

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 5, 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 (evening session); Michael Reynolds, City Treasurer; Jim Bueermann, Police Chief; Mel Enslow, Fire Chief; Bonnie Johnson, Finance Director; Ronald C. Mutter, Public Works Director; Gary G. Phelps, Municipal Utilities Director; and Jeffrey L. Shaw, Community Development Director.

Mayor Haws called the meeting to order at 3:12 P.M. following the water and wastewater rates study session which began at 2:00 P.M. The meeting was opened with an invocation by Councilmember Gilbreath followed by the pledge of allegiance.

PRESENTATION

Car Shows - Dr. Erick Frykman, San Bernardino County Chief of Preventative Medical Services, commended the City Council for the recent adoption of an ordinance prohibiting (tobacco) smoking at Market Night. He and Esther Jimenez, San Bernardino County Department of Public Health, presented 2003 calendars and tee-shirts commemorating the *Salute to the Route 66* tobacco-free-cars car show to Lupe Sanchez, Cinco De Mayo Pageant Committee, and Dempsey Chappel, Redlands Fire Department, for organizing and recruiting tobacco-free cars for car shows in Redlands. Calendars were also presented to Councilmembers.

CONSENT CALENDAR

Minutes - On motion of Councilmember George, seconded by Councilmember Pepler, the minutes of the regular meeting of October 15, 2002, 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 October 22, 2002, was acknowledged as received.

Ordinance No. 2505 - Zone Change No. 384 - Ordinance No. 2505, an ordinance of the City of Redlands approving Zone Change No. 384, a change of zone from R-S (Suburban Residential) District to E (Educational) District on two contiguous lots totaling 12.77 acres located at 130 Tennessee Street (between Orange Avenue and State Street), was unanimously adopted on motion of Councilmember George, seconded by Councilmember Pepler.

Ordinance No. 2508 - EVCSP Amendment No. 22 - Ordinance No. 2508, an ordinance of the City of Redlands amending Ordinances Nos. 2295, 2320, 2321, 2322, 2364, 2432, 2444, 2473 and 2479 (which together comprise the East Valley Corridor Specific Plan) by adopting Amendment No. 22 to the East Valley Corridor Specific Plan (Specific Plan No. 40), was unanimously adopted on motion of Councilmember George, seconded by Councilmember Pepler.

Ordinance No. 2513 - Zone Change No. 389 - Ordinance No. 2513, an ordinance of the City of Redlands amending Title 18 of the Redlands Municipal Code by adopting a revised land use zoning plan as part of the Official Land Use Zoning Map and effecting Zone Change No. 389, a change of zoning classification from R-E (Residential Estate) District (14,000 square foot lots) to R-1 (Single Family Residential) District (7,200 square foot lots) on two contiguous lots totaling 14.72 acres located on the northwest corner of Pennsylvania Avenue and University Street (APNs 168-101-05 and 09), was unanimously adopted on motion of Councilmember George, seconded by Councilmember Pepler.

Ordinance No. 2514 - Zone Change No. 385 - Ordinance No. 2514, an ordinance of the City of Redlands amending Title 18 of the Redlands Municipal Code by adopting a revised land use zoning plan as part of the Official Land Use Zoning Map and effecting Zone Change No. 385, a change of zone from A-1 (Agricultural) District to R-E (Residential Estate) District for a ten-lot subdivision on approximately 3.5 acres of land generally located on the southwest corner of San Bernardino Avenue and Grove Street in the R-E (Residential Estate) District, was unanimously adopted on motion of Councilmember George, seconded by Councilmember Pepler.

CR&A No. 722 - Variance No. 609 - Time Extension - On motion of Councilmember George, seconded by Councilmember Pepler, the City Council unanimously determined that no subsequent environmental documents are necessary for the City Council's one year extension for Planning Commission Review and Approval No. 722 and Variance No. 609 to construct a 41,000 square foot fitness center on approximately 6.64 acres of land generally located at the northeast corner of Marshall Street and Parkford Road (L.A. Fitness,

applicant) which is consistent with the previous Mitigated Negative Declaration adopted by the City Council on November 21, 2000, based on the findings listed in the staff report. On motion of Councilmember George, seconded by Councilmember Pepler, the City Council unanimously approved a one-year time extension for Planning Commission Review and Approval No. 622 and Variance No. 609 extending said approval for one year until November 21, 2003.

