

MINUTES of a regular meeting of the City Council of the City of Redlands held in the Council Chambers, Civic Center, 35 Cajon Street, on October 19, 2004, (immediately following the 1:30 P.M. special meeting) at 4:15 P.M.

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; Daniel J. McHugh, City Attorney; Beatrice Sanchez, Deputy City Clerk; Michael Reynolds, City Treasurer; Jim Bueermann, Police Chief; Jim Drabinski, Battalion 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 Mayor Pepler followed by the pledge of allegiance.

CONSENT CALENDAR

Minutes - On motion of Councilmember George, seconded by Councilmember Gil, the minutes of the regular meeting of October 5, 2004, and the special meeting of October 7, 2004, were approved as submitted.

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

Funds - Xerox Lease - After being assured one of the new machines will be installed in the City Clerk's Office, Councilmember Gil moved to approve Amendment No. 11 to the document services agreement with Xerox Corporation which provides for the replacement of current machines and approved an additional appropriation in the amount of \$20,304.00 to cover the additional costs associated with the new lease beginning November 1, 2004. Motion seconded by Councilmember Pepler and carried unanimously.

Planning Commission Actions - On motion of Councilmember George, seconded by Councilmember Gil, the report of the Planning Commission meeting held on October 12, 2004, was acknowledged as received.

Ordinance No. 2588 - Zone Change No. 407 - Ordinance No. 2588, an ordinance of the City of Redlands amending Title 18 of the Redlands Municipal Code by revising the City's Land Use Zoning Map by effecting Zone Change

No. 407, a change of zone from C-1 (Neighborhood Stores) District to A-P (Administrative and Professional Office) District on a 0.66 acre City-owned parcel located on the south side of Barton Road, approximately 300 feet west of Lakeside Avenue, was unanimously adopted on motion of Councilmember George, seconded by Councilmember Gil.

Ordinance No. 2589 - Zone Change No. 408 - Ordinance No. 2589, an ordinance of the City of Redlands amending Title 18 of the Redlands Municipal Code by revising the City's Land Use Zoning Map by effecting Zone Change No. 408, a change of zone from A-1 (Agricultural) District to E (Educational) District on two contiguous parcels totaling 14.5 acres owned by the Redlands Unified School District and the San Bernardino County Board of Education located on the northeast corner of Judson Street and Pennsylvania Avenue, was unanimously adopted on motion of Councilmember George, seconded by Councilmember Gil.

Appeal - CUP N. 801 - On motion of Councilmember George, seconded by Councilmember Gil, the City Council unanimously continued the appeal of the Environmental Review Committee's recommendation that a Mitigated Negative Declaration be prepared for Conditional Use Permit No. 801 to November 16, 2004. Conditional Use Permit No. 801 pertains to the development of a cellular communications facility located at 1402 Cajon Street which is known as Prospect Park.

Sale of City Property - On motion of Councilmember George, seconded by Councilmember Gil, the City Council unanimously approved an agreement for purchase and sale and escrow instructions with Timothy and Grace Phelps authorize the sale of Assessor's Parcel No. 172-481-02 located at 1329 Barton Road and authorized the Mayor and Deputy City Clerk to execute the documents on behalf of the City.

Resolution No. 6335 - Native American Heritage Month - On motion of Councilmember George, seconded by Councilmember Gil, the City Council unanimously adopted Resolution No. 6335, a resolution of the City Council of the City of Redlands, California, in support of California's first cultures: A celebration at Crafton Hills promoting November as Native American Heritage Month.

Resolution No. 6315 - Fee Deposit Schedule - On motion of Councilmember George, seconded by Councilmember Gil, the City Council unanimously continued Resolution No. 6315, a resolution of the City Council of the City of Redlands establishing a fee deposit schedule for review of Water Quality Management Plans, to November 2, 2004.

Resolution No. 6326 - Underground Utility District No. 14 - On motion of Councilmember George, seconded by Councilmember Gil, the City Council

unanimously adopted Resolution No. 6326, a resolution of the City Council of the City of Redlands establishing a date for a public hearing (November 16, 2004) to determine whether the public necessity, health, safety or welfare requires the formation of an underground utility district on Stuart Avenue between Orange Street and Eureka Street.

