

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 September 5, 2000.

PRESENT

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

Larry E. Burgess, Interim City Manager
Daniel J. McHugh, City Attorney
Lorrie Poyzer, City Clerk
Michael Reynolds, City Treasurer
Jim Bueermann, Police Chief
Mel Enslow, Fire Chief
Rod Hill, Assistant 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 Mayor Gilbreath followed by the pledge of allegiance.

CONSENT CALENDAR

Minutes - On motion of Councilmember George, seconded by Councilmember Freedman, the minutes of the regular meeting of August 1, 2000, and the special meeting of August 10, 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 reports of the Planning Commission meetings held on August 8, 2000, and August 22, 2000, were acknowledged as received.

Ordinance No. 2450 - Administrative Citation and Remedies Process - Ordinance No. 2450, an ordinance of the City of Redlands adding Chapter 1.22 to the Redlands Municipal Code to establish an administrative citation and remedies process, was adopted on motion of Councilmember George, seconded by Councilmember Freedman, by the following vote:

AYES: Councilmembers George, Freedman, Pepler, Haws;
Mayor Gilbreath

NOES: None

ABSENT: None

Funds - 9-1-1 for Kids - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously authorized an additional appropriation of \$1,191.00 to the Police Department to fund the 9-1-1 for Kids program. These funds will be reimbursed in full by the State of California.

Funds - Shoulder Tap Program Grant - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously authorized acceptance of a State of California Department of Alcoholic Beverage Control grant (*Shoulder Tap* program) and authorized an additional appropriation in the amount of \$7,000.00 to the Police Department to fund the program.

Fee Waiver - Alzheimer's Association Memory Walk - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously waived the rental fees for barricades and a dumpster for the Alzheimer's Association Memory Walk to be conducted on October 21, 2000.

Proclamation - Prostate Cancer Awareness Month - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously authorized issuance of a proclamation declaring the month of September as Prostate Cancer Awareness Month.

Proclamation - Sheriff's Rodeo 2000 - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously authorized issuance of a proclamation declaring September 29 through October 1, 2000, as the Annual Sheriff's Rodeo 2000 Weekend.

Contract - Breath Alcohol Analysis Instrument - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously approved a contract with the San Bernardino County Sheriff's Department to continue services relating to the breath alcohol analysis instrument and authorized the Mayor and City Clerk to execute the agreement on behalf of the City.

Resolution No. 5792 - Conflict of Interest Code - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council reviewed its Conflict of Interest Code in accordance with Government Code Section 87306.5, found that amendments are necessary, and unanimously adopted Resolution No. 5792, a resolution of the City Council of the City of Redlands adopting an amended Conflict of Interest Code pursuant to the Political Reform Act of 1974.

Settlement Agreement - Loma Linda Towing - A copy of an executed settlement agreement with Leopold Wenzel, individually and doing business as

Loma Linda Towing, and Allen Wenzel was on this agenda to notify the public of the terms agreed to by the City Council in a closed session.

Funds - University of Redlands Director of Public Safety - On motion of Councilmember Freedman, seconded by Councilmember Gilbreath, the City Council unanimously approved an additional appropriation in the amount of \$132,272.00 to fund the Director of Public Safety position at the University of Redlands. The University will fully reimburse the City for all costs associated with this position.

Funds - Habitat for Humanity - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously approved a request from Habitat for Humanity for Neighborhood Initiative Program funds in the amount of \$45,000.00 in conjunction with the improvement project at 1140 Sixth Street.

Agreement - Joslyn Senior Center - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously approved an independent contractor agreement with Ana Alford for a quilting and embroidery class for senior adults at the Joslyn Senior Center and authorized the Mayor and City Clerk to execute the agreement on behalf of the City.

Agreement - Community Center - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously approved an independent contractor agreement with Rebecca Price for violin lessons for youth, teens and adults at the Community Center and authorized the Mayor and City Clerk to execute the agreement on behalf of the City.