Parking Agreement - Ninth and State Streets - Due to a potential conflict of interest, Councilmember Harrison 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 Haws, seconded by Councilmember Pepler, the City Council approved a parking agreement with Redlands Community Investment Corporation and authorized the Mayor and City Clerk to execute the document on behalf of the City with Councilmember Harrison having abstained from the vote.

Minor Subdivision No. 259 - Parcel Map No. 14544 - Final Approval - On motion of Councilmember George, seconded by Councilmember Pepler, the City Council unanimously granted final approval for Parcel Map No. 14544 (Minor Subdivision No. 259, the subdivision of 3.58 acres into two residential parcels located at 409 East Sunset Drive North (Paul S. Kim, applicant)).

Contract Assignment - Airport Land Use Plan Amendment - On motion of Councilmember George, seconded by Councilmember Pepler, the City Council unanimously approved the assignment of the contract for the preparation of the Airport Land Use Plan Amendment from Shutt Moen Associates to Mead & Hunt, Inc. and authorized the Mayor and City Clerk to execute the document on behalf of the City.

Contract Amendment - Sports Park EIR - On motion of Councilmember George, seconded by Councilmember Pepler, the City Council unanimously approved Revision No. 3 to the Michael Brandman Associates contract for preparation of an Environmental Impact Report for the Redlands Sports Park.

Statement of Investment Policy - On motion of Councilmember George, seconded by Councilmember Pepler, the City Council unanimously approved the Statement of Investment Policy as presented by the City Treasurer and included in the staff report.

Proclamation - Sgt. Major Jon R. Cavaiani (Retired) - Councilmember George described in detail the incident which resulted in the award of the Medal of Honor for heroism during combat in the Vietnam War on June 4 and 5, 1972, to Sergeant Major Jon R. Cavaiani (Retired). Mr. Cavaiani will be the keynote speaker at the Veterans' Day ceremony to be held on November 11, 2002, at 10:15 A.M. at the Veterans Memorial on the corner of New York Street and

Redlands Boulevard. This year's ceremony will celebrate the 50th anniversary of the Korean War. Councilmember George invited Councilmembers and the public to attend this ceremony. He then moved to authorize issuance of a proclamation honoring Sergeant Major Jon R. Cavaiani (Retired) and thanking him for his exemplary service to the United States of America. Motion seconded by Councilmember Pepler and carried unanimously.

Contract Award - California Street and I-10 Improvements - Bids were opened and publicly declared on October 7, 2002, by the City Clerk for the California Street and I-10 Traffic Signals and Street Improvements Project; a bid opening report is on file in the Office of the City Clerk. It was the recommendation of the Public Works Department that the responsible bidder submitting the bid for said project which will result in the lowest cost for the City was H&H General Contractors, Inc. in the amount of \$978,652.00, and it would be in the best interest of the City that this contract be awarded to said firm. On motion of Councilmember George, seconded by Councilmember Pepler, the City Council unanimously approved this recommendation and authorized the Mayor and City Clerk to execute the document on behalf of the City.

Contract Award - Project Home Again - Bids were opened and publicly declared on September 26, 2002, by the City Clerk for the Project Home Again Utility Improvements Project; a bid opening report is on file in the Office of the City Clerk. It was the recommendation of the Public Works Department that the responsible bidder submitting the bid for said project which will result in the lowest cost for the City was VCI Telcom, Inc. in the amount of \$109,170.00, and it would be in the best interest of the City that this contract be awarded to said firm. On motion of Councilmember George, seconded by Councilmember Pepler, the City Council unanimously approved this recommendation and authorized the Mayor and City Clerk to execute the document on behalf of the City.

