

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 November 18, 2003.

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; 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 Harrison followed by the pledge of allegiance.

#### PRESENTATIONS

Sister Cities - Councilmember Harrison reported he was a member of a group of 11 people representing the City of Redlands and the Sister City Committee on a recent visit to Hino, Japan, celebrating the 40th anniversary of the Sister City relationship. He and Sister City Committee President Roy Cencirulo and Lowena Anderson shared the many gifts received including a plaque to be placed near the Japanese stone lantern located in Smiley Park. The plaque reads "This Japanese stone lantern, or "Ishi Dohroh," symbolizes the sister city friendship maintained for years between Hino, Tokyo, and Redlands, California. It is also a tribute to the late Toshiko Nakada, an educator and grassroots advocate, who tirelessly contributed to the promotion of Sister City spirit and cross-cultural understanding between Japanese and American youths." The gifts were on display during the City Council meeting and will be displayed in the Japanese Showcase located in the City Council Chambers.

Proclamation - National Alzheimer's Disease Month - On motion of Councilmember Haws, seconded by Councilmember Pepler, the City Council unanimously authorized issuance of a proclamation declaring the month of November, 2003, as National Alzheimer's Disease Month. Councilmember Gilbreath presented the proclamation to Todd Landry, Board Member, and Florine Boyer, Executive Director, of the Riverside/San Bernardino Counties Alzheimer's Association which is now located at 104 East State Street, Suite B.

Mr. Landry announced a golf tournament will be held on June 7, 2004, at the Redlands Country Club to benefit the Alzheimer's Association.

## CONSENT CALENDAR

Minutes - On motion of Councilmember George, seconded by Councilmember Pepler, the minutes of the regular meeting of November 4, 2003, were approved as submitted.

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

Planning Commission Actions - On motion of Councilmember George, seconded by Councilmember Pepler, the report of the Planning Commission meeting held on Wednesday, November 12, 2003, was acknowledged as received.

Ordinance No. 2557 - Socio-Economic Analysis and Cost/Benefit Study - Ordinance No. 2557 an ordinance of the City of Redlands adding Title 16 and Chapter 16.02 to the Redlands Municipal Code relating to implementation of the Redlands General Plan's Socio-Economic Analysis and Cost/Benefit Study requirements, was unanimously adopted on motion of Councilmember George, seconded by Councilmember Pepler.

Annual Report - General Plan - On motion of Councilmember George, seconded by Councilmember Pepler, the City Council unanimously approved the Annual General Plan Report as submitted and authorized its forwarding to the Office of Planning and Research and Department of Housing and Community Development.

BEDAC Actions - On motion of Councilmember George, seconded by Councilmember Pepler, the report of the Business and Economic Development Advisory Commission meeting held on November 5, 2003, was acknowledged as received.

Proclamation - Great American Smokeout - On motion of Councilmember George, seconded by Councilmember Pepler, the City Council unanimously authorized issuance of a proclamation declaring Thursday, November 20, 2003, as the American Cancer Society's *Great American Smokeout Day*.

Resolution No. 6209 - Traffic - On motion of Councilmember George, seconded by Councilmember Pepler, the City Council unanimously adopted Resolution No. 6209, 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: create a "No Parking" zone for a total of 146 feet on the end of the cul-de-sac at Indiana Court, located south of Lugonia Avenue.

Resolution No. 6210 - Grant Funds Application - On motion of Councilmember George, seconded by Councilmember Pepler, the City Council unanimously

adopted Resolution No. 6210, a resolution of the City of Redlands rescinding Resolution No. 6200 and approving the application for grant funds from the Roberti-Z'Berg-Harris Block Grant Program under the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Act of 2002.

Redlands Sports Park - Tree Grant Application - On motion of Councilmember George, seconded by Councilmember Pepler, the City Council unanimously authorized staff to apply jointly with the Redlands Horticulture Society for the National Tree Trust 2004 Roots Grant for Community Action for the Redlands Sports Park in the amount of \$25,000.00 and agree to the 1:1 match requirement and agree to allow the trees, if obtained by the grant, to be planted in the Redlands Sports Park.