Resolution No. 6328 - Traffic - On motion of Councilmember George, seconded by Councilmember Gil, the City Council unanimously adopted Resolution No. 6328, a resolution of the City Council of the City of Redlands establishing speed limits on Colton Avenue pursuant to Title 10 of the Redlands Municipal Code.

Agreement - Plan/Map Review Services - On motion of Councilmember George, seconded by Councilmember Gil, the City Council unanimously approved a consultant services agreement with Willdan to provide plan/map review services for the Public Works Department and authorized the Mayor and Deputy City Clerk to execute the document on behalf of the City.

Funds - Agreement - Redlands Boulevard Design - On motion of Councilmember George, seconded by Councilmember Gil, the City Council unanimously authorized an appropriation in the amount of \$157,229.00 and approved a consultant services agreement with Parsons Brinckerhoff Quade & Douglas, Inc. to provide engineering consulting services for the design of Redlands Boulevard at Alabama Street and Colton Avenue Improvement Project and authorized the Mayor and Deputy City Clerk to execute the document on behalf of the City.

Contract Award - Funds - California Street Landfill - Bids were opened and publicly declared on September 23, 2004, by the City Clerk for the California Street Landfill Load Consolidation Area (Project No. 3-0435); a bid opening report is on file in the Office of the City Clerk. Councilmember George moved that the award of a contract and the construction of the California Street Landfill Load Consolidation area (Project No. 3-0435) is addressed by an EIR adopted by the City Council in October of 2002 and does not require further environmental processing pursuant to Section 15162 of the California Environmental Quality Act Guidelines based on the findings contained in the staff report. Motion seconded by Councilmember Gil and carried unanimously. Councilmember George moved to award the contract for the California Street Landfill Load Consolidation Area (Project No. 3-0435) to Pacific Hydrotech Corporation based on the total bid amount of \$402,402.00, authorized the Mayor and Deputy City Clerk to execute the document on behalf of the City, authorized staff to approve costs up to 10 percent over the total bid amount, and approved an additional appropriation in the amount of \$195,000.00. Motion seconded by Councilmember Gil and carried unanimously.

Contract Award - Funds - East Side Landfill Closure - Bids were opened and publicly declared on September 30, 2004, by the City Clerk for the East Side Landfill Closure Improvements (Project No. 3-0536); a bid opening report is on file in the Office of the City Clerk. Councilmember George moved that the award of a contract and the construction of the East Side Landfill Closure Improvements (Project No. 3-0536) is addressed by an EIR adopted by the City Council in October of 2002 and does not require further environmental processing pursuant to Section 15162 of the California Environmental Quality Act Guidelines based on the findings contained in the staff report. Motion seconded by Councilmember Gil and carried unanimously. Councilmember George moved to award the contract for the East Side Landfill Closure Improvements (Project No. 3-0536) to Reyes Construction, Inc. based on the total bid amount of \$402,402.00, authorized the Mayor and Deputy City Clerk to execute the document on behalf of the City, authorized staff to approve costs up to 10 percent over the total bid amount, and approved an additional appropriation in the amount of \$266,237.00. Motion seconded by Councilmember Gil and carried unanimously.

Dry Sewer Requirement Waiver - Tract No. 16488 - On motion of Councilmember George, seconded by Councilmember Gil, the City Council unanimously found that the waiver of the dry sewer requirement for Tentative Tract No. 16488 (William Buster, applicant) is categorically exempt under Section 15061(b)(3) based on the finding that it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. On motion of Councilmember George, seconded by Councilmember Gil, the City Council unanimously waived the dry sewer requirement for Tentative Tract No. 16488.

Dry Sewer Requirement Waiver - Tract No. 16460 - On motion of Councilmember George, seconded by Councilmember Gil, the City Council unanimously found that the waiver of the dry sewer requirement for Tentative Tract No. 16460 (Pat Meyer, applicant) is categorically exempt under Section 15061(b)(3) based on the finding that it can be seen with certainty that there is no possibility that the activity in questions may have a significant effect on the environment. On motion of Councilmember George, seconded by Councilmember Gil, the City Council unanimously waived the dry sewer requirement for Tentative Tract No. 16460.