Appointments - DRBA Advisory Board - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously reappointed Larry Statler, Tami Barr, and Gary George to the Downtown Redlands Business Association (DRBA) Advisory Board as recommended by the DRBA Advisory Board.

Release of Lien Agreement - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously authorized the release of a lien agreement with The Glorious Redland Investment Partnership dated April 20, 1984 for improvements to Orange Avenue, east of Kansas Street, with the provision that an in-lieu payment will be made for those improvements yet to be installed.

Fee Waiver - Project Home Again - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously approved a fee waiver for environmental review application fees for the Project Home Again expansion project located at 612 Lawton Street.

Reallocation of CDBG Funds - Texonia Park - On motion of Councilmember Haws, seconded by Councilmember Freedman, the City Council unanimously approved the expansion of the scope of work for Community Development Block Grant (CDBG) funds' Project 111-24202/1760 to allow for lighting, turf and irrigation in the north ballfield at Texonia Park. The request for reallocation of CDBG funds for the YMCA/Camp Edwards Project was withdrawn.

Agreement - Risk Management Plan - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously approved an agreement with Resource Management Services to furnish services for the preparation of risk management plan programs within the Water Division and authorized the Mayor and City Clerk to execute the agreement on behalf of the City.

Redlands Museum Donations - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously designated the A. K. Smiley Public Library and its Board of Trustees as the repository for donated materials until the Redlands Museum is established.

Agreement - California Street Landfill - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously authorized Amendment No. 2 to an engineering agreement with Vector Engineering to provide engineering services for the California Street Landfill horizontal expansion and authorized the Mayor and City Clerk to execute the amendment on behalf of the City.

Amended Lease Agreement - Coyote Aviation - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously approved a revised lease agreement with Coyote Aviation for use of a portion of the property at Redlands Municipal Airport and authorized the Mayor and City Clerk to execute the agreement on behalf of the City.

Agreement - Solid Waste Management Services - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously authorized a agreement with John C. Davis to furnish solid waste management services for the Municipal Utilities Department and authorized the Mayor and City Clerk to execute the agreement on behalf of the City.

PLANNING AND COMMUNITY DEVELOPMENT

CUP No. 704 - Sprint - Councilmembers Gilbreath and Haws left the Council Chambers due to conflicts of interest. Community Development Director Shaw reported Sprint PCS filed an appeal to the decision made by the Environmental Review Committee (ERC) for Conditional Use Permit No. 704 to require an

Environmental Impact Report (EIR) for the installation of a wireless telecommunications facility in the R-A (Residential Estate) District. The project would consist of a 102 foot monopole, an array of twelve antennas and seven ancillary equipment cabinets. The cellular facility is proposed to be located within the Redlands Country Club golf course between the sixth and seventh fairways, approximately 350 feet north of the southerly golf course boundary. Community Development Director Shaw reviewed the decision of the ERC and staff's recommendation. Under context of the California Environmental Quality Act (CEQA), there does not appear to be any significant adverse impacts of the project to established policies and therefore, no basis to require the preparation of an EIR for this project. In the Mitigated Negative Declaration prepared for this project, three environmental factors were identified warranting mitigation and staff recommended two mitigation measures be applied. Community Development Director Shaw felt that concerns raised should be addressed through the conditional use permit process. Requesting the preparation of an EIR were Harold Hartwick and Dan Eickman. A petition opposing the Sprint cellular tower containing 67 signatures of residents in the neighborhood of the Redlands Country Club was submitted. John Boat, an attorney representing Sprint PCS, spoke in favor of the staff's recommendation. He and a radio frequency expert answered Councilmembers' questions. Councilmember Freedman's motion to require an EIR did not receive a second. Following lengthy discussion, Councilmember George moved to grant the appeal by Sprint PCS and directed that the processing of Conditional Use Permit No. 704 proceed to the Planning Commission with the original Mitigated Negative Declaration prepared for the project. Motion seconded by Councilmember Pepler and carried by the following vote:

