

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 21, 2000.

PRESENT

Pat Gilbreath, Mayor
Gary George, Mayor Pro Tem
John L. Freedman, Councilmember
Karl N. "Kasey" Haws, Councilmember

Gary M. Luebbers, 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
Jeffrey L. Shaw, Community Development Director

ABSENT

Susan Pepler, Councilmember

The meeting was opened with an invocation by Mayor Gilbreath followed by the pledge of allegiance.

PRESENTATIONS

CHP Awards - Mayor Gilbreath and California Highway Patrol Sergeant Tom Gregoryk presented awards to the following Redlands Police Officers recognizing their efforts in the recovery of stolen vehicles valued at \$264,125.00: Brad Grantz who recovered 24 vehicles, Rod Walters who recovered 12 vehicles, and Darren Longnecker who recovered 14 vehicles.

CONSENT CALENDAR

Minutes - On motion of Councilmember George, seconded by Councilmember Freedman, the minutes of the regular meeting of March 7, 2000, and the special meeting of March 14, 2000, were approved as submitted.

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

Planning Commission Actions - On motion of Councilmember George, seconded by Councilmember Freedman, the report of the Planning Commission meeting held on March 14, 2000, was acknowledged as received.

Ordinance No. 2431 - City Integrated Solid Waste Management - Ordinance No. 2431, an ordinance of the City of Redlands amending Chapter 13.64 of the Redlands Municipal Code relating to City integrated solid waste management, was adopted on motion of Councilmember George, seconded by Councilmember Freedman, by the following vote:

AYES: Councilmembers George, Freedman, Haws; Mayor Gilbreath

NOES: None

ABSENT: Councilmember Pepler

Contract Award - Nevada/Iowa Water Transmission Main - Bids were opened and publicly declared on February 11, 2000 by the City Clerk for the Nevada Street, Park Avenue, Alabama Street, Center Street and Iowa Street (Nevada/Iowa) Water Transmission Main Project; a bid opening report is on file in the Office of the City Clerk. Councilmember George moved to approve the Negative Declaration for the Nevada/Iowa Water Transmission Main Project 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 Freedman and carried by AYE votes of all present. Councilmember George moved to waive the irregularities in the apparent low bid for the Nevada/Iowa Water Transmission Main Project submitted by DDH Apple Valley Construction, Inc. as it has been determined by staff and the City Attorney that the irregularities are inconsequential and that this bid will result in the lowest cost for the City. Motion seconded by Councilmember Freedman and carried by AYE votes of all present. Councilmember George moved to award the contract for construction of the Nevada/Iowa Water Transmission Main Project No. 4-0020 to DDH Apple Valley Construction, Inc. and authorize the Mayor and City Clerk to execute a construction contract in the amount of \$516,830.77. Motion seconded by Councilmember Freedman and carried by AYE votes of all present.

Agreement - Nevada/Iowa Water Transmission Main Project - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council authorized, by AYE votes of all present, the Mayor and City Clerk to execute a Construction Inspection and Management Services Agreement in the amount of \$45,000.00 with Inspection Consultants for the Nevada Street, Park Avenue, Alabama Street, Center Street and Iowa Street (Nevada/Iowa) Water Transmission Main Project.

Fee Waiver - Optimist Club of Redlands - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council approved, by AYE votes of all present, a fee waiver to the Optimist Club of Redlands for the use and reservation of the bandstand (gazebo) at Sylvan Park for their annual

car show on July 15, 2000. It was noted the Optimist Club of Redlands donated the gazebo to the City in 1988.

Subordination Agreement/Estoppel Certificate - Police Substation - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council approved a Subordination Agreement/Estoppel Certificate for the police substation in the Orange Street Plaza and authorized the Mayor and City Clerk to execute the documents on behalf of the City by AYE votes of all present.

Resolution No. 5742 - Traffic - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council adopted, by AYE votes of all present, Resolution No. 5742, 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: Repaint existing red curb yellow along north side of Pennsylvania Avenue at the east side of Clement Middle School entrance for approximately 110 feet and establish loading/unloading zone between existing red curbs at the west side of the school entrance.

Resolution No. 5743 - Traffic - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council adopted, by AYE votes of all present, Resolution No. 5743, 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: Establish "No Parking" zone at all four corners of the intersection of Clark and Fourth Streets.