Funds - COPS Program - On motion of Councilmember George, seconded by Councilmember Gil, the City Council unanimously approved the use of Citizens' Option for Public Safety funds in the amount of \$101,017.00 as outlined in the staff report and authorized an additional appropriation for the same amount.

Funds - COPS Technology Grant - On motion of Councilmember George, seconded by Councilmember Gil, the City Council unanimously accepted the

U.S. Department of Justice COPS 2004 Technology Grant in the amount of \$742,108.00 and authorized an additional appropriation for the same amount.

Resolution No. 6331 - Proposition 40 Grant Application - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council unanimously adopted Resolution No. 6331, a resolution of the City Council of the City of Redlands authorizing an application for California State Park Funds, Youth Soccer and Recreation Development Program, Proposition 40 - 2002 Resources Bond and directed staff that ALL future grant applications will be reviewed by the Finance Director.

Resolution No. 6332 - Proposition 40 Grant Application - On motion of Councilmember Gilbreath, seconded by Councilmember George, the City Council unanimously adopted Resolution No. 6332, a resolution of the City Council of the City of Redlands authorizing an application of California State Park Funds, State Urban Parks and Health Communities, Proposition 40 - 2002 Resources Bond and directed staff that ALL future grant applications will be reviewed by the Finance Director.

U. S. Department of Justice Universal Hiring Grant - On motion of Councilmember George, seconded by Councilmember Gil, the City Council unanimously approved acceptance of the U. S. Department of Justice, Office of Community Oriented Policing Services, Universal Hiring Grant and authorized the City Manager and Police Chief to sign the grant's award document with the stipulation that no officers will be hired until a funding plan is presented to, and approved by, the City Council.

MOU - GEAR - On motion of Councilmember George, seconded by Councilmember Gil, the City Council unanimously ratified the Memorandum of Understanding with the General Employees Association of Redlands and authorized the Mayor and Deputy City Clerk to execute the document on behalf of the City.

Funds - Building Maintenance Vehicles - On motion of Councilmember George, seconded by Councilmember Gil, the City Council unanimously approved an additional appropriation of \$45,000.00 and authorized the use of Equipment Replacement funds for the purchase of two building maintenance vehicles and equipment.

Contract - Janitorial Services - On motion of Councilmember George, seconded by Councilmember Gil, the City Council unanimously approved a contract with Grace Building Maintenance for janitorial services and authorized the Mayor and Deputy City Clerk to execute the document on behalf of the City.

PLANNING AND COMMUNITY DEVELOPMENT

Appeal - Commission Sign Review No. 264 - Community Development Director Shaw reported the Planning Commission voted 3-2 on August 10, 2004, to deny the applicant's request to place a twenty-four square foot pedestal

sign at the Storage West mini-storage facility located at 1680 West Redlands Boulevard. Mr. Shaw reviewed the application process and rationale for the Planning Commission's decision as well as a PowerPoint presentation of pedestal vs. monument signs in the area. Once landscaping has matured, pedestal signs can be obscured. The applicant, Fred G. Zepeda, has filed an appeal to this decision. Representing the applicant, Attorney Michael Lewen stated that they felt the application did comply with the Sign Code and therefore should have been approved. Mr. Zepeda presented his request to the City Council. Councilmember Gilbreath clarified that pedestal signs are allowed by code. Councilmembers engaged in a discussion about appropriate heights. By consensus, Councilmembers agreed an eight-foot height limit was most appropriate for the area and that twelve feet would not be considered. Mr. Zepeda stated he is more than happy to redesign the pedestal sign at eight feet. On motion of Councilmember Harrison, seconded by Councilmember Pepler, City Council unanimously continued the appeal of the Planning Commission's recommendation to November 2, 2004.