AYES: Councilmembers George and Pepler
NOES: Councilmember Freedman
ABSTAINED: Councilmember Gilbreath and Haws

Contract - Environmental Services for Majestic Realty Project - Community Development Director Shaw explained Helix Environmental Planning, Inc. submitted a proposal for services related to the Majestic Realty application for a pre-annexation agreement and possible annexation of their sixty acre site located east of Alabama Street, north of Lugonia Avenue, and west of the 210 Freeway and a related ordinance text amendment. The cost is not to exceed \$10,000.00, and staff would like to move forward to pay for services already done. This can be funded with money currently on deposit with the City from Majestic Realty. Councilmember Haws moved that the City Council approve the contract with Helix Environmental Planning, Inc. for environmental services related to the Majestic project to the extent expended up to this point and not to expend any further resources until or unless further approval comes from this Council. Motion seconded by Councilmember Freedman and carried unanimously.

EMINENT DOMAIN HEARINGS

Resolution No. 5783 - Home Depot Project - Councilmember George left the Council Chambers due to a potential conflict of interest. Resolution No. 5783, a resolution of the City Council of the City of Redlands declaring that the acquisition of a fee interest in a portion of certain real property by eminent domain is necessary for the widening of Lugonia Avenue in conjunction with the Home Depot Project, was continued to this time and place for a hearing. Mayor Gilbreath declared the meeting open for this hearing. City Attorney McHugh explained the nature and scope of the hearing noting an offer had been made and not accepted. City Clerk Poyzer reported that a notice of this hearing was mailed on July 10, 2000, to Lugo Water Company. Public Works Director Mutter explained the City of Redlands has received an application from Home Depot USA, Inc. for the construction of a retail home improvement center and outdoor garden center on approximately 17.65 acres located at the southeast corner of Lugonia Avenue and Tennessee Street. The conditions of approval for this project include a requirement to widen and improve Lugonia Avenue to the full General Plan width along the project frontage. Included within this area to be widened is a parcel of approximately 0.02 acres owned by the Lugo Water Company. The developer has attempted to acquire the parcel through a negotiation process; however, they have been unsuccessful. It has been requested by the developer that the City assist in the acquisition of this parcel. City Clerk Poyzer reported that no written objections, protests and requests to be heard have been filed or received. Mayor Gilbreath called upon all persons with an interest in this property who wished to be heard; no one was forthcoming. Mayor Gilbreath called upon all persons who wished to be heard on the proposed project; no one was forthcoming, and the hearing was closed. Councilmember Freedman moved to adopt Resolution No. 5783. Motion seconded by Councilmember Peppler and carried with Councilmember George abstaining.

Resolution No. 5784 - Colton and Wabash Project - Councilmember Gilbreath left the Council Chambers due to a potential conflict of interest. Resolution No. 5784, a resolution of the City Council of the City of Redlands declaring that the acquisition of a fee interest in a portion of certain real property by eminent domain is necessary for the completion of the City's Colton and Wabash Avenue Intersection Project, was continued to this time and place for a hearing. Mayor Pro Tem George declared the meeting open for this hearing. City Attorney McHugh explained the nature and scope of the hearing. City Clerk Poyzer reported that a notice of this hearing was mailed on July 7, 2000, to William M. Locklin. Public Works Director Mutter explained the City of Redlands has recently completed the construction of the intersection of Colton Avenue and Wabash Avenue. As part of this project, the irrigation canal belonging to the Bear Valley Mutual Water Company (BVMWC) was relocated into a ten-foot wide easement area through property owned by William J. Locklin. The ten-foot wide easement was acquired from Mr. Locklin based on