Contract Amendment - Redlands Sports Park - On motion of Councilmember Gilbreath, seconded by Councilmember Harrison, the City Council unanimously authorized an amendment to the Purkiss-Rose RSI contract for the Redlands Sports Park to:

1. modify the Big League Dreams facility by changing the size of the administration building from 2,667 square feet to 2,000 square feet by removing the vinyl covering from the multipurpose building, etc. for a fee of \$21,564.00;
2. provide a Sports Park Master Plan for the City's property (Assessor Parcel Nos. 167-071-02, 168-091-02, 05, and 09 (86 acres) for a fee of \$21,750.00; and
3. provide a landscape plan and develop construction drawings for the landscaping and irrigation of the street frontages at the Sports Park for a fee of \$25,000.00

for a total contract amendment of \$71,314.00 including \$3,000.00 for reproduction allowance and authorized the Mayor and City Clerk to execute the document on behalf of the City. Councilmember Gilbreath asked staff to re-evaluate the Big League Dreams management contract and bring forward adjustments necessary to address the changes to the scope of the sports park.

Contract Amendment - Redlands Sports Park - On motion of Councilmember George, seconded by Councilmember Peppler, the City Council unanimously authorized a second amendment to the STB Landscape Architects contract for the Redlands Sports Park to provide construction drawings for 8 acres of lighted soccer fields adjacent to the Big League Dreams facility and a 2,300 square foot concessions/restrooms/storage building for a fee of \$49,000.00, and authorized the Mayor and City Clerk to execute the document on behalf of the City.

Resolution No. 6096 - Beverage Container Recycling - On motion of Councilmember George, seconded by Councilmember Peppler, the City Council unanimously adopted Resolution No. 6096, a resolution of the City Council of the City of Redlands authorizing the submission of a grant application to the California Department of Conservation, Division of Recycling for beverage container recycling in public venues.

Contract - Wildland Fire Protection Services - On motion of Councilmember George, seconded by Councilmember Peppler, the City Council unanimously approved a contract with the California Department of Forestry and Fire Protection for wildland fire protection services and authorized the Mayor and City Clerk to execute the document on behalf of the City.

Contract - Racial Profiling Reduction Strategy Project - On motion of Councilmember George, seconded by Councilmember Peppler, the City Council unanimously approved the Bluetooth Crime Bulletin, Hotspot, and Racial Profiling Reduction Strategy Project contract with Compaq Computer Corporation and authorized the Mayor and City Clerk to execute the document on behalf of the City.

Agreement - Property Donation - 1006 Oxford Drive - On motion of Councilmember George, seconded by Councilmember Peppler, the City Council unanimously accepted a donation of property located at 1006 Oxford Drive, Redlands (a four-plex acquired as part of the Neighborhood Initiative program) from the County of San Bernardino and authorized the Mayor and City Clerk to execute a donation agreement on behalf of the City. Acceptance of this donation will enable the City, or another agency, to utilize the four-plex to provide educational and recreation services. Upon execution of the donation agreement, the County Board of Supervisors will complete the agreement and transfer ownership.

Funds - Donation from University of Redlands - On motion of Councilmember George, seconded by Councilmember Pepler, the City Council unanimously allocated \$5,000.00 from the University of Redlands to the Cultural Arts Commission to implement a community grants program for the arts. Funds will be disbursed in \$500.00 increments to community organizations promoting the visual and performing arts with priority given to agencies focusing on youth.

Funds - U. S. Conference of Mayors - On motion of Councilmember Gilbreath, seconded by Councilmember Pepler, the City Council unanimously accepted the U. S. Conference of Mayors Local Law Enforcement Block Grant and approved an additional appropriation of \$79,183.00 to fund the grant to offset the cost of the Custody Specialist Program following clarification by Police Chief Bueermann of the action as requested by Councilmember Gilbreath.

Funds - Cops in Schools Grant - Following clarification by Police Chief Bueermann as requested by Councilmember Gilbreath, on motion of Councilmember Gilbreath, seconded by Councilmember Pepler, the City Council unanimously approved an additional appropriation in the amount of \$375,000.00 to fund the Cops in Schools grant which was accepted by the City Council on October 15, 2002, from a Department of Justice Cops in Schools grant. This grant provides fund to hire three additional School Resource Officers.

Soccer Goal Posts - Crafton Park - On motion of Councilmember George, seconded by Councilmember Pepler, the City Council unanimously approved the removal of the permanent soccer goal posts at Crafton Park field by Los Gauchos soccer Club and allow replacement with portable goals, all at the expense of Los Gauchos as recommended by the Recreation Commission on October 9, 2002.