Resolution No. 5744 - Traffic - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council adopted, by AYE votes of all present, Resolution No. 5744, 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: Implement extended parking permit program in Redlands for all streets with parking time limit restrictions to allow clients, customers or patrons of eligible businesses to park in time parking spaces longer than two continuous hours; the Extended Parking Permit Program is to be administered by the Office of the City Treasurer and enforced by the City Police Department in accordance with the regulations contained within Resolution No. 5744.

Agreement - Art Class - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council approved an Independent Contractor Agreement with Sarah Godbold for a watercolor and progressive art class to be held in the Community Senior Center classroom and authorized the Mayor and City Clerk to execute the document on behalf of the City by AYE votes of all present.

PLANNING AND COMMUNITY DEVELOPMENT

Minor Subdivision No. 250 - Final Approval - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council granted, by

AYE votes of all present, final approval for Minor Subdivision No. 250 (Parcel Map No. 15310) as all conditions of approval have been satisfied. Minor Subdivision No. 250 is a subdivision of approximately 3.67 improved acres into five commercial lots in the C-M (Commercial Industrial) District for property located on the south side of Colton Avenue, west of Tennessee Street (Al Steward, applicant).

RDA No. 2000-1-1 - Citing a conflict of interest, Mayor Gilbreath left the City Council Chambers and Mayor Pro Tem George conducted the meeting for this item. Community Development Director Shaw reported Residential Development Allocation No. 2000-1-1 for 11 single family homes for Tract No. 15867, generally located between Campbell and Franklin Avenues, east of Summit Avenue, has been reviewed by the Planning Commission, the Historic and Scenic Preservation Commission, City staff, and the Redlands Unified School District. He explained the allocation process and reviewed the summary sheet included in the staff report which listed the recommended points totaling 92 (minimum required: 90) awarded in each of the 18 categories examined. Councilmember Freedman moved to accept the recommendations for points to be awarded to this project and to approve Residential Development Allocation No. 2000-1-1. Motion seconded by Councilmember Haws and carried by AYE votes of all present with Councilmember Gilbreath abstaining.

RDA No. 2000-1-2 - Community Development Director Shaw reported Residential Development Allocation No. 2000-1-2 for 14 single family homes for Tract No. 16032, located on the northeast corner of Citrus Avenue and La Salle Street, have been reviewed by the Planning Commission, the Historic and Scenic Preservation Commission, City staff, and the Redlands Unified School District. He reviewed the summary sheet included in the staff report which listed the recommended points totaling 95 (minimum required: 90) awarded in each of the 18 categories examined. Councilmember George moved to accept the recommendations for points to be awarded to this project and to approve Residential Development Allocation No. 2000-1-2. Motion seconded by Councilmember Freedman and carried by AYE votes of all present.

RDA No. 2000-1-3 - Community Development Director Shaw reported Residential Development Allocation No. 2000-1-3 for 33 single family homes for Tract No. 16029, located on the northwest corner of Pioneer Avenue and Church Street, have been reviewed by the Planning Commission, the Historic and Scenic Preservation Commission, City staff, and the Redlands Unified School District. He reviewed the summary sheet included in the staff report which listed the recommended points totaling 96 (minimum required: 90) awarded in each of the 18 categories examined and further explained the allocation process. Councilmember Haws moved to accept the recommendations for points to be awarded to this project and to approve Residential Development Allocation No. 2000-1-3. Motion seconded by Councilmember Freedman and carried by AYE votes of all present.

COMMUNICATIONS

City Manager's Report - City Manager Luebbers reported he has received several inquiries about good development during the past two weeks which bodes well for us. Councilmembers expressed their appreciation to Mr. Luebbers for his efforts in economic development.

