

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 April 18, 2000.

PRESENT

Pat Gilbreath, Mayor
Gary George, Mayor Pro Tem
John L. Freedman, Councilmember
(evening session)
Susan Pepler, 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
(afternoon session)
Jim Bueermann, Police Chief
Larry E. Burgess, A. K. Smiley Public Library Director
(afternoon session)
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

None

The meeting was opened with an invocation by Councilmember Haws followed by the pledge of allegiance.

PRESENTATIONS

Employee Service - Introductions were made by the departments heads and Mayor Gilbreath presented five year service pins to: Christopher Catren, Police Department; Shelly James, Police Department; Travis Martinez, Police Department; Tandra Wilson, Police Department; Cynthia Brooks, Purchasing Division; Jesse Savell, Building Maintenance Division; Dale McCue, Street Division; Ty Harris, Fire Department; Ellen Spilker, Fire Department; Donald Trujillo, Fire Department; Deborah Myers, Treasurer's Office; Valorie Shatynski, Solid Waste Division; William Valdivia, Solid Waste Division; Gilbert Cancino, Wastewater Division; and Christine Mitchell, Library.

Ten year service pins were presented to: Floyd Bolton, Equipment Maintenance Division; Nicholas Lozano, Equipment Maintenance Division; Wayne

Whisenant, Equipment Maintenance Division; Vonn Layel, Police Department; Linda Little, Finance Department; Gary Bierma, Building Maintenance Division; Daniel Hanes, Cemetery; Steve Fea, Fire Department; Gregory Hitchcock, Fire Department; Richard Pepper, Building and Safety Division; Debra Healy, Water Division; Glenn Hoyle, Water Division; and John Morales, Water Division.

Fifteen year service pins were presented to: Olga Ortega, Personnel Division; Howard Shurte, Equipment Maintenance Division; Dave Anady, Police Department; Irene Romero, Police Department; Bud Camomile, Street Division; Glenn Holding, Wastewater Division; Charles Ford, Water Division; Blanca Rodriguez, Library; and Fred Clark, Fire Department

Twenty year service pins were presented to: Rick Hulbert, Police Department; Daniel Shefchik, Police Department; Sue LaRussa-Fair, Community Services Division; Phillip Pierce, Parks Division; Ray Valdivia, Parks Division; Jimmy Miller, Solid Waste Division; Steve Dickey, Water Division; David Dickinson, Water Division; Lorraine Estelle, Library; and Janice Jones, Library.

Twenty-five year service pins were presented to: Deputy Police Chief Cletus Hyman; Robert Jones, Police Department; David McLees, Fire Department; Glenn Shrive, Fire Department; and Richard Baca, Wastewater Division.

In recognition of 30 years of service, a gold watch was presented to: Mike Briggs, Engineering Services Division, Public Works Department.

Marriage proposal - Following acceptance of his 15 year service pin, Firefighter/Paramedic Fred Clark invited Laurie Johnson, Public Works Staff Assistant, to the front of the Council Chambers. In the presence of the standing-room-only, soon to be emotional audience, on bended knee with a diamond engagement ring, Mr. Clark asked Ms. Johnson to marry him. Ms. Johnson tearfully replied yes and the audience joyfully responded with applause and a standing ovation.

Employee of the Quarter - City Manager Luebbers introduced the following 11 nominees for the Employee of the Quarter:

Category: Field

Mike Finn	Public Works Department Streets Division
Dale McCue	Public Works Department Streets Division
Art Ramos	Police Department Recreation Bureau
Richard Ramos	Municipal Utilities Department Solid Waste Division

Category: Safety

Rick Hulbert	Corporal Police Department
Corey Hunt	Police Officer Police Department
Rick Strobaugh	Corporal Police Department

Category: Administration

Ruth Breslin	Police Department Recreation Bureau
David Jaffe	Police Department Recreation Bureau
Vera Rodriguez	Municipal Utilities Department Solid Waste Division
Barbara Wiggins	Police Department Community Services Bureau

Mayor Gilbreath presented a plaque with the City seal to the selected employees of the quarter as follows:

Art Ramos, Recreation Division - Art Ramos, Maintenance Laborer, is truly one of the most valuable employees in the Recreation Division. He takes pride in every task he performs and cares very deeply about his work. The quality of his work is outstanding, and he is always personable and positive. He is a "jack of all trades" working on files and building maintenance projects. He has shown terrific energy, initiative and drive. He has also saved a tremendous amount of money by performing work himself instead of using outside services. Mr. Ramos was nominated due to his consistent service above and beyond his job requirements and for his continued positive attitude and approach to work.