Funds - Agreement - Tennessee/New York/Lugonia Design - On motion of Councilmember George, seconded by Councilmember Pepler, the City Council unanimously appropriated funds in the amount of \$60,000.00 and approved a consultant services agreement with Hicks and Hartwick, Inc. of Redlands for the preparation of the engineering design, plans and right-of-way documents for Tennessee Street, New York Street, and Lugonia Avenue for a not to exceed fee of \$57,400.00 plus reimbursable expenses.

Purchase and Sale Agreements - Cell Towers - On motion of Councilmember George, seconded by Councilmember Pepler, the City Council unanimously approved two purchase and sale of easement, lease and successor lease agreements with Wireless Capital Partners, LLC for cell tower leases.

1350 Zone Reservoir and Transmission Main Pipeline Project - On motion of Councilmember Gilbreath, seconded by Councilmember Pepler, the City Council unanimously authorized staff to approve contingent costs up to 30 percent over the total bid amount for the contract with Trautwein Construction, based on actual project quantities, for the 1350 Zone Reservoir and Transmission Main Pipeline Project.

Funds - Agreement - Henry Tate Surface Water Treatment Plant - On motion of Councilmember George, seconded by Councilmember Pepler, the City Council unanimously approved an agreement with Black and Veatch Corporation to furnish construction management services for the upgrades to the Henry Tate Surface Water Treatment Plant project, in the amount of \$273,700.00, authorized the Mayor and City Clerk to execute the agreement on behalf of the City, and authorized staff to approve contingent costs up to 10 percent over the initial amount. On motion of Councilmember George, seconded by Councilmember Pepler, the City Council unanimously approved an additional appropriation in the amount of \$310,000.00 in the Water Bond Project Fund for the project to ensure funds are available and committed to cover the project's contingent costs.

Agreement - Wireless Internet Antenna - On motion of Councilmember George, seconded by Councilmember Pepler, the City Council unanimously approved a wireless service facility lease agreement with Tower Foundations for the placement of a wireless Internet antenna on the City's Crafton Hills Water Tank.

Resolution No. 6217 - Grant Agreement - Redlands Municipal Airport - On motion of Councilmember George, seconded by Councilmember Pepler, the City Council unanimously adopted Resolution No. 6217, a resolution of the City Council of the City of Redlands, State of California, authorizing application, acceptance, and execution of a grant agreement with CalTrans for a matching grant for an FAA approved project under the Airport Improvement Program (AIP) No. 3-06-0195-07, for runway and taxiway improvements at the Redlands Municipal Airport.

Resolution No. 6216 - Building A Generation - On motion of Councilmember George, seconded by Councilmember Pepler, the City Council unanimously authorized termination of all independent contractor agreements with Dustin Clelen, Jennifer Camp, Maureen O'Keefe Hodge, Rosa T. Lopez, Cherie Burris, Valarie Peterson, Jesse Gonzalez, Morton Anthony C. Frankson, Gabriela Alonso, Sherry Edwards, and Justin Kruizenga, relative to Building A Generation and First Five pursuant to the terms of the contracts, and authorized the Mayor and City Clerk to execute the First Five Contract terminating the contract with the City of Redlands on behalf of the City. On motion of Councilmember George, seconded by Councilmember Pepler, the City Council unanimously approved Resolution No. 6216, a resolution of the City Council of the City of Redlands rescinding Resolution No. 6191 which authorized the Redlands Police Department to administer the CDBG Grant awarded by the County of San Bernardino to the United Way for programs sponsored by Building A Generation. On motion of Councilmember George, seconded by Councilmember Pepler, the City Council unanimously directed the Finance Director to reconcile all remaining funds from the grant to Building A Generation after reconciliation has been completed. Maureen O'Keefe Hodge reported that Building A Generation received its non-profit status and the First Five Commission has approved terminating the contract with the City of Redlands effective December 1, 2003, and working directly with Building A Generation. She expressed appreciation to staff and the City Council, and especially Police Chief Bueermann for taking on their program in order to implement grants and programs received by the organization until it received its non-profit status. and reviewed their accomplishments during the past year. Nancy Pimenthal, the new Executive Director of Building A Generation, was also introduced.

Lease Agreement - Scout House - On motion of Councilmember George, seconded by Councilmember Pepler, the City Council unanimously approved a lease agreement with the Friends of Scouting for the Mentone Scout House

located at the corner of Amethyst and State Route 38 in Mentone and authorized the Mayor and City Clerk to execute the lease agreement on behalf of the City.