Facility Use Agreement - National Guard Armory - A facility use agreement with the Armory Board of the State Military Facility for property located at 617 Texas Street to be used as the City's Youth Boxing Club was presented for City Council approval. Councilmember Gilbreath asked about insurance coverage for the boxing program. Police Chief Bueermann reported the City is no more exposed in the boxing program than any other program in the Recreation Division, and that all participants in recreation programs are required to sign up for additional health insurance health. This item was continued to the evening session to allow Police Chief Bueermann time to report the amount of coverage. During the evening session, Police Chief Bueermann reported health insurance is provided by each participant in the amount of \$10,000.00. Expressing concerns about the need for adequate liability coverage, Councilmember Gilbreath moved to continue this request for two weeks for further information. Motion seconded by Councilmember George and carried unanimously.

Funds - Police Vehicle - On motion of Councilmember George, seconded by Councilmember Pepler, the City Council unanimously authorized the use of \$17,500.00 in drug asset seizure funds for the purchase of one undercover vehicle for the Redlands Police Department.

COMMUNICATIONS

Rules 20A (Underground Utilities) Priorities - Public Works Director Mutter reported staff presented an update on the Southern California Edison Company's Rules 20A program on September 17, 2002. At this meeting, the report provided a listing of proposed underground districts and the estimated cost to complete. According to Edison records, the City of Redlands has \$1,980,297.00 available in current Rule 20A allocations. Further the City can borrow or mortgage against future allocations of up to no more than five years worth. The City's allocation is approximately \$250,000.00 per year; therefore, it is estimated an additional \$1,250,000.00 is available making a total Rule 20A allocation of \$3,230,297.00 available at this time. He reviewed each proposed project (Districts 10 through 15) and the estimated costs for completion of each district.

Palm Tree Trimming - Terracina Boulevard - At the conclusion of the Public Works Director Mutter's report, Councilmember George addressed the trimming of the palm trees on Terracina Boulevard on Saturday, October 26, 2002. The trimming was done by contract crews hired by Southern California Edison (SCE) without prior notification to the City. Councilmember George demanded redress from SCE, as it appears the crown of the trees have been cut and the trees will not survive. He also wanted SCE to fund replacement of street trees destroyed by their contractors. Councilmember George wanted to send a clear message to SCE that this has happened for the last time. SCE District Manager Beverly Powell spoke to the City Council and admitted the contractor did not notify the City of the work to be done on Terracina Boulevard. SCE is addressing this with their contractor. She reported they hired two arborist to examine the trees and both arborists determined the trees would live. She noted that even fast-tracking the Rule 20A program that it would take an estimated 18-24 months to complete an underground utility district on this street, and that these trees would need to be trimmed again during that time. Street Tree Committee member Tish Sandos expressed a sense of outrage as our trees are being attacked by a butcher (SCE) and thanked Councilmembers for their commitment to the City's forest. Char Burgess also addressed the City Council expressing concern about what SCE will do while we are preparing legislation to address this matter. Following discussion, Councilmember Gilbreath moved to direct staff to come back with a permitting ordinance with regards to the street tree trimming; proceed with the list of Rule 20A projects as presented by Public Works Director Mutter with the removal of the transmission portion on San Bernardino Avenue; and asked staff for

direction for the City Council to look at the redress issue and what the City can do in the interim.

Resolution No. 6089 - Underground Utility District No. 11 - On motion of Councilmember Gilbreath, seconded by Councilmember Pepler, the City Council unanimously approved Resolution No. 6089, a resolution of the City Council of the City of Redlands establishing a date (December 3, 2002) to determine whether the public necessity, health, safety or welfare requires the formation of an Underground Utility District (No. 11) on San Bernardino Avenue between Dearborn Street and Wabash Avenue.

Resolution No. 6091 - Underground Utility District No. 12 - On motion of Councilmember Gilbreath, seconded by Councilmember Pepler, the City Council unanimously approved Resolution No. 6091, a resolution of the City Council of the City of Redlands establishing a date (December 3, 2002) to determine whether the public necessity, health, safety or welfare requires the formation of an Underground Utility District (No. 12) on Terracina Boulevard between Brookside Avenue and Olive Avenue.