Corporal Rick Hulbert, Police Department - Rick Hulbert is a dynamic individual who is extremely pro-active in his efforts to improve the quality of life for the City of Redlands. He has been instrumental in developing a number of community-based programs that have greatly increased the quality of life in this City. In addition, he is always willing to change his shift, or work days, at a moment's notice in order to meet the needs of his community. Corporal Hulbert is to be commended for his dedication and commitment to the principles and values of community policing.

Vera Rodriguez, Municipal Utilities Department - When a citizen of Redlands has a question or problem regarding their trash or recycling, they are fortunate to have Vera Rodriguez, Customer Service Representative, pick up the phone and help them. She treats each customer with respect and is very understanding of each problem and how to resolve it. She is dedicated to

making each customer contact meaningful and productive. Ms. Rodriguez is an exceptional role model for customer service.

Spring Pacific Properties - Pat Meyer, Urban Environs, introduced principals from Spring Pacific Properties who are acquiring three parcels of land consisting of 540± in the northwest quadrant of Redlands for industrial warehouse uses including an auto dealerships and e-commerce. During the 45 minute presentation, Councilmembers were advised the developer would need the City's help with land use issues and economic development. Councilmember George expressed concern about the look and feel and hoped they would move the industrial manufacturing uses northward. Councilmember Haws noted that Redlands would rather do nothing than do something wrong. Each Councilmember present indicated they looked forward to working with them.

CONSENT CALENDAR

Minutes - On motion of Councilmember George, seconded by Councilmember Haws, the minutes of the regular meeting of April 4, 2000, were approved as submitted.

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

Planning Commission Actions - On motion of Councilmember George, seconded by Councilmember Haws, the report of the Planning Commission meeting held on April 11, 2000, was acknowledged as received.

Ordinance No. 2435 - Zone Change No. 373 - Ordinance No. 2435, an ordinance of the City of Redlands amending Title 18 of the Redlands Municipal Code by adopting an additional land use zoning plan as part of the Official Land Use Zoning Map and effecting Zone Change No. 373, a change of zone from R-2 (Multiple Family Residential) District to R-S (Suburban Residential - 10,000 square foot lots) District on Lots 2, 3, and 4 (approximately 1.06 acres) of proposed Tentative Tract No. 16082, located north of Olive Avenue at the terminus of Ash and Roma Streets, was adopted on motion of Councilmember George, seconded by Councilmember Haws, by the following vote:

AYES: Councilmembers George, Pepler, Haws; Mayor Gilbreath

NOES: None

ABSENT: Councilmember Freedman

Proclamation - National Community Development Week 2000 - On motion of Councilmember George, seconded by Councilmember Haws, the City Council authorized, by AYE votes of all present, issuance of a proclamation observing the week of April 24-30, 2000 as "National Community Development Week

2000 in observance of the 26th anniversary of the Community Development Block Grant program.

Proclamation - Children's Immunizations - On motion of Councilmember George, seconded by Councilmember Haws, the City Council authorized, by AYE votes of all present, issuance of a proclamation declaring April 16-22, 2000 as Infant Immunization Week and May, 2000, as Toddler Immunization Month and urging that we all work towards a healthy future for our children by ensuring early and on-time immunizations.

Resolution No. 5751 - CEQA Guidelines - On motion of Councilmember George, seconded by Councilmember Haws, the City Council adopted, by AYE votes of all present, Resolution No. 5751, a resolution of the City Council of the City of Redlands amending the City's local guidelines for implementing the California Environmental Quality Act.