Redlands Allies Report - Downtown Development - Councilmember George reviewed the purpose of the Redlands Allies and their goals for Redlands; citing a possible conflict of interest in relation to the bus transit facility, Councilmember George did not participate in the presentation of this report. On behalf of the Redlands Allies, David Thayler, President of the Redlands Chamber of Commerce presented a report entitled *Downtown Development Objectives and Policies and Bus Transfer Facility Location and Design Recommendations* dated March 2000. He read a letter signed by W. Robert Clark, President of the Redlands Conservancy, Jim Cavanaugh, President of the Downtown Redlands Business Association, and himself summarizing the report which contained the results of their efforts to prepare recommendations regarding the location of a bus transit facility in downtown Redlands. He recommended adoption of these recommendations and other findings contained in their report and urged the City Council to continue working with the community and City staff to implement them. He concluded expressing appreciation for the opportunity to participate in this process. Following brief discussion, Councilmember Haws moved to refer this report to staff for technical review and processing through the Planning Commission and City Council with the assistance of the Redlands Allies. Motion seconded by Councilmember Freedman, who thanked the Redlands Allies for their efforts, and motion carried by AYE votes of all present with Councilmember George abstaining.

Area Code Overlays - Councilmember Freedman happily reported the California Public Utilities Commission has indefinitely suspended area code overlays previously scheduled for the 408 Area Code in the San Jose area, the 415, 510, and 650 Area Codes in the San Francisco area, the 714 Area Code in Orange County, and the 909 Area Code in San Bernardino/Riverside Counties.

Airport Lease Agreement and Proposal - City Attorney McHugh reported that several months ago, Gil Brown, one of the proprietors of Coyote Aviation Corporation, approached the City Council with a proposal to lease certain property at the Redlands Municipal Airport and construct an aviation complex. Mr. Brown's construction proposals consists of three phases. The first phase would be hangars and certain ramp improvements. The second phase would include a public lobby and restaurant. The third phase of the complex would include a maintenance hangar, related aviation facilities and perhaps a fueling station. The City Council was receptive to this proposal and directed staff to work with Mr. Brown to develop a lease. Staff subsequently obtained

appraisals, negotiated terms with Mr. Brown, and arrived at a lease proposal which staff can recommend and which Mr. Brown generally finds acceptable. City Attorney McHugh reviewed the lease terms contained in the proposed document. Mr. Brown addressed the City Council and expressed concerns in the proposed lease agreement relating to re-appraisal of the land, lease rate, and adjustment of rental rate. Mr. Brown is very excited about this project and was eager to proceed. City Manager Luebbers explained that staff will bring back a contract for City Council action in two weeks and will review and address these concerns at that time. On motion of Councilmember Haws, seconded by Councilmember Freedman, the City Council continued this matter for two weeks by AYE votes of all present.

Appointments - Cultural Arts Commission - As recommended by Councilmember George, Mayor Gilbreath moved to nominate Jean K. Harp to the Cultural Arts Commission to fill the unexpired term of Dee Ann Milson to January 6, 2002, Arthur G. Svenson to the Cultural Arts Commission to fill the unexpired term of Barbara Morse to January 6, 2002, and Sherli Leonard to the Cultural Arts Commission to fill the unexpired term of Kathleen Gura to January 6, 2002. Motion seconded by Councilmember George and carried by AYE votes of all present.

Appointment - Public Works Commission - As recommended by Councilmember Haws, Mayor Gilbreath moved to nominate Joseph Stejskal to the Public Works Commission to fill the unexpired term of Kurt Deile to November 16, 2001. Motion seconded by Councilmember Haws and carried by AYE votes of all present.

Appointment - Traffic and Parking Commission - An appointment to the Traffic and Parking Commission to fill the unexpired term of E. Joseph Shaw was delayed in order to allow Councilmember Freedman an opportunity to review the applications.

Appointment - Human Relations Commission - Mayor Gilbreath moved to nominate Tony Martinez to the Human Relations Commission to a four year term to March 21, 2004. Motion seconded by Councilmember Haws and carried by AYE votes of all present.

Appointment - Recreation Advisory Commission - As recommended by Councilmember Pepler, Mayor Gilbreath moved to nominate Patty People to the Recreation Advisory Commission to fill the unexpired term of Alicia O'Donnell to June 30, 2002. Motion seconded by Councilmember Freedman and carried by AYE votes of all present.

Appointments - DRBA Advisory Board - Mayor Gilbreath moved to appoint David Ahlers and Barbara Garcia to the Downtown Redlands Business Association Advisory Board as unanimously recommended by the DRBA

Board. Motion seconded by Councilmember George and carried by AYE votes of all present.