PUBLIC HEARINGS

Resolution No. 6320 - Underground Utilities District No. 13 - Public hearing was advertised for this time and place to consider Resolution No. 6320, a resolution of the City Council of the City of Redlands establishing Underground Utility District No. 13 along Church Street between Redlands Boulevard and Colton Avenue. Public Works Director Mutter reported this will provide that all poles, overhead wires and associated overhead structures shall be removed and underground installation made in the District as a part of the capital improvement program to reconstruct Church Street. Funding for this project will come from the Southern California Edison's Rule 20A allocations to the City. Mayor Pepler declared the meeting open as a public hearing for any questions or comments. Mr. Phillip Naman inquired about the future street widening project for Church Street as it pertained to his recently-purchased home's 104-year old rock wall. Public Works Director Mutter assured him that every effort is being taken to preserve the rock wall and his property. No other comments forthcoming, the public hearing was declared closed. Councilmember Gilbreath moved to adopt Resolution No. 6320. Motion seconded by Councilmember Gil and carried unanimously.

Ordinance No. 2591 - Specific Plan No. 45 (Amendment No. 9) - Public notice was advertised for this time and place to consider a Draft Mitigated Negative Declaration as well as a public hearing for the adoption of Amendment No. 9 to Specific Plan No. 45 to modify Section III(C)(2) of the Town Center Historic District by adding Subsection 2.2 to establish a parking exemption for new restaurants that reuse the historic buildings located on the east side of Orange Street, south of the BNSF railroad tracks. Community Development Director Shaw reviewed the City-initiated application to amend the Downtown Specific Plan No. 45 by modifying the property development standards in the Town Center-Historic District. 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. 2591, an ordinance of the City of Redlands amending Ordinance Nos. 2185, 2269, 2338, 2398, 2415, 2516, 2538 and 2572 relating to parking standards for the Town Center Historic District of the City of Redlands Specific Plan No. 45, was read by title only by Deputy City Clerk Sanchez, and on motion of Councilmember Gilbreath, seconded by Councilmember Peppler, further reading of the ordinance text was unanimously waived, and Ordinance No. 2591 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for November 2, 2004.

JOINT MEETING - CITY COUNCIL AND REDEVELOPMENT AGENCY

Resolution No. 6321 - Great Neighborhood Program - Councilmember Gilbreath moved to adopt Resolution No. 6321, 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 Gil and carried unanimously. (Also see Resolution No. 382 in the Redevelopment Agency minutes for October 19, 2004.)

CLOSED SESSION

The City Council meeting recessed at 5:11 P.M. to continue the Redevelopment Agency meeting and reconvened at 5:12 P.M. to a closed session to discuss the following:

1. Conference with real property negotiator - Government Code § 54956.8
 - a. Property: APN 174-281-26
Negotiating parties: John Davidson and Bruce Strickland
Under negotiation: Terms and price
 - b. Property: APNs 292-044-05, 08, 09, 10, 11 and 12
APNs 292-041-17, 169-011-21, 22, and 36
Negotiating parties: John Davidson and Security Trust Company
Under negotiation: Terms and price

The meeting reconvened at 7:00 P.M.

ANNOUNCEMENTS/REPORTS

City Attorney McHugh reported that during closed session, Council agreed the City would quitclaim an unnecessary pipeline easement to Security Trust Company in exchange for Security Trust Company granting the City a pipeline easement.

Councilmember Gil acknowledged that Mayor Susan Peppler, on this date, 30 years ago became the young bride of Robert Peppler. The audience then applauded and congratulated her.