Resolution No. 5735 - Landscape Maintenance District - On motion of Councilmember George, seconded by Councilmember Haws, the City Council adopted Resolution No. 5735, a resolution of the City Council of the City of Redlands, County of San Bernardino, of preliminary approval of the Engineer's Report for Fiscal Year 2000-2001 for Landscape Maintenance District No. 1, by AYE votes of all present.

Resolution No. 5736 - Landscape Maintenance District - On motion of Councilmember George, seconded by Councilmember Haws, the City Council adopted, by AYE votes of all present, Resolution No. 5736, a resolution of the City Council of the City of Redlands, County of San Bernardino, California, declaring its intention to levy and collect assessments for Fiscal Year 2000-2001 in Landscape Maintenance District No. 1, an assessment district; declaring the work to be of more specific than general public benefit; specifying the exterior boundaries of the areas within the Landscape Maintenance District No. 1 and to be assessed the cost and expenses thereof; determining that these proceedings shall be taken pursuant to the Landscaping and Lighting Act of 1972 and Article XIID of the California Constitution; and offering a time and place for hearing thereto (May 16, 2000, for a public meeting and June 20, 2000, for a public hearing at 7:00 P.M.).

Resolution No. 5739 - Street Lighting District - On motion of Councilmember George, seconded by Councilmember Haws, the City Council adopted Resolution No. 5739, a resolution of the City Council of the City of Redlands, County of San Bernardino, of preliminary approval of the Engineer's Report for Fiscal Year 2000-2001 for Street Lighting District No. 1, by AYE votes of all present.

Resolution No. 5740 - Street Lighting District - On motion of Councilmember George, seconded by Councilmember Haws, the City Council adopted, by AYE

votes of all present, Resolution No. 5740, a resolution of the City Council of the City of Redlands, County of San Bernardino, California, declaring its intention to levy and collect assessments for Fiscal Year 2000-2001 in Street Lighting District No. 1, an assessment district; declaring the work to be of more specific than general public benefit; specifying the exterior boundaries of the areas within the Street Lighting District No. 1 and to be assessed the cost and expenses thereof; determining that these proceedings shall be taken pursuant to the Landscaping and Lighting Act of 1972 and Article XIID of the California Constitution; and offering a time and place for hearing thereto (May 16, 2000, for a public meeting and June 20, 2000, for a public hearing at 7:00 P.M.).

Contract Award - CDBG Intersection Improvements - Bids were opened and publicly declared on March 30, 2000, by the City Clerk for the construction of the Community Development Block Grant (CDBG) Intersection Improvements project which will construct street corner and handicap ramp improvements to several intersections within the CDBG Target Area:

<i>Engineer's Estimate</i>	\$ 95,000.00
Sean Malek Engineering and Construction, Perris	108,400.00
Laird Construction Company, Inc., Rancho Cucamonga	139,250.00

The lowest bidder did not comply with the necessary DBE requirements that were to be submitted with the bid as directed in the instructions to bidders. This discrepancy was noted by the second bidder and a protest was lodged. Staff has determined that, in accordance with the specifications, the lowest bidder must be disqualified. Since the CDBG Fund only has \$104,000.00 budgeted for this project and no additional funds are available, an award could not be made to either bidder without an appropriation of about \$50,000.00 for the lowest responsive/responsible bidder. Staff is currently eliminating some intersection work in an effort to bring the project within budget and recommended rejection of these bids. On motion of Councilmember George, seconded by Councilmember Haws, this recommendation was approved and staff was directed to modify and readvertise the project by AYE votes of all present.

Resolution No. 5753 - Disaster Recovery Initiative Standard Agreement - On motion of Councilmember George, seconded by Councilmember Haws, the City Council adopted, by AYE votes of all present, Resolution No. 5753, a resolution rescinding Resolution No. 5666 and replacing the designation of the City of Redlands' agent to approve contract execution for funding from the General/Native American Allocation of the State Community Development Block Grant (CDBG) program and authorizing the execution of a grant agreement and any amendments thereto with the State of California for the purposes of this grant for the construction of storm drain rehabilitation within the Mission Zanja.