DRBA Administration - Councilmember George reported the Downtown Redlands Business Association (DRBA) Advisory Board has recommended moving the administration of the DRBA from the Police Department to the City Manager as it seemed to be more appropriate as it is becoming more involved in economic development. Appreciation was expressed to the Police Department, especially Marjie Pettus who will continue to assist as needed, for their efforts with the DRBA. Councilmember George moved to approve this recommendation of the DRBA Advisory Board, effective July 1, 2000. Motion seconded by Councilmember Freedman and carried by AYE votes of all present.

Resolution No. 5749 - Inland Empire Airport Development - Mayor Gilbreath reported she has been contacted by San Bernardino Mayor Valles regarding the adoption of a resolution supporting the San Bernardino International Airport Authority's efforts for Inland Empire airport development. Councilmember George moved to adopt Resolution No. 5749, a resolution of the City Council of the City of Redlands supporting the San Bernardino International Airport Authority's efforts for Inland Empire airport development: work with local governments and economic development authorities to accelerate development of airport capacity and other logistical infrastructure at San Bernardino International Airport and work with the El Toro Reuse Planning Authority to provide an immediate alternative to development of El Toro Airport if the citizens of Orange County choose to not proceed with its opening. Councilmember Gilbreath seconded the motion. Councilmember Haws felt a full-blown discussion may be necessary in the near future regarding flight patterns and indicated this resolution should not be construed as "blanket" approval of activities at San Bernardino International Airport. Councilmember Freedman expressed concern about the City of Redlands becoming financially responsible. Mayor Gilbreath said Mayor Valles has assured us there would be no financial impact by adopting this resolution. Councilmembers Haws and Freedman wanted it to be noted the City wants to be involved when this airport is developed. Councilmember George felt this would allow us some input. Following this discussion, Councilmember Freedman suggested continuing this matter for two weeks for further study. Mayor Gilbreath assured Councilmembers a cover letter would address the concerns expressed at this meeting. The motion then carried with Councilmember Freedman voting NO and Councilmember Pepler being absent.

JOINT MEETING - CITY COUNCIL AND REDEVELOPMENT AGENCY

Financial Reports - Finance Director Johnson explained that State statutes require an annual audit by independent certified public accountants. The accounting firm of Conrad and Associates was selected to perform these services. The audit was also designed to meet the requirements of the Federal Single Audit Act of 1984, OMB Circular A-133, and the OCJP Grant. The Single Audit Report shows the 1998-99 internal control findings and

recommendations and includes the City's response to these findings. The findings that are not yet implemented will be evaluated and appropriate action will be taken. She responded to Councilmembers concerns regarding the fixed assets accounting and the qualified opinion issued by the CPAs and assured Councilmembers staff has addressed the procedures and appraisals of our fixed assets. Councilmember Gilbreath moved to accept the City of Redlands Comprehensive Annual Financial Report, the Single Audit Report, and the Report on Appropriations Limit for the period ending June 30, 1999. Motion seconded by Councilmember Freedman and carried by AYE votes of all present. (Also see Redevelopment Agency minutes for March 21, 2000, for the Redevelopment Agency's Annual Financial Report.)

CLOSED SESSION

The City Council meeting recessed at 4:06 P.M. to continue the Redevelopment Agency meeting and reconvened at 4:07 P.M. to a closed session to discuss the following:

1. Conference with real property negotiator Government Code §54956.8
Property: Water rights/water stock
Negotiating parties: Chief of Water Resources Douglas Headrick and Spring Pacific Properties
Under negotiation: Terms and price

The meeting reconvened at 7:00 P.M.

PRESENTATIONS

Proclamation - RHS Girls Water Polo CIF Championship - By consensus, the City Council authorize the issuance of proclamations recognizing and honoring the members of the 1999-2000 Redlands High School Girls Water Polo Team as California Interscholastic Federation (C.I.F.) champions and scholar-athletes. The team's combined cumulative grade point averages 3.8 on a 4-point scale. Councilmember Haws explained this is the highest athletic honor that any sports team can achieve and, in its long and remarkable history, Redlands High School has just one previous C.I.F. Championship in a girls' varsity sport. Mayor Gilbreath read the proclamation in full and with a great deal of pride, she and Councilmember Haws presented proclamations to members of the team Camille Clarendon, Kacy Tolar, Desi Hernandez, Beth Harberts, Melissa Haws (daughter of Councilmember Haws), Melissa Fernandez, Jennifer Sugiharto, Rachel Woolace, Jolynn Hammer, Kim Carlson, Kristi Hudson, Michelle Churchill, Kirsten Adama, and Shannon Steel; as well as Coach Matt Fry, Assistant Coach John Sousa, and Redlands High School Principal Robert Denton.