an understanding with the BVMWC staff that such an easement was acceptable. However, prior to accepting the easement, a new BVMWC General Manager was appointed and a 20-foot wide easement was required. The City is now attempting to acquire an additional ten feet along the westerly side of the existing easement. Mr. Locklin has been contacted and has declined the City's offer to acquire the additional easement. City Clerk Poyzer reported a letter was received on July 17, 2000, from Mr. Locklin's legal counsel to speak on his behalf. Mayor Pro Tem George called upon all persons with an interest in this property who wished to be heard. Legal counsel for Mr. Locklin, Wilfred Lemann was present. Mr. Locklin addressed the City Council and complimented Mr. Mutter noting they had worked well together but he did not understand why BVMWC was now needing another ten feet. In response to questions, Public Works Director Mutter said the City has many narrow easements with which it works with. Mayor Pro Tem George called upon all persons who wished to be heard on the proposed project; no one was forthcoming. Following lengthy discussion, Councilmember Haws moved to continue this hearing and directed staff to go back to Bear Valley Mutual Water Company and ask if they really needed 20 feet. Motion seconded by Councilmember Freedman and carried with Councilmember Gilbreath abstaining.

COMMUNICATIONS

University of Redlands' Financial Contributions - Mayor Gilbreath announced the University of Redlands will be making voluntary financial contributions to the City totaling \$40,000.00. She publicly recognized the University of Redlands and expressed appreciation for their active involvement with the City Council on many programs.

JOINT MEETING - CITY COUNCIL AND REDEVELOPMENT AGENCY

Resolution No. 5795 - Neighborhood Initiative Program - Councilmember Freedman moved to adopt Resolution No. 5795, a resolution of the City Council of the City of Redlands authorizing the use of low- and moderate-income housing funds outside the Redlands Project Area for the Neighborhood Initiative Program to implement an additional four participant agreements which will be acted upon by the Board of Directors of the Redevelopment Agency. Motion seconded by Councilmember Haws and carried unanimously. (Also see Redevelopment Agency minutes for September 5, 2000.)

Resolution No. 5776 - Redlands Blvd./Seventh St. Improvement Project - Councilmember George left the Council Chambers due to a potential conflict of interest. Public hearing was advertised for this time and place to consider Resolution No. 5776, a resolution of the City Council of the City of Redlands authorizing payment by the Redlands Redevelopment Agency for publicly owned land and improvements and making findings relating thereto, for the

Redlands Boulevard/Seventh Street Improvement Project (adjacent to the Honda/Yamaha dealership). Community Development Director Shaw described the proposed project which includes street, curb, gutter, drainage, sidewalk and landscape improvements along Redlands Boulevard and Seventh Street within the Redevelopment Project Area. 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 Pepler moved to adopt Resolution No. 5776. Motion seconded by Councilmember Freedman and carried with Councilmember George abstaining. (Also see Redevelopment Agency minutes for September 5, 2000.)

CLOSED SESSION

The City Council meeting recessed at 4:12 P.M. to a Redevelopment Agency meeting and reconvened at 4:15 P.M. to a closed session to discuss the following:

- a. Conference with labor negotiator - Government Code Section 54957.6
 - Agency negotiator: Renée Mayne, Labor Management Success
 - Employee organizations: Redlands Association of Management Employees, Redlands Association of Mid-Management Employees, Redlands Police Officers Association, Redlands Association of Safety Management Employees, Redlands Professional Fire Fighters Association, General Employees Association of Redlands
- ~~b. Conference with labor negotiator - Government Code Section 54957.6~~
 - ~~- Agency negotiator: Members of the City Council~~
 - ~~- Elected Official: City Clerk (did not transpire)~~
- c. Conference with labor negotiator - Government Code Section 54957.6
 - Agency negotiator: Members of the City Council
 - Elected Official: City Treasurer
- d. Conference with real property negotiator Government Code Section 54956.8
 - Property: 1109 Herald Street
 - Negotiating parties: Marjie Pettus and Joyce Hughes
 - Under negotiation: Terms and price
- e. Conference with real property negotiator Government Code Section 54956.8
 - Property: Lugonia Water Company Water Stock
 - Negotiating parties: Gary Phelps and Ms. Clement (Mullin Estate)
 - Under negotiation: Terms and price
- f. Conference with legal counsel: Existing litigation - Government Code Section 54956.9(a)
 - Cuaron v. City of Redlands - Case No. SCV 54931
 - City of Redlands v. County of San Bernardino and Majestic Realty Company - Case Nos. SCV 33330, 293198, 21447, an SCV 39504
- g. Conference with legal counsel: Anticipated litigation - Government Code Section 54956.9(c) - One case
- h. Conference with legal counsel: Government Code Section 54957 - Public Employee Appointment