Sylvan Park Wading Pool - Public Works Director Mutter reviewed the history of the wading pool at Sylvan Park. In April, 1986, the Noon Kiwanis Club of Redlands contributed engineering and design work, materials, labor and a cash

donation of \$15,000.00 to be utilized as their match of a \$30,000.00 project to construct a wading pool in Sylvan Park. On April 15, 1986, the City Council accepted the donation and appropriated \$15,000.00 from the Park Development Fund to complete the funding requirements for the project. Up to 1998, the pool was operated by the Recreation Division and maintained by the Parks Division. During the past five years, the condition of the wading pool has deteriorated. The Recreation Division was charged with providing lifeguards and constant monitoring of the pool during operating hours. Recreation staff was faced with continual problems in opening the pool due to vandalism, sometimes on a daily basis. Injuries to children were often reported as a result of the rough surface of the pool floor. Water quality monitoring was required on a continual basis, especially when youngsters in diapers utilized the pool. The necessary capital expenditures to upgrade the facility to meet current codes and regulations are estimated to be higher than the original cost of the pool. Public Works Director Mutter was informed the Kiwanis Club would prefer that the operation of the pool be continued but offered no additional support to that end. The disposition of the wading pool was placed before both the Parks Commission and the Recreation Commission in October of 1998 for review and recommendations. Both commissions recommended that the operation of the pool be discontinued with the Parks Commission recommending replacement with shrubs and flowers and the Recreation Commission recommending a water feature element be continued such as in the form of a fountain or decorative pool. Earlier today, Public Works Director Mutter learned that the entire membership of the Kiwanis Club was not aware of this situation and wanted to further study its options. Community Services Division Manager Marjie Pettus reported on the usage of the pool when it was operational. Councilmember Haws moved to continue this matter until June 6, 2000, to allow a formal notification to the Kiwanis Club of the issues, and further to thank them for their contribution which served the City's residents well before age took its toll. Motion seconded by Councilmember George and carried by AYE votes of all present. Councilmember Pepler asked Police Chief Bueermann for assistance relative to the vandalism problems.

Agreement - Bear Valley Mutual Water Company - Citing a possible conflict of interest, Mayor Gilbreath left the City Council Chambers and Mayor Pro Tem George conducted the meeting on this item. On motion of Councilmember Haws, seconded by Councilmember Pepler, the City Council approved an agreement between the City of Redlands and Bear Valley Mutual Water Company for temporary pipeline maintenance at Colton and Wabash Avenues, and authorized the Mayor and City Clerk to sign the agreement on behalf of the City, by AYE votes of all present.

Lugonia Water Company Stock Purchase - Citing a possible conflict of interest, Mayor Gilbreath left the City Council Chambers and Mayor Pro Tem George conducted the meeting on this item. On motion of Councilmember Haws, seconded by Councilmember Pepler, the City Council approved, by AYE votes

of all present, the purchase of 10 shares of Lugonia Water Company stock from Dorothy A. Larsen Trust for a total price of \$12,760.00.

Bear Valley Mutual Water Company Stock Purchase - Citing a possible conflict of interest, Mayor Gilbreath left the City Council Chambers and Mayor Pro Tem George conducted the meeting on this item. On motion of Councilmember Haws, seconded by Councilmember Peppler, the City Council approved, by AYE votes of all present, the purchase of 630 shares of Bear Valley Mutual Water Company stock from Western Desert 886, LLC for a total price of \$78,750.00.

PLANNING AND COMMUNITY DEVELOPMENT

Minor Subdivision No. 226 - Time Extension - On motion of Councilmember George, seconded by Councilmember Haws, the City Council approved, by AYE votes of all present, a one-year time extension for Minor Subdivision No. 226, a subdivision of approximately 17.13 acres of land into two parcels for property located on the northwest corner of Lugonia and Wabash Avenues in the C-4 (Highway Commercial) District; Metro California Business Enterprises, applicant.