PUBLIC HEARINGS

Resolution No. 5733 - Historic Resource - Public hearing was advertised for this time and place to consider the recommendation of the Historic and Scenic Preservation Commission to designate the *Gordon Nelson Home* located at 503 Brookside Avenue as Historic Resource No. 101. Community Development Director Shaw reviewed the recommendation of the Historic and Scenic Preservation Commission. Mayor Gilbreath declared the meeting open as a public hearing for any questions or comments concerning this matter. None being forthcoming, the public hearing was declared closed. Councilmember Freedman moved to adopt Resolution No. 5733, a resolution of the City Council approving this recommendation based on the following findings in accordance with Section 2.62 of the Redlands Municipal Code:

1. It has significant character, interest or value as part of the development, heritage or cultural characteristics of the City of Redlands, State of California, or the United States in that the house is categorized as Spanish Colonial Revival and is important in showing the post World War I housing for working class people that was built between 1918 and 1930;
2. It is strongly identified with Mr. Gordon Nelson who was a worker in the citrus industry, became owner of citrus groves, and was President of the Bryn Mawr Fruit Growers Association; and
3. It is one of the few remaining examples in the City possessing distinguishing characteristics of an architectural type of specimen as the structure is a good and rare example of the housing stock that working class people lived in during the post World War I Redlands.

Motion seconded by Councilmember George and carried by AYE votes of all present.

Resolution No. 5745 - Revenue Bonds Issuance - Public hearing was advertised for this time and place to consider Resolution No. 5745, a resolution of the City Council of the City of Redlands, California, regarding the holding of a public hearing in connection with the issuance and delivery of Senior Housing Revenue Bonds evidencing an obligation of the California Statewide Communities Development Authority to finance certain facilities to be owned by Regent Assisted Living, Inc. Finance Director Johnson explained the California Statewide Communities Development Authority intends to issue debt for the purposes of financing the acquisition, construction and equipping of an assisted living facility to be located on Fern Avenue in Redlands. The Internal Revenue Code of 1986 requires that the "applicable elected representative" with respect to the geographical area in which the project is located to hold a public hearing with respect to bond issuance and, if appropriate, approve a resolution authorizing the issuance of the bonds. The adoption of this resolution is simply to comply with law. City staff is not required to review or approve any of the underlying documents, and this debt does not constitute an obligation of the City of Redlands. The City's bond counsel has reviewed the documents associated with this transaction and has assured the City that adoption of Resolution No. 5745 will not result in any liability or obligation for the City. The City will be reimbursed by the Authority for any staff time or other costs

associated with this action. Mayor Gilbreath declared the meeting open for any questions or comments. None being forthcoming, the public hearing was declared closed. Councilmember George moved to adopt Resolution No. 5745; motion seconded by Councilmember Freedman and carried by AYE votes of all present.

Local Law Enforcement Block Grant Funds - Public hearing was advertised for this time and place to designate "the purpose areas" for law enforcement funds received from the U. S. Conference of Mayors Law Enforcement Block Grant Funds. Police Chief Bueermann explained the Omnibus Fiscal Year 1999 Appropriations Act, Public Law 105-277, provides funds for the continuation of the Local Law Enforcement Block Grant program through the Federal Bureau of Justice Assistance. The program provides funds for local agencies to underwrite projects to reduce crime and improve public safety. These funds must be used for municipal police services and must supplement and not supplant existing funding for municipal police services. The City Council must consider the written request for the use of these funds separate and apart from the proposed allocations from the City's General Fund. Mayor Gilbreath declared the meeting open as a public hearing for any questions or comments. None being forthcoming, the public hearing was declared closed. Councilmember Freedman moved to approve the use of the Local Law Enforcement Block Grant funds as follows:

Custody Specialist program	\$124,877.00
Custody Specialist Special Duty Program	2,450.00
Technology Improvements:	
Computer workstation, Property/Evidence Unit and computer server for digital booking system	<u>8,334.00</u>
Total Expenditures	\$135,661.00