MOU - RAMME - On motion of Councilmember George, seconded by Councilmember Pepler, the City Council unanimously ratified the Memorandum of Understanding (MOU) with the Redlands Association of Mid-Management Employees (RAMME) and authorized the Mayor and City Clerk to execute the MOU on behalf of the City.

MOU - GEAR - On motion of Councilmember George, seconded by Councilmember Pepler, the City Council unanimously ratified the Memorandum of Understanding (MOU) with the San Bernardino Public Employees Association representing the General Employees Association of Redlands (GEAR) and authorized the Mayor and City Clerk to execute the MOU on behalf of the City.

Resolution No. 6218 - Salary - On motion of Councilmember George, seconded by Councilmember Pepler, the City Council unanimously adopted Resolution No. 6218, a resolution of the City Council of the City of Redlands establishing a salary schedule and compensation plan for City employees which reflects the salary increases for the General Employees Association of Redlands and Redlands Association of Mid-Management Employees approved by the City Council in the Memoranda of Understanding for July 1, 2003, through June 30, 2004.

Funds - Donation - Paramedic Program - On motion of Councilmember George, seconded by Councilmember Pepler, the City Council unanimously accepted a donation of \$48,815.80 from the Estate of Jacqueline White to the City of Redlands Paramedic Program and authorized the expenditure of that amount for the purchase of paramedic equipment. This generous gesture by Mrs. White was in appreciation of the medical services provided by the Redlands Firefighters/Paramedics to her and her late husband.

## COMMUNICATIONS

Sports Park Update - Public Works Director Mutter introduced Senior Civil Engineer Bill Hemsley who presented a PowerPoint reviewing the history and current status of the Sports Park. Mr. Hemsley expressed appreciation to Mayor Haws for his work on this project and apologized that it was not completed during his term due to circumstances (especially the San Bernardino Kangaroo Rat) out of their control. Mayor Haws expressed his appreciation to Public Works Director Mutter and his staff for their efforts and extended his personal thanks to Mr. Hemsley for his outstanding performance.

Trails Update - An updated trails map was provided to each Councilmember. Public Works Director Mutter reported the Trails Committee will continue to

work on this project especially in the canyon areas and prepared a General Plan amendment for the entire community. Mayor Haws reminded staff and Councilmembers that the basic philosophy behind this project is that the trails do not need development and maintenance, connectivity is very important, and that the property owners in the canyon are serving on the committee and that the details need to be worked through on a case-by-case basis.

#### JOINT MEETING - CITY COUNCIL AND REDEVELOPMENT AGENCY

Resolution No. 6215 - Great Neighborhood Program - Councilmember George moved to adopt Resolution No. 6215, 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 Gilbreath and carried unanimously. (Also see Resolution No. 367 in the Redevelopment Agency minutes for November 18, 2003.)

Resolution No. 6222 - Subordination Agreement - Councilmember George moved to adopt Resolution No. 6222, 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 Home Buyer's Program. Motion seconded by Councilmember Gilbreath and carried unanimously. (Also see Resolution No. 369 in the Redevelopment Agency minutes for November 18, 2003.)

#### CLOSED SESSION

The City Council meeting recessed at 3:46 P.M. to continue the Redevelopment Agency meeting and reconvened at 3:47 P.M. to a closed session to discuss the following:

1. Conference with real property negotiator - Government Code Section 54956.8
  - a. Property: APN 169-156-19  
Negotiating parties: John Davidson and Jon H. Lieberg for Chresten M. Knudsen Family Partnership  
Under negotiation: Terms and price
  - b. Property: 1329 Barton Road  
Negotiating parties: Linda Emmerson and Dr. Imad Thomas Partnership  
Under negotiation: Terms and price
2. Conference with legal counsel: Existing litigation - Government Code Section 54956.9(a) - City of Redlands v Gilbert Rodriguez - SCVSS 09636
3. Conference with legal counsel: Anticipated litigation - Government Code Section 54956.9(b) - Darrin Brown v City of Redlands - SCVSS 091761

The meeting reconvened at 7:00 P.M.

## ANNOUNCEMENTS/REPORTS

Councilmembers reported on their activities and attendance at meetings during the past two weeks. Sister City Committee President Roy Cencirulo and Lowena Anderson again shared their experiences on their recent visit to our Sister City in Hino, Japan.