CLOSED SESSION

The City Council meeting recessed at 4:18 P.M. to a closed session to discuss the following:

1. Conference with real property negotiator - Government Code Section 54956.8
 - a. Property: APNs 169-281-23 and 169-281-19
Negotiating parties: John Davidson and Johnny Moore
Under negotiation: Terms and price
 - b. Property: APN 169-281-34
Negotiating parties: John Davidson and George Krikorian
Under negotiation: Terms and price
 - c. Property: Barton House, APNs 292-172-03, 05, and 09
Negotiating parties: John Davidson and Dr. Terry Vines
Under negotiation: Terms and price
2. Conference with legal counsel: Existing litigation - Government Code Section 54956.9(a)
 - a. Carol Vargas v. City of Redlands - SCVSS 095147
 - b. Sunset Drive Corporation v. City of Redlands - SCV 29599
 - c. The Redlands Association v. City of Redlands - SCVSS 79374

The meeting reconvened at 7:00 P.M.

ANNOUNCEMENTS/REPORTS

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

LAND USE AND PUBLIC HEARINGS

Salton, Inc., Applicant - Public notice was advertised for this time and place to consider a Draft Mitigated Negative Declaration as well as a public hearing for a Socio-Economic Analysis and Cost/Benefit Study for Planning Commission Review and Approval No. 744 for the construction of a 978,504 square foot concrete tilt-up building for a regional distribution center on approximately 47.52 acres located on the south side of San Bernardino Avenue at the terminus of Marigold Avenue in Concept Plan No. 1 of the East Valley Corridor Specific Plan. Community Development Director Shaw described the proposed project. Mayor Haws declared the meeting open as a public hearing for any questions or comments. On behalf of the applicant, Pat Meyer stated the landscaping and architecture go far beyond the minimum requirements and that the reuse issue has been addressed and this structure is suitable for conversion. The president and CEO of Salton, Inc. also addressed the City Council expressing his pleasure in becoming part of Redlands. There being no further comments, the public hearing was declared closed. Councilmember George suggested the City review its Congestion Management Plan as he does not feel it is valid for the City of Redlands and felt it should be altered to be more in keeping with Redlands' needs in transportation. He also noted he would oppose this application, as he was not in favor of additional warehouses.

CEQA Action - Councilmember Pepler moved that the City Council determine that Planning Commission Review and Approval No. 744 does not require further environmental processing pursuant to Section 15162 of the California Environmental Quality Act Guidelines based on the information presented in the staff report, the testimony presented at this public hearing, and findings as contained in the staff report. Motion seconded by Councilmember Harrison and carried with Councilmember George voting NO.

Water Supply Assessment - Councilmember Pepler moved that the City Council, based on the entire record and the Water Supply Assessment prepared for this project, has determined that projected water supplies will be sufficient to satisfy the demands of the Project in addition to existing and planned future uses. Motion seconded by Councilmember Harrison and carried with Councilmember George voting NO.

Mitigated Negative Declaration - Councilmember Pepler moved to approve the Environmental Review Committee's mitigated negative declaration for Planning Commission Review and Approval No. 744 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 Pepler moved to approve the Socio-Economic Analysis and Cost/Benefit Study for Planning Commission Review and Approval No. 744 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.

CR&A No. 744 - Councilmember Pepler moved to approve Planning Commission Review and Approval No. 744 subject to the findings, conditions of approval, and departmental recommendations as contained in the staff report. Motion seconded by Councilmember Harrison and carried with Councilmember George voting NO. Councilmember Harrison complimented Salton on their design and high standards.

Catherine Vincent, Applicant - Public notice was advertised for this time and place to consider a Draft Mitigated Negative Declaration as well as public hearings for:

- a. Ordinance No. 2517, Zone Change 387, a change of zone from R-S (Suburban Residential) District to A-P (Administrative Professional) District for two existing parcels totaling 0.23 acre located at 1259 Brookside Avenue (APNs 172-013-06 and 172-013-07);
- b. Conditional Use Permit No. 772 to convert a 935 square foot single-family dwelling to office use and construction of a 2,016 square foot garage for covered parking on a 0.23 acre parcel located at 1259 Brookside Avenue in the A-P (Administrative Professional) District;
- c. Variance No. 644, a variance from Section 18.164.270D of the Redlands Municipal Code to allow a driveway width of 19.5 feet instead of 26 feet as required for property located at 1259 Brookside Avenue in the A-P (Administrative Professional) District; and
- d. Lot Line Adjustment No. 443, a lot line adjustment merging two lots into one lot of record for property located at 1259 Brookside Avenue in the A-P (Administrative Professional) District - APNs 172-013-06 and 172-013-07.