The meeting reconvened at 7:00 P.M.

PRESENTATION

Thomas Kinkade Lithographs - Fire Chief Enslow announced the winners, Lynette Rassmusson and Pam O'Camb (City Clerk for the City of Loma Linda), of the sponsorship donor drawing of Thomas Kinkade's lithographs *Carmel*, *Sunset on Ocean Avenue*, and *Hometown Morning* which were donated Norman and Ida Wenzel, Chandler's Cove. Fire Chief Enslow announced \$6,000.00 was received from this undertaking and that \$32,901.00 has been collected for the purchase of a vehicle to tow the Life Safety Trailer. On behalf of the City, Mayor Gilbreath expressed deep appreciation to Mr. and Mrs. Wenzel for their efforts.

PUBLIC HEARINGS

General Plan Amendment No. 71; Zone Change No. 374; and Agriculture Preserve Removal No. 93 - Public hearing was continued to this time and place to consider approval of Draft Negative Declaration for

1. Resolution No. 5765 for General Plan Amendment No. 71, a change of the General Plan designation from Rural Living to Very Low Density Residential on four (4) parcels bounded by La Salle Street to the west, Fifth Avenue to the north, Wabash Avenue to the east, and Sixth Avenue to the south, Assessor Parcel Nos. 174-202-01, 174-202-02, 174-202-03 and 174-202-04 (Willard Farquhar, Stanley Lamkie, Karin Godfrey and Jane Mishak, applicants);
2. Resolution No. 5766 for Agricultural Preserve No. 93 for the removal of two parcels from the Agricultural Preserve bounded by La Salle Street to the west, Fifth Avenue to the north and Wabash Avenue to the east, Assessor Parcel Nos. 174-202-01 and 174-202-02 (Willard Farquhar and Stanley Lamkie, applicants); and
3. Ordinance No. 2442 for Zone Change No. 374, a change of zone from A-1 (Agricultural - five-acre lots) District to R-E (Residential Estate - 14,000 square foot lots) District on three parcels bounded by La Salle Street to the west, Fifth Avenue to the north and Sixth Avenue to the south, Assessor Parcel Nos. 174-202-01, 174-202-02 and 174-202-04 (Willard Farquhar, Stanley Lamkie and Karin Godfrey, applicants).

Community Development Director Shaw review these applications and explained the applicants wished to continue pursuit of the R-E zoning. Mayor Gilbreath declared the meeting open as a public hearing for any questions or comments. Willard Farquhar and Stanley Lamkie urged the City Council to approve their applications. Robert Frost declared his support for their request. Their being no further comments, the public hearing was closed. Councilmember Freedman stated he felt this was premature and would prefer to have these requests come forward when a project is proposed.

Negative Declaration - Councilmember Haws moved to approve the Negative Declaration for Resolution No. 5765 for General Plan Amendment No. 71 and Ordinance No. 2442 for Zone Change No. 374 based on the finding that the project will not have a significant effect on the environment, determining this project will not individually or cumulatively have an adverse impact on wildlife resources as defined in Section 711.2 of the California Fish and Game Code and directed staff to file and post a Notice of Determination in accordance with the City's guidelines. Motion seconded by Councilmember Pepler and carried with Councilmember Freedman voting NO.