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

LAND USE AND PUBLIC HEARINGS

Griffin Industries, 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. 2590, Zone Change No. 400, a change of zone from unincorporated San Bernardino County RS-1 (Single Family Residential, one dwelling unit per acre) to the City of Redlands' R-E/PRD (Residential Estate, Planned Residential Development), on approximately 28.5 acres located on the east side of Wabash Avenue, north of the Interstate 10 Freeway; Conditional Use Permit No. 815, a conditional use permit for a Planned Residential Development on approximately 66.2 gross acres consisting of 76 residential lots and five common lots located on both sides of Wabash Avenue, north of Reservoir Road, and east of Sophia Court and Buckingham Drive in the City of Redlands' R-E (Residential Estate) District and the unincorporated San Bernardino County RS-1 (Single Family Residential, one dwelling unit per acre) District (R-E District pending); and Tentative Tract No. 16586, a tentative tract map to subdivide approximately 66.2 gross acres into 76 residential lots and five common lots located on both sides of Wabash Avenue, north of Reservoir Road, and east of Sophia Court and Buckingham Drive in the City of Redlands' R-E (Residential Estate) District and the unincorporated San Bernardino County RS-1 (Single Family Residential, one dwelling unit per acre) District (R-E District pending). Community Development Director Shaw described the proposed project. Mayor Pepler declared the meeting open as a public hearing for any questions or comments. Representing the developer, Mr. Pat Meyer explained the traffic routes proposed, sound walls and trails. The developer has worked with the neighborhoods in working out compromises and concurs with staff's recommendations and conditions. The following property owners are concerned with the extension of Wabash Avenue and traffic on Reservoir Road: Matt Fashempour, Dan Marshall, Michael Lee and Jim Hester. Speaking in support of the project was: Larry Harvill, who also represented his wife Evelyn Ifft and Dr. Charles Irvin. No further comments forthcoming, the public hearing was declared closed. Councilmember George expressed concern about road construction proposed by the City of Yucaipa that will impact this area as a result of the development of Crafton Hills east to Sand Canyon Road, connecting Crafton Hills Drive to the I-10 freeway and he thought the Council should abide by the wishes of the residents of the area.

Mitigated Negative Declaration - Councilmember Pepler moved to approve the Environmental Review Committee's mitigated negative declaration for Zone Change No. 400, Conditional Use Permit No. 815, and Tentative Tract No. 16586 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 with Councilmember George voting NO.

Socio-Economic Analysis and Cost/Benefit Study- Councilmember Peppler moved to approve the Socio-Economic Analysis and Cost/Benefit Study for Zone Change No. 400, Conditional Use Permit No. 815, and Tentative Tract No. 16586 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 with Councilmember George voting NO.

Ordinance No. 2590 - Zone Change No. 400 - Ordinance No. 2590 an ordinance of the City of Redlands amending Title 18 of the Redlands Municipal Code revising the City's Land Use Zoning Map and approving Zone Change No. 400, was read by title only by Deputy City Clerk Sanchez, and on motion of Councilmember Peppler, seconded by Councilmember Harrison, further reading of the ordinance text was waived and Ordinance No. 2590 was introduced with Council approval and laid over under the rules with adoption scheduled for November 2, 2004, Councilmember George voted NO.

Conditional Use Permit No. 815 - Councilmember Peppler moved to approve Conditional Use Permit No. 815 to take effect as of the effective date of Ordinance No. 2590 subject to the conditions of approval and based upon the findings contained in the staff report and changing Public Works Department condition No. A.5.d to read "Delete sidewalks requirement on Wabash Avenue within project area and install trails." Motion seconded by Councilmember Harrison and carried with Councilmember George voting NO.

Tentative Tract No. 16586 - Councilmember Peppler moved to approve Tentative Tract No. 16586 to take effect as of the effective date of Ordinance No. 2590, subject to the conditions of approval and based upon the findings contained in the staff report. Motion seconded by Councilmember Harrison and carried with Councilmember George voting NO.

Pre-Annexation Agreement No. 03-08 - DeSousa Development, Applicant - Public hearing was continued to this time and place to consider a draft negative declaration and public hearing for Pre-annexation Agreement No. 03-08 for a 2.7 acres site which is proposed for 17 dwelling units located on the north side of Nice Avenue, approximately 300 feet east of Crafton Avenue. Councilmember Peppler moved to continue to matter to November 2, 2004, at 3:00 P.M. Motion seconded by Councilmember Gil and carried unanimously.

PUBLIC COMMENTS

City Logo - Reverend Don Wallace and Steve Hoff reported to Council on a new City Logo they propose showing historical buildings of great significance in the City. Additionally, if their proposal is adopted the Committee will donate to the City over \$6,000 collected so far. They asked to be placed on the November 2, 2004, Council agenda.

Domestic Situation - Cynthia Huckelberry-Hotchner again asked the City Council for assistance with a family situation involving her divorced husband and her two sons.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 8:24 P.M. The next regular meeting will be held on November 2, 2004.

Deputy City Clerk