Subdivision Improvement Agreement - Tract No. 16029 - On motion of Councilmember George, seconded by Councilmember Haws, the City Council approved, by AYE votes of all present, a subdivision improvement agreement for Tract No. 16029, a subdivision of 33 single family lots and one lettered lot on approximately 9.59 acres generally located on the northwest corner of Pioneer Avenue and Church Street in the R-1 (Single Family) District.

Tract No. 16029 - Final Approval - On motion of Councilmember George, seconded by Councilmember Haws, the City Council granted final approval, by AYE votes of all present, for Tract No. 16029 and authorized recordation with the County Recorder. Tract No. 16029 is a subdivision of 33 single family lots and one lettered lot on approximately 9.59 acres generally located on the northwest corner of Pioneer Avenue and Church Street in the R-1 (Single Family) District; Steven Walker Homes, applicant.

COMMUNICATIONS

City Manager's Report - City Manager Luebbers reported the City's semi-annual community clean-up was held on April 8, 2000. Dumpsters were available at Cope Middle School, Kimberly School, and at the corner of Church Street and Pennsylvania Avenue. Seven hundred customers used the service that day bringing in 96 tons of rubbish. This averaged out at 10,000 pounds per hour per worker.

Greenspot Area - Community Development Director Shaw reported the Local Agency Formation Commission (LAFCO) in 1997 established the spheres of influence for the Greenspot area, placing a portion in the City of Redlands' sphere and a portion in the City of Highland's sphere. The City of Redlands had already included that area in its planning area in the 1995 General Plan adoption. The City of Highland has not previously adopted a general plan designation for their portion of the area. At this time, in anticipation of future annexation of their sphere area, the City of Highland has initiated a general plan amendment and pre-zoning of the area to establish appropriate land use policies and regulations. The City of Highland is requesting a general plan amendment to amend portions of the Land Use Element to Rural Living (1 per 5 acres density). They also propose to amend the Public Services and Facilities and Open Space and Conservation Elements of the General Plan and pre-zone to A/EQ-5 (agricultural/equestrian 5 acres minimum parcel size) and OS (Open Space) for the expanded Greenspot sphere of influence area. The approximate 1,940 acre site lies north and south of Greenspot Road, east of the Highland city limits. The first public hearing on this matter is scheduled for April 18, 2000, at 6:00 P.M. in the City of Highland at the City Hall Donahue Council Chambers. Staff recommends that the City Council acknowledge and indicate its support of the proposed general plan amendment and zone change since they are compatible with the existing Rural Living Designation in the City of Redlands' General Plan for that area in general. Councilmember George moved to find that the City of Highland's proposed general plan amendment is compatible with the City of Redlands' General Plan for the adjacent area located within the City of Redlands' sphere of influence in the Greenspot area and indicate its support to the City of Highland. Motion seconded by Councilmember Haws and carried by AYE votes of all present.

CALTRANS Soundwall Study - Mayor Gilbreath reported a contract to study the construction of soundwalls from Ford Street to 16th Street in Yucaipa is in progress and suggested requesting SANBAG expand the area of the study to at least 6th Street in Redlands. Noting the many complaints from residents in the Sylvan Park area, Councilmember George moved to make this request to expand the area of the study. Motion seconded by Councilmember Peppler and carried by AYE votes of all present.

Proclamation - Mayor Pro Tem George presented a proclamation declaring Friday, May 19, 2000, as *Downtown Redlands Disney Dinosaur Day* and urging all citizens to visit participating Downtown Redlands Business Association merchants during the special promotion period May 1-18, 2000, for the opportunity to attend a special opening night presentation of Walt Disney Pictures' *Dinosaur* at Krikorian Premiere Theatre that evening. Councilmember George reported a dinosaur exhibit, prepared by the County Museum, will also be on display in the Krikorian Theatre lobby. Councilmember George then moved the City Council authorize issuance of this proclamation. Motion seconded by Councilmember Haws and carried by AYE votes of all present.