## LAND USE AND PUBLIC HEARINGS

Redlands Community Hospital, Applicant - Public notice was advertised for this time and place to consider a draft mitigated negative declaration and public hearing for Ordinance No. 2563, an ordinance of the City of Redlands approving a development agreement (Development Agreement No. 16) with Redlands Community Hospital, a development agreement to lock-in the approved Facilities Master Plan for the Redlands Community Hospital on approximately 15 acres located at 350 Terracina Boulevard in the M-F (Medical Facility) District. Community Development Director Shaw explained that Redlands Community Hospital is seeking approval of a development agreement with the City pursuant to Section 65864 et. Seq. of the State Government Code and Section 18.220 (Development Agreements) of the Redlands Municipal Code. The intent of the development agreement is to provide certain assurances between the applicant and the City for the long-term commitment involved in expanding the existing hospital's facilities and operations located at the corner of Terracina Boulevard and Fern Avenue on approximately 15 acres. The development agreement would lock-in the hospital's facilities master plan approved under Conditional Use Permit No. 355 (Revision No. 9) on November 14, 2000, by the Planning Commission. The approved facilities master plan entailed the overall build-out of the hospital site over a period of approximately 25 years and involved increasing the number of beds from 172 to 292 and increase the building area from 301,290 square feet to 482,111 square feet. He summarized the key contents of the agreement. Mayor Haws declared the meeting open as a public hearing for any questions or comments. Members of the Redlands Community Hospital Board of Directors were present, and Harvey Hanson offered to answer any questions. There being no comments, the public hearing was declared closed.

Negative Declaration - Councilmember Gilbreath moved to approve the Environmental Review Committee's negative declaration for Development Agreement No. 16 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. 2563 - Development Agreement No. 16 - Ordinance No. 2563, an ordinance of the City of Redlands approving a development



agreement (Development Agreement No. 16) with Redlands Community Hospital, 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. 2563 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for December 2, 2003.

Redlands Health Services, Applicant - Public notice was advertised for this time and place to consider a draft mitigated negative declaration and public hearing for 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, a development Agreement to lock-in the existing use and future expansion under the land use regulations of the current zoning of a 4.5 acre property containing the Asistencia Villa Rehabilitation and Care Center and vacant land located at 1875 Barton Road in the A-1 (Agricultural) District, A-P (Administrative and Professional Office) District, and the R-E (Residential Estate) District. Community Development Director Shaw explained that Redlands Community Hospital is seeking approval of a development agreement with the City pursuant to Section 65864 et. Seq. of the State Government Code and Section 18.220 (Development Agreements) of the Redlands Municipal Code. The intent of the development agreement is to provide certain assurances between the applicant and the City for the long-term commitment involved in expanding the existing off-site facilities and operations located at 1875 Barton Road. The project site contains the Asistencia Villa rehabilitation and Care Center on 3.07 acres within the eastern two-thirds and vacant land of approximately 1.46 acres on the western one third where the applicant intends to expand these facilities. The Asistencia Villa Rehabilitation and Care Center augments the hospitals facilities by providing off-site transitional care and rehabilitation for certain patients that requires a lengthy time to recover before they can be released. The per diem at this transitional facility is less costly to patients versus staying at the hospital during the period of recovery. Mayor Haws declared the meeting open as a public hearing for any questions or comments. Members of the Redlands Community Hospital Board of Directors were present, and Harvey Hanson offered to answer any questions. There being no comments, the public hearing was declared closed.

Negative Declaration - Councilmember Gilbreath moved to approve the Environmental Review Committee's negative declaration for Development Agreement No. 17 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. 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 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. 2564 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for December 2, 2003.