Resolution No. 5765 - General Plan Amendment No. 71 - Councilmember Haws moved to adopt Resolution No. 5765, a resolution of the City Council of the City of Redlands for adoption of Amendment No. 71 to the General Plan. Motion seconded by Councilmember Pepler and carried with Councilmember Freedman voting NO.

Ordinance No. 2442 - Zone Change No. 374 - Ordinance No. 2442, 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. 374, 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 waived, and Ordinance No. 2442 was introduced and laid over under the rules with adoption scheduled for September 19, 2000, with Councilmember Freedman voting NO

Resolution No. 5766 - Agriculture Preserve Removal No. 93 - Councilmember Haws moved to adopt Resolution No. 5766, a resolution of the City Council of the City of Redlands amending Agricultural Preserve Boundaries previously established by Resolution No. 5719 and to approve Agriculture Preserve Removal No. 93 based on the following findings:

1. The applicants are the legal owner of record;
2. The land requested to be removed from the Agriculture Preserve is adjacent to a developed zone other than agriculture;
3. The applicant is in conformity with the Redlands General Plan;
4. The land requested to be removed from the Agriculture Preserve does not circumvent land under contract in accordance with the California Land Conservation Act of 1965; and
5. Development of adjoining contract land is in a pattern that assures the shortest common boundary with fencing provided as necessary to mitigate the impact of urban development on continued agriculture use.

Motion seconded by Councilmember Pepler and carried unanimously.

Resolution No. 5764 - Housing Element Update - Public hearing was continued to this time and place to consider Resolution No. 5764, an update of the Housing Element of the City of Redlands General Plan. Community Development Director Shaw explained the City Council continued this public hearing on July 18, 2000, to allow interested Councilmembers the opportunity to discuss this matter in more detail with staff and the consultant. Noting that a meeting has been scheduled in the near future, Councilmember Freedman moved to continue this public hearing until October 3, 2000. Motion seconded by Councilmember Haws and carried unanimously.

Planning Commission Review and Approval No. 712 - Public hearing was advertised for this time and place to consider approval of a Draft Mitigated Negative Declaration and the Socio-Economic Cost/Benefit Study for Planning Commission Review and Approval No. 712 for the development of an eighty-

four (84) unit apartment complex on approximately 8.8 acres, located at the southwest corner of Orange Avenue and Nevada Street in the EV/3000RM (Multiple Family Residential) District of the East Valley Corridor Specific Plan area (Gardner Construction & Development, LLC., applicant). Community Development Director Shaw explained the project. He also pointed out an issue raised at a recent Planning Commission meeting regarding Measure U and its policy change to the General Plan relative to the housing mix at buildout. Councilmembers discussed this issue at length. Mayor Gilbreath declared the meeting open as a public hearing for any questions or comments. Authors of Measure U, William Cunningham and Tex Moore, addressed the City Council at length regarding the housing mix ratio. In an attempt to placate the authors of Measure U, Councilmember Haws held a lengthy conversation with them. On behalf of Gardner Construction & Development, LLC, Mark Gardner urged the City Council to approve their application. Councilmember Haws moved to continue this public hearing to October 3, 2000, and directed staff to schedule a workshop session to discuss the housing mix ratio issue. Motion seconded by Councilmember Freedman and carried unanimously.

