANNOUNCEMENT

Settlement Agreement - Bonnie Johnson - City Attorney McHugh announced the City Council, by unanimous vote, approved a General and Special Release and Settlement Agreement with Bonnie Johnson, the former Finance Director; Ms. Johnson submitted her resignation effective March 18, 2003.

#### ADJOURNMENT

There being no further business, the City Council meeting adjourned at 9:29 P.M. The next regular meeting will be held on April 1, 2003.

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City Clerk