Community Development Director Shaw explained the proposed project. Mayor Haws declared the meeting open as a public hearing for any questions or comments. None being forthcoming, the public hearing was declared closed.

Mitigated Negative Declaration - Councilmember Harrison moved to approve the Environmental Review Committee's mitigated negative declaration for Zone Change No. 387 and Conditional Use Permit No. 772 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 unanimously.

Ordinance No. 2517 - Zone Change No. 387 - Ordinance No. 2517, an ordinance of the City of Redlands amending Title 18 of the Redlands

Municipal Code by adopting a revised land use zoning plan as part of the Official Land Use Zoning Map and effecting Zone Change No. 387, was read by title only by City Clerk Poyzer, and on motion of Councilmember Harrison, seconded by Councilmember Pepler, was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for November 19, 2002.

Variance No. 644 - Councilmember Harrison moved to approve Variance No. 644 based on the findings contained in the staff report. Motion seconded by Councilmember Pepler and carried unanimously.

Conditional Use Permit No. 722 - Councilmember Harrison moved to approve Conditional Use Permit No. 722 subject to the findings, conditions of approval, and all department recommendations of approval as contained in the staff report. Motion seconded by Councilmember Pepler and carried unanimously.

Ordinance No. 2516 - Specific Plan No. 45 (Amendment No. 6) - Public notice was advertised for this time and place to consider a Draft Mitigated Negative Declaration as well as a public hearing for Ordinance No. 2516, an ordinance of the City of Redlands adopting Amendment No. 6 to Specific Plan No. 45 and amending Ordinance Nos. 2185, 2269, 2338, 2398, and 2415, by incorporating a parcel located at 1 East State Street, located on the northeast corner of State and Orange Streets, into the Town Center District. Community Development Director Shaw explained this proposal will not have a significant impact on land uses since both the existing C-3 (General Commercial) District and the proposed Town Center District of Specific Plan No. 45 allow similar land uses. This is the first step in expanding the Downtown Specific Plan to include the commercial area south of Redlands Boulevard. The City Council initiated this amendment to accommodate a proposed tenant which is a restaurant use; the property owners is in support of the request. Mayor Haws declared the meeting open as a public hearing. There being no comments, the public hearing was declared closed. Councilmember Haws moved to approve the Environmental Review Committee's negative declaration for Ordinance No. 2516 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 unanimously. Ordinance No. 2516 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. 2516 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for November 19, 2002.

CB Properties, 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

- a. Ordinance No. 2518 - Zone Change No. 388 - A change of zone from A-1 (Agricultural) District (five-acre lots) to R-E (Residential Estate) District (14,000 square foot lots) on 10.24 acres located on the east side of Texas Street, approximately 540 feet north of Pioneer Avenue (APN 167-071-32);
- b. Tentative Tract No. 16359 - The subdivision of approximately 13.80 acres into 43 residential lots and five common lots located on the east side of Texas Street, approximately 540 feet north of Pioneer Avenue (APN 167-071-32 and 167-071-34) in the A-1 (Agricultural) District (five acre lots) which is proposed for a zone change to R-E (Residential Estate) District (14,000 square foot lots) and the R-S (Suburban Residential) District (10,000 square foot lots); and
- c. Conditional Use Permit No. 777 - A conditional use permit for a planned residential development on 13.80 acres consisting of 43 residential lots and five common lots located on the east side of Texas Street, approximately 540 feet north of Pioneer Avenue (APN 167-071-32 and 167-071-34) in the A-1 (Agricultural) District (five acre lots) which is proposed for a zone change to R-E (Residential Estate) District (14,000 square foot lots) and the R-S (Suburban Residential) District (10,000 square foot lots).