CRA No. 718 - Minor Subdivision No. 253 - Public hearing was advertised for this time and place to consider approval of Draft Mitigated Negative Declaration and Socio-Economic Cost/Benefit Study for Planning Commission Review and Approval No. 718 for the construction of eleven (11) industrial concrete tilt-up buildings totaling 195,546 square feet on 11.7 acres generally located on the southeast corner of Redlands Boulevard and New Jersey Street in the EV/IC (Commercial Industrial) District of the East Valley Corridor Specific Plan and Minor Subdivision No. 253 for the subdivision of 15.34 acres into fourteen (14) commercial/industrial lots on property generally located on the southeast corner of Redlands Boulevard and New Jersey Street in the EV/IC (Commercial Industrial) District of the East Valley Corridor Specific Plan (Essex Realty Management, applicant). Community Development Director Shaw explained the project. 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 Planning Commission Review and Approval No. 718 and Minor Subdivision No. 253 based on the finding that the project will not have a significant effect on the environment, determining this project will not individually or cumulatively have an adverse impact on wildlife resources as defined in Section 711.2 of the California Fish and Game Code and directed staff to file and post a Notice of Determination in accordance with the City's guidelines. Motion seconded by Councilmember George and carried unanimously. Councilmember Freedman moved to approve the Socio-Economic Cost/Benefit Study for Planning Commission Review and Approval No. 718 and Minor Subdivision No. 253 as the project will not create unmitigable physical blight or over-burden public services in the community, and no additional information or evaluation is needed, and that the proposed project, based on the overall Fiscal Impact Analysis, will provide the City with a

positive annual revenue/cost ratio of 1.175. Motion seconded by Councilmember George and carried unanimously. Councilmember Freedman moved to approve Planning Commission Review and Approval No. 718 subject to all department conditions and the following findings:

1. The southeast corner of Redlands Boulevard and New Jersey Street is appropriate for the proposed industrial/commercial use and has an adequate size and shape to accommodate the use;
2. The site properly related to New Jersey Street, Park Avenue, and Redlands Boulevard which have been designed and improved to carry the type and quantity of traffic to be generated by the proposed industrial/commercial development;
3. The proposed industrial/commercial development is desirable for the overall development of the community, is consistent with the policies, programs, and objectives of the Redlands General Plan, and will not be detrimental to existing development of planned uses in the vicinity of the project site;
4. The proposed development is in compliance with the policies and standards as identified in the East Valley Corridor Specific Plan; and
5. The conditions of approval proposed are necessary to protect the public health, safety and general welfare.

Motion seconded by Councilmember George and carried unanimously. Councilmember George moved to approve Minor Subdivision No. 253 subject to all department conditions and the following findings:

1. The proposed subdivision is consistent with the General Plan and the East Valley Corridor Specific Plan;
2. The design or improvements of the proposed subdivision are consistent with the General Plan and the East Valley Corridor Specific Plan;
3. The 14 proposed parcels are physically suitable for the type of development permitted in the Commercial/Industrial District of the East Valley Corridor Specific Plan;
4. The site is physically suitable for the proposed density of development;
5. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;
6. The design of the subdivision or type of improvements are not likely to cause serious public health problems;
7. The design of the subdivision or type of improvements will not conflict with easement, acquired by the public at large, for access through or use of property within the proposed subdivision; and
8. That pursuant to California Government Code Section 66474.6, the discharge of waste from this subdivision will not result in violation of existing requirements prescribed by the Santa Ana Regional Water Quality Control Board pursuant to Division 7 of the California Water Code.

Motion seconded by Councilmember Haws and carried unanimously.