Boys and Girls Club of Redlands, Applicant/Appellant - Public notice was advertised for this time and place to consider a draft mitigated negative declaration and public hearings for an appeal to Demolition Permit No. 57, an appeal to the decision made by the Historic and Scenic Preservation Commission regarding the demolition of two houses and a church located at 1245, 1251 and 1255 Clay Street and Conditional Use Permit No. 800, an appeal to the decision made by the Planning Commission regarding the construction of a 9,600 square foot community facility located at 1251 Clay Street in the O, Open Land, District. Community Development Director Shaw reported this project was discussed at the July 8 and September 9, 2003, meetings of the Planning Commission. There was considerable discussion at the meetings of the Planning and Historic and Scenic Preservation Commissions concerning the reuse of the church building that is on the site that was once the Christian Reformed Church of Redlands. The Planning Commission requested the applicant prepare a modification of the Site Plan that preserves the church structure. After serious consideration, the applicant decided not to pursue this option because they needed to have play area and a building which can meet their needs and that by maintaining the church building, there would not be adequate room for their needs. Mayor Haws declared the meeting open as a public hearing for any questions or comments. Speaking on behalf of the Boys and Girls Club of Redlands were: P. T. McEwen, Executive Director; Monte Stuck, Second Vice President of the Board of Directors, and Ron Warren, President of the Board of Directors. Supporting the Boys and Girls Club of Redlands were: Gil Navarro, Mexican American Political Association, and Tony Jimenez, Northside Advisory Committee. Asking the City Council to deny the appeal and save the building were: Bob Clark, President of the Redlands Conservancy, Germaine Caro-Delville, Clay Street Center Coalition; Jan Korfmacher, Historic and Scenic Preservation Commission; Bill Hardy, President of the Library Board; Leon Armantrout, Clay Street Center Coalition, Sherli Leonard, Redlands Conservancy and Clay Street Center Coalition; Gloria Bocanegra; Rosa Gomez, Clay Street Center Coalition; Joan van Ommen; Megan Ryan, Redlands Conservancy and Clay Street Center Coalition; Lauren Bricker; Pastor Eliezer Bonavides, Seventh-Day Adventist Church; Kevin Harvey, Redlands Conservancy; and Pastor Chuck Eason, Clay Street Center Coalition; and Bettina McCloud. The lengthy public hearing was closed at 9:35 P.M.

Mitigated Negative Declaration - Councilmember Gilbreath moved to approve the Environmental Review Committee's mitigated negative declaration for Conditional Use Permit No. 800 and Demolition No. 57 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 Pepler and carried with Councilmember George voting NO.

Conditional Use Permit No. 800 - Councilmember Gilbreath moved to approve Conditional Use Permit No. 800 based on the findings contained in the staff report. Motion seconded by Councilmember Pepler and carried with Councilmember George voting NO.

Demolition Permit No. 57 - Councilmember Gilbreath moved to approve Demolition Permit No. 57 subject to the conditions of approval contained in the staff report. Motion seconded by Councilmember Pepler and carried with Councilmember George voting NO.

## PUBLIC HEARING

Sign Conditional Use Permit No. 8 - Salton Inc., Applicant - Public hearing was advertised for this time and place to consider a sign conditional use permit for a wall sign with an area of 220 square feet located at 2301 San Bernardino Avenue in Concept Plan No. 1 (CP-1) of the East Valley Corridor Specific Plan. Community Development Director Shaw explained the applicant is seeking approval for the placement of a 220 square foot wall sign at their warehouse located at 2301 San Bernardino Avenue. The proposed wall sign would be located on the north elevation of the building above the main entrance of the building, and would be placed against the front entrance of the building which has a glass facade. Mr. Shaw described the sign and its appearance and the reason for this sign conditional use permit. 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 Gilbreath moved to approve Sign Conditional Use Permit No. 8 based on the findings and subject to the conditions of approval contained in the staff report. Motion seconded by Councilmember Harrison and carried unanimously.

## NEW BUSINESS

Transient Occupancy Tax - Councilmember Harrison asked Councilmembers to consider increasing the existing Transient Occupancy Tax by two percent and placing this matter on the March 2004 ballot for voter approval. Based on this year's revenue projects, a two percent increase would generate an estimated \$90,000.00 additional funds that could be used to support essential general fund services and operations. City Manager Davidson reviewed a report on this

matter and noted the Chamber of Commerce and Economic Development Director Ralph Megna supported this proposal. Councilmember George and Gilbreath expressed concerns about the timing. Councilmember Harrison asked that documentation needed to call an election for the Transient Occupancy Tax be brought forward on December 2, 2003.

PUBLIC COMMENTS

None forthcoming.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 10:10 P.M. The next regular meeting will be held on December 2, 2003.

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City Clerk