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, Bud Thatcher told Councilmembers they concurred with the conditions of approval. He also answered several questions about the project. There being no further questions, the public hearing was declared closed.

Mitigated Negative Declaration - Councilmember Pepler moved to approve the Environmental Review Committee's mitigated negative declaration for Ordinance No. 2518 (Zone Change No. 388), Tentative Tract No. 16359, and Conditional Use Permit No. 777 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 unanimously.

Socio-Economic Analysis and Cost/Benefit Study - Councilmember Pepler moved to approve the Socio-Economic Analysis and Cost/Benefit Study for Ordinance No. 2518 (Zone Change No. 388), Tentative Tract No. 16359, and Conditional Use Permit No. 777 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 unanimously.

Ordinance No. 2518 - Zone Change No. 388 - Ordinance No. 2518, was read by title only by City Clerk Poyzer, and on motion of Councilmember Pepler, seconded by Councilmember Harrison, further reading of the ordinance text was unanimously waived, and Ordinance No. 2518 was

introduced with unanimous Council approval and laid over under the rules with adoption scheduled for November 19, 2002.

Conditional Use Permit No. 777 - Councilmember Pepler moved to approve Conditional Use Permit No. 777 based on the finding as contained in the staff report. Motion seconded by Councilmember Harrison and carried unanimously.

Tentative Tract No. 16359 - Councilmember Pepler moved to approve Tentative Tract No. 16359 subject to the conditions of approval and findings as contained in the staff report. Motion seconded by Councilmember Harrison and carried unanimously.

PUBLIC HEARINGS

Public hearing were advertised for this time and place to consider establishing Community Facilities District No. 2002-1. At the request of the applicant, Redlands Business Center, this matter was withdrawn from the agenda.

UNFINISHED BUSINESS

Resolution No. 6082 - Outdoor Sales Permit Fee - Public Works Director Mutter explained a number of local businesses have begun to set up merchandise for sale in areas within the public right-of-way fronting their businesses. In accordance with the Redlands Municipal Code, Chapters 12.12 and 12.16, an encroachment permit is required for any such placement of merchandize for sales, storage, display or advertisement within the public right-of-way. Currently, no prescribed form exists for the issuance of such a permit. Standards to be used for the establishment of outdoor sales areas within public right-of-way have been prepared which includes forms for the application and encroachment permit. Also required is a fee to cover the cost of processing the application and permit, as well as the inspection of the site to assure conformance with the established standards. This procedure has been reviewed by the Downtown Redlands Business Association Board of Directors. Councilmember Pepler moved to adopt Resolution No. 6082, a resolution of the City Council of the City of Redlands establish a schedule of fees for the application and issuance of an encroachment permit for the placement of outdoor sales facilities in public right-of-way. Motion seconded by Councilmember George and carried unanimously.

NEW BUSINESS

Ordinance No. 2519 - For Sale Sign on Parked Vehicles - Ordinance No. 2519, an ordinance of the City of Redlands amending Chapter 10.40 of the Redlands Municipal Code relating to prohibited parking on City streets and removing the prohibition of parking vehicles on the street for purposes of selling the vehicle, was read by title only by City Clerk Poyzer, and on motion of Councilmember Gilbreath, seconded by Councilmember Harrison, further reading of the ordinance text was unanimously waived, and Ordinance No. 2519 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for November 19, 2002.

PUBLIC COMMENTS

Transfer of Utility Department Funds and Assets - On behalf of The Redlands Association, Bill Cunningham read a letter regarding transfers to the General Fund of Municipal Utility Department funds and assets and asked the City Council to terminate this procedure and initiate a process to restore said funds and conform to state law in all future practice.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 8:05 P.M. The next regular meeting will be held on November 19, 2002.

City Clerk

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CITY OF REDLANDS)
COUNTY OF SAN BERNARDINO) SS
STATE OF CALIFORNIA)

I, Lorrie Poyzer, City Clerk of the City of Redlands, California, do hereby certify under penalty of perjury that the foregoing is a full, true and correct copy of the minutes of the City Council meeting of the City of Redlands held on November 5, 2002.

WITNESS my hand and the official seal of the City of Redlands this 20th day of November, 2002.

Lorrie Poyzer, City Clerk
City of Redlands, California