KCAL Radio Station Event - Curtis Parcell, KCAL-FM, requested the City Council to grant permission to them to host a NASCAR pre-party in their radio station parking lot located at 1940 Orange Tree Lane on May 28, 2000. The event will consist of live bands, barbecue hamburgers and hot dogs, Budweiser beer garden (with fencing and security) with a percentage of the proceeds benefiting a local charity (Make-A-Wish or The Ronald McDonald House), a Budweiser NASCAR display (vehicles, banners, booths, inflatables, etc.), and interactive games (dunk tank, contests, etc.). A letter of approval from the City is needed for submission to the Alcohol Beverage Control for the one-day event license. Police Chief Bueermann asked the City Council to continue this request to the 7:00 P.M. session as he and Mr. Parcell needed additional time for discussion. During the evening session, Mr. Parcell said he had worked out many of the issues with Police Chief Bueermann. Councilmember Haws moved to grant permission KCAL-FM to hold this event subject to approval of the Police Department. Motion seconded by Councilmember Peppler and carried with Councilmember Freedman abstaining since he was not present during the afternoon session and was not cognizant of the issues.

County Corridor - Mr. Ty Schuiling, SANBAG, reviewed the Moreno Valley to San Bernardino County Corridor Study in detail which addresses the looming transportation problems facing this area. There will be a meeting on May 2, 2000, at 10:00 A.M. in Riverside and he suggested the City Council appoint an elective official and staff to represent Redlands' interests. Councilmember Gilbreath moved to appoint Community Development Director Shaw as the staff representative, Councilmember George as the elective representative, and Councilmember Peppler as the elective alternate. Motion seconded by Councilmember Haws and carried by AYE votes of all present. The City Council will review this matter further at the adjourned regular meeting scheduled to be held on Monday, April 24, 2000.

CLOSED SESSION

The City Council meeting recessed at 5:06 P.M. to a Redevelopment Agency meeting and reconvened at 5:09 P.M. to a closed session to discuss the following:

1. Conference with legal counsel: Existing litigation - Government Code Section 54956.9(a)
 - Claim of David LaVau
 - Redlands Joint Venture v. City of Redlands/Timberlake SCV 54994
2. Conference with legal counsel: Existing litigation - Government Code Section 54956.9(c) - one case
3. Conference with real property negotiator Government Code Section 54956.8
 - a. Property: APN 173-191-16 - 1132 East Cypress Avenue
 - Negotiating parties: Deborah Craney and Dean Papapetru
 - Under negotiation: Terms and price

- b. Property: APN 292-321-06 - Southwest corner of Lugonia Avenue and Nevada Street
 Negotiating parties: Deborah Craney and Rick Lazar of Lazar and Lauer; Deborah Craney and Mo Behzad
 Under negotiation: Terms and price
- c. Property: Water rights/water stock
 Negotiating parties: Chief of Water Resources Douglas Headrick and Spring Pacific Properties
 Under negotiation: Terms and price
 (Due to a potential conflict of interest, Councilmember Gilbreath abstained from this matter.)
- d. Property: APN 172-481-082, Barton Road and Brookside Avenue
 Negotiating Parties: Deborah Craney and Rick Lazar of Lazar and Lauer
 Under negotiation: Terms and price
 (This item was added to the agenda, by AYE votes of all present, as it arose subsequent to the agenda being posted on motion of Councilmember George, seconded by Councilmember Haws. Due to a potential conflict of interest, Councilmember George abstained from this matter.)

The meeting reconvened at 7:00 P.M. at which time Councilmember Freedman was present.