Ordinance No. 2432 - East Valley Corridor Specific Plan - Public hearing was advertised for this time and place to consider Ordinance No. 2432, an ordinance of the City of Redlands adopting Amendment No. 15 to Specific Plan No. 40, to modify Section EV4.0290 changing the equivalent Sign Code designation for the EV/IC (Commercial-Industrial) district of the East Valley Corridor Specific Plan area from C-M (Commercial-Industrial) District to C-4 (Highway Commercial) District (Lowe's Companies, Inc., applicant). Community Development Director Shaw explained this application was filed in conjunction with an application for Sign Conditional Use Permit No. 4 for a 221 square foot wall sign on the new Lowe's Home Improvement Warehouse building located at the southwest corner of Redlands Boulevard and Iowa Street. He reviewed the Planning Commission's recommendation made on February 22, 2000, for approval of this amendment. Mayor Gilbreath declared the meeting open as a public hearing for any questions or comments. None being forthcoming, the public hearing was declared closed. Councilmember Freedman moved to approve the Negative Declaration for Amendment No. 15 to the East Valley Corridor Specific Plan 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 Haws and carried by AYE votes of all present. Ordinance No. 2432 was read by title only by City Clerk Poyzer, and on motion of Councilmember Freedman, seconded by Councilmember Haws, further reading of the ordinance text was waived, and Ordinance No. 2432 was introduced and laid over under the rules with adoption scheduled for April 4, 2000.

Sign Conditional Use Permit No. 4 - The application for a 221 square foot wall sign on the new Lowe's Home Improvement Warehouse building located at the southwest corner of Redlands Boulevard and Iowa Street needs to coincide with the adoption of Ordinance No. 2432; therefore, Councilmember Freedman moved to continue the public hearing for Sign Conditional Use Permit No. 4 to April 4, 2000. Motion seconded by Councilmember Haws and carried by AYE votes of all present.

Pre-Annexation Agreement No. 98-03 - Nice Development Corp. - Public hearings were advertised for this time and place to consider Pre-Annexation Agreement No. 98-03 and a Socio-Economic Cost Benefit Study for 36 utility connections for residential lots within Tract No. 13768 located in an unincorporated area within the City's Sphere of Influence at the northwest corner of Agate Avenue and Nice Avenue (Nice Development Corporation, applicant). Community Development Director Shaw reported the project site is currently under County jurisdiction but within our Sphere of Influence, approximately 4,000 feet east of the nearest City of Redlands city limit line. This single family subdivision was initially before the City Council as part of the proposed annexation that included the new Redlands East Valley High School and surrounding properties which annexation failed. The same project site was also before the City Council on June 15, 1999, but was pulled from the agenda as it was determined that it required more information relative to site analysis under the California Environmental Quality Act (CEQA) procedures and Measure U requirements (Socio-Economic Cost Benefit Study), and the applicant had not yet signed the pre-annexation agreement. Councilmember Haws moved to approve the Negative Declaration for Pre-Annexation Agreement No. 98-03 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 by AYE votes of all present. Councilmember Haws moved to approve the Socio-Economic Cost Benefit Study for Pre-Annexation Agreement No. 98-03 as Tract No. 13768 will not create unmitigable physical blight or overburden

public services in the community and no additional information or evaluation is needed; the proposed project, based on the overall Fiscal Impact Analysis, will provide the City with a positive annual revenue/cost ratio of 1.378 upon annexation. Motion seconded by Councilmember George and carried by AYE votes of all present. Councilmember Haws moved to approve Pre-Annexation Agreement No. 98-03 based on the following findings:

1. That the proposed subdivision is consistent with the policies, land use designation, and density prescribed by the General Plan;
2. That the proposed 36 lot subdivision will have minimal effect upon the City's public infrastructure;
3. That the design and improvements of the proposed subdivision are consistent with City standards; and
4. That the site is physically suitable to accommodate this type of development.

Motion seconded by Councilmember George and carried by AYE votes of all present. Councilmember George noted this action shows what is possible and sets the tone for future annexations, and that this procedure is available to property owners in the Donut Hole if they wish to come in and see us.

NEW BUSINESS

Historic Preservation - 1145 West Highland Avenue - Community Development Director Shaw reported that at the Historic and Scenic Preservation Commission meeting of February 17, 2000, Mr. Phillip Livoni expressed concerns under petitions from the floor regarding property at 1145 West Highland Avenue (known as the S. Stillman Berry property and *The Beehive*) which is located within a designated historic district. The Historic and Scenic Preservation Commission requested staff to investigate and bring it back as a discussion and information item at its regularly scheduled meeting of March 2, 2000. Staff investigated the concerns of Mr. Livoni and presented a report to the Historic and Scenic Preservation Commission. Staff found that certain structures had been removed without proper permits and that modifications were being proposed to the stoop/stairs and sidewalk areas of the residence. The property owners, Daniel and Debbie Schwartz, were made aware of the issues raised at the meeting and the need to obtain proper approval from the City prior to performing further work at the site. Based on this contact, a request for Minor Certificate of Appropriateness was filed by the property owner. The request for Minor Certificate of Appropriateness was referred, by the Historic and Scenic Preservation Commission, to a public hearing for a Certificate of Appropriateness. Mr. Livoni felt strongly, as did other residents in the area, that a lot line adjustment should have required review and action by the Historic and Scenic Preservation Commission prior to any action and that, in this instance, such an approval would have been inappropriate. The property owner had filed for and received approval of a lot line adjustment with the City on January 12, 2000, which took five non-conforming lots, adjusted property lines and reduced the number of lots to three conforming lots. Staff reviewed the procedure with

the City Attorney who concurred that the action was legal as the Redlands Municipal Code does not require lot line adjustments to be reviewed by the Historic and Scenic Preservation Commission. Since the lot line adjustment was done in accordance with the Redlands Municipal Code and the State Subdivision Map Act, the action was appropriate. The City may "change the rules" and require lot line adjustments to be reviewed by the Historic and Scenic Preservation Commission; however, it would not be legal to rescind or take away a prior approval granted in accordance with our Codes. Based on this information, staff cannot support the Historic and Scenic Preservation Commission's recommendation. Staff has determined that the action taken on the lot line adjustment conforms with the Code. Regarding allegations pertaining to the modification and removal of structures on the site, staff has issued a stop work order at the site, has received an application for a Certificate of Appropriateness for the stairs/stoop area and sidewalk maintenance, and is still investigating other complaints received.

Representing the property owners, Saul Jaffe, who is very involved in historic preservation in Claremont, suggested remanding this matter to the Historic and Scenic Preservation Commission, and the Planning Commission if necessary, for discussion to resolve all concerns. He assured Councilmembers and the large number of people in the audience he and the property owners were willing to work with the neighbors and the City to address these concerns.

A petition containing the signatures of 210 residents and neighbors was submitted to the City Council opposing the division of this property to build new homes and supporting full implementation of the City's historic and scenic preservation ordinance to preserve and protect the historic S. Stillman Berry property. The City Council Chambers were filled almost to capacity supporting the following speakers: Linda Livoni who read a letter from Lois Musmann, Phillip Livoni, John Holmes, Bob Clark, Liz Beguelin from the Redlands Area Historical Society who also submitted a letter, Paul Morris, Richard Titera, James R. Dunn, Jon Harrison, and Paul Jepson. Following this lengthy hearing, Councilmember Gilbreath moved to direct staff to amend the Redlands Municipal Code to require that lot line adjustments be subject to review by the Historic and Scenic Preservation Commission and Planning Commission with implementation of noticing requirements, and directed staff to come back and give the City Council a legal opinion on what can be done and whether this property can be designated as an historic site. Motion seconded by Councilmember George and carried by AYE votes of all present. On behalf of the owners, Mr. Jaffe again assured Councilmembers their intent was to work with City staff and the neighbors and to let the process work.

PUBLIC COMMENTS

Sign Variance - Mr. James Dickerson, who owns the property at 1549 West Redlands Boulevard, reported he had received a letter from the City advising

him to get a permit to demolish a sign on his property within five days or apply for a sign variance for a fee of \$1,700.00 and go before the Planning Commission. He was upset and ask the City Council not to take anything away from him. City Manager Luebbers offered to prepare a report for the City Council meeting on April 4, 2000. This report will be scheduled during the afternoon session as that was Mr. Dickerson's preference.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 8:58 P.M. It was announced that the City Council will hold a workshop study session to discuss "Housing Density Bonuses" on April 4, 2000, at 2:00 P.M. in the City Council Chambers.

City Clerk