PUBLIC HEARINGS

Ordinance No. 2403 - Density Bonus - Public hearing was continued to this time and place to consider Ordinance No. 2403, an ordinance of the City of Redlands adding Chapter 18.226 to the Redlands Municipal Code to establish incentives (Density Bonus) for the production of very low, lower income and senior housing. Community Development Director Shaw reviewed the changes City Council asked for at their study session held on April 4, 2000. Mayor Gilbreath declared the meeting open as a public hearing for any questions or comments. On behalf of The Redlands Association, Bill Cunningham expressed their concerns about the "gamut" of incentives and urged a limitation of the list. Community Development Director Shaw reminded Councilmembers the list would provide flexibility. There being no further comments, the public hearing was declared closed. Councilmember Haws moved to approve the Negative Declaration for Ordinance No. 2403 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 Peppler and carried with

Councilmember Freedman voting NO. Ordinance No. 2403 was read by title only by City Clerk Poyzer, and on motion of Councilmember Gilbreath, seconded by Councilmember Haws, further reading of the ordinance text was waived, and Ordinance No. 2403 was introduced and laid over under the rules with adoption scheduled for May 2, 2000, with Councilmember Freedman voting NO.

Mountain View Power Company - Public hearing was advertised for this time and place to consider a Negative Declaration for Ordinance No. 2436, an ordinance of the City of Redlands amending Chapters 18.108 and 18.116 of the Redlands Municipal Code relating to electric generation uses, and Ordinance No. 2437, an ordinance of the City of Redlands approving a development agreement with Mountainview Power Company, LLC. Community Development Director Shaw reported the City Council initiated annexation of 82 acres of land which included a steam electrical generating plant and distribution facility originally owned by Southern California Edison Company. As a result of deregulation of the electric utilities in California, the steam electric generating plant was sold to a new owner, Mountainview Power Company. After the annexation of the 82 acre site went through the Local Agency Formation Commission for approval, Mountainview Power Company requested that the issue be brought back for reconsideration. It has been pending reconsideration while the City and Mountainview work out concerns expressed by the owner. As a result of those negotiations, it was determined that the City Code needed to be amended to better accommodate a steam electric generating station, especially since the applicant was proposing a future significant expansion and updating of the existing facility. It was also determined that a development agreement was necessary to satisfy the long range interests of Mountainview Power Company. Thus an application was filed for a zoning ordinance text amendment and a development agreement. The proposed zoning ordinance text amendment addresses three issues: it adds non-nuclear steam electric generating plants as a permitted use, allows non-nuclear generating plants to have a height of 120 feet plus appurtenant structures such as cooling towers to have a height not to exceed 225 feet, and establishes a maximum noise level in the M-2 District at 60 CNEL when measured at the property line of any property used for residential, hospital, school, or park use.

Mayor Gilbreath declared the meeting open for any questions or comments. Floyd Gent, Vice President of Thermo Ecotek Corporation/Mountainview Power Company, expressed appreciation to staff and Councilmembers for their cooperative efforts and said they were looking forward to working with the City. Robert Klotz, attorney for Mountainview Power Company, asked the City Council to authorize the Mayor to sign a letter regarding the development agreement confirming each others' understanding of the following:

1. That the development agreement will be revised prior to final action by the City Council to reflect accurately the ownership of Mountainview Power Company;
2. That the City Council will not take final action adopting the ordinance approving the development agreement until it receives written notification from Mountainview that the property description has been finalized and that the description has been provided to the City as a revision to the development agreement; and
3. That it is also agreed that final action adopting the proposed zoning ordinance amendment should be taken as soon as the public hearing and other ordinance adoption procedures have been completed. A CEQA notice of determination should be filed and posted promptly following the zoning ordinance adoption.

There being no further comments, the public hearing was declared closed. Councilmember George moved to approve the Negative Declaration for Ordinance No. 2436 (Zoning Ordinance Text Amendment No. 266) and Ordinance No. 2437 (Development Agreement No. 13), 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 unanimously.

Ordinance No. 2436 - Zoning Ordinance Text Amendment No. 266 - Ordinance No. 2436, relating to electric generation uses, was read by title only by City Clerk Poyzer, and on motion of Councilmember George, seconded by Councilmember Freedman, further reading of the ordinance text was unanimously waived, and Ordinance No. 2436 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for May 2, 2000.

Ordinance No. 2437 - Mountainview Power Development Agreement - Ordinance No. 2437, approving a development agreement with Mountainview Power Company, LLC, was read by title only by City Clerk Poyzer, and on motion of Councilmember George, seconded by Councilmember Freedman, further reading of the ordinance text was unanimously waived, and Ordinance No. 2437 was introduced with unanimous Council approval and laid over under the rules. Councilmember Freedman moved to authorize the Mayor to sign a letter on behalf of the City confirming the City's understandings with respect to processing of the development agreement with Mountainview Power Company, LLC as described above. Motion seconded by Councilmember George and carried unanimously.

NEW BUSINESS

Sports Complex Master Plan - Police Chief Bueermann reported a joint meeting of the Recreation and Parks Commissions was held on March 29, 2000, to discuss the potential development of the sports complex. After reviewing draft designs and discussing public/private partnerships for construction, the Commissions reached a consensus on the need to develop a master plan for the sports facility. Commissioners felt this was particularly important due to the need to phase development, and it was further emphasized that the master plan could be designed to incorporate and accommodate private development. Public Works Director Mutter also reported that staff has prepared a "concept" master plan but the Commissioners recommended development of a professional master plan and that the City Council identify and appropriate up to \$30,000.00 to develop this master plan. He stated there was nothing in the budget for this purpose at this time. Councilmember Haws gave an update on the status of development of a 17 acre detention basin and suggested a workshop be held to "hash out" the details of the playing field. Representatives from AYSO, Chuck Wilburn and Bruce Laycook, expressed their appreciation to staff and Councilmember Haws and urged that all organizations should be involved in the preparation of a master plan and that they needed contiguous space. Chairman of the Recreation Commission Carl Clapp urged Councilmembers to capture the momentum and act now to prepare a master plan with as many stakeholders involved as necessary. Councilmember Gilbreath moved to direct staff to enter into discussions with Standard Pacific and others regarding the funding of a master plan for the Redlands Sports Complex. Motion seconded by Councilmember Freedman and carried unanimously. Councilmembers concurred to hold a workshop on April 24, 2000, at 6:30 P.M.

Ordinance No. 2438 - Code Update - City Attorney McHugh reported the City Attorney's Office has undertaken a complete review of the Redlands Municipal Code and commenced an update of all the Code's chapters. This is the first of many proposed ordinances which the City Council will see regarding this Municipal Code update project. The last time the Municipal Code was "updated" was in 1984-87 when Redlands transformed its "Ordinance Code" to a more organized "Municipal Code." At that time, codification of the Redlands Municipal Code was completed under the direction of City Clerk Poyzer. City staff is now in the process of reviewing the entire Code for legal sufficiency, ensuring its compliance with new laws and suggesting revisions where appropriate to make the Code and City regulatory process more efficient for the public. Ordinance No. 2438 will do the following if approved by the City Council:

1. It adds a section to the Code regarding "Mandatory Duties" which better protects the City on risk management and potential liability matters;
 2. It establishes an appeal process to the City Council for those decisions which are made by staff members and City Committees and Commissions;
- and

3. It deletes the requirements for certain City officials, such as the City Manager and the Chief of Police, to obtain surety bonds, and sets more appropriate limits, and reinforces the requirement, that the City Treasurer and City Clerk are required to have bonds.

Ordinance No. 2438, an ordinance of the City of Redlands adding Chapters 1.04 and 1.06 to the Redlands Municipal Code relating to general provisions and notices and appeals, and amending Chapters 2.04 and 2.10 of the Redlands Municipal Code relating to bonds for City officials, was read by title only by City Clerk Poyzer, and on motion of Councilmember Gilbreath, seconded by Councilmember George, further reading of the ordinance text was unanimously waived, and Ordinance No. 2438 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for May 2, 2000. At the suggestion of City Manager Luebbers, Councilmembers concurred to hold a workshop study session in the near future to review the Sign Code.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 7:50 P.M. to an adjourned regular meeting to be held on Monday, April 24, 2000, at 6:30 P.M. in the City Council Chambers, 35 Cajon Street, Redlands, California.

City Clerk