Casa Deodara Project - David A. Van Diest and Rosa E. Gómez - Public hearings were continued to this time and place to consider a Negative Declaration for General Plan Amendment No. 65 and Specific Plan No. 52 for a 16 unit apartment complex on 1.16 acres of property located on the southeast corner of Clifton Avenue and San Mateo Street. Community Development Director Shaw reported that the proposed project entails the preservation and rehabilitation of eight existing units which are contained within a historic church building, six unique apartment units that were constructed in 1928 and construction of eight new two-story townhouse-style apartment units within the interior of the site. The project would include on-site amenities such as improved private and common open space areas, carports, and a pool/spa area. At the Planning Commission meeting a significant number of the public spoke in favor of the project; a consensus of the public appears to be a willingness to accept the increased density of the project as a trade-off to facilitate a project that preserves the unique structures on the property. Staff reports included petitions from the public that are either in favor of the project or in opposition. Community Development Director Shaw reviewed meetings held with the applicants to explore ways to reduce the costs so that a less dense project would still be economically viable to accomplish preservation of the unique structures on the property. Mayor Gilbreath declared the meeting open as a public hearing for any questions or comments. David Van Diest and Rosa Gómez addressed the City Council indicating they did not wish to reduce the density of this project. Speaking in favor were: Lee Hunt, Darlene Hunt, Tamara Madai, Norman Cosme, Dan Cocco, Shirley Perry, Jeanette Cortez, and Alexander Justice. A letter in support was read from Larry Garcia and Irma Villarreal. Speaking in opposition to the project were: Ron Wright, Chris Sedmack, and Tom Crist. At the conclusion of the public input, Councilmembers each expressed their opinions: Councilmember Freedman indicated his concern this action would be setting a precedent for apartments in the area; Councilmember Haws expressed concern about the housing mix ratio and did not feel an apartment complex belonged in this neighborhood; Councilmember Peppler urged the City Council to proceed with approval to preserve these unique structures; Councilmember Gilbreath was supportive of this creative re-use; Councilmember George felt 16 units was too dense for this neighborhood but assured the applicants that if they could get support from the Historic and Scenic Preservation Commission, he would support their project. Councilmember Gilbreath moved to continue this matter and directed the applicant and staff to meet with the Historic and Scenic Preservation Commission and seek historic designation and have that commission review their plans and work out a solution. Motion seconded by Councilmember Peppler and carried unanimously.

Recess - The City Council meeting briefly recessed at 9:25 P.M. and reconvened at 9:37 P.M.

REDLANDS SPORTS COMPLEX

Redlands Sports Complex - Public Works Director Mutter reported staff has been in the process of developing conceptual plans for a major sports complex at the northwest corner of San Bernardino Avenue and Wabash Avenue for the past five years and presented the following matters for Councilmembers' consideration.

Request for Proposal - Redlands Sports Complex - Councilmember Haws moved to direct staff to request proposals from interested firms to enter into a contract for exclusive negotiation rights with the City of Redlands for the development and operation of the Sports Complex and to form an ad hoc committee to review the proposals. Motion seconded by Councilmember Gilbreath and carried unanimously. Members of the Recreation Contractor Selection ad hoc committee will be: Councilmember Peppler, Councilmember Haws, Parks Commissioner Brian King, Recreation Commissioner Keith Shoemaker, Public Works Director Mutter, Community Development Director Shaw, Chief of Water Resources Douglas Headrick, Finance Director Johnson, and Community Services Division Manager Marjie Pettus. Bruce Laycook expressed concern that there were no representatives on this committee from a public organization such as AYSO. He was assured such organizations would be involved in the actual development of the Sports Complex.

Indemnification Agreement - Operating Engineers Training Trust - Public Works Director Mutter reported the Operating Engineers Training Trust has offered to assist the City with certain construction-related grading work at the Sports Complex. This work is offered at no cost to the City in exchange for providing the Trust with the opportunity to train new operators in heavy construction work. Councilmember George moved to approve an indemnification agreement with the Operating Engineers Training Trust for grading operations at the Sports Complex. Motion seconded by Councilmember Haws and carried unanimously.

Funds - Traffic Study Contract - Redlands Sports Complex - Public Works Director Mutter reported as staff has been preparing various required actions for the proposed Sports Complex, it is apparent that a detailed traffic study will be necessary as a part of the environmental (CEQA) process. Councilmember Haws moved to authorize a contract through the normal Purchase Order process with WPA Traffic Engineering to provide a traffic study for the proposed Sports Complex, and to authorize an appropriation in the amount of \$19,500.00 from the General Fund with the understanding part of the grant funding authorized by the State will be used to reimburse the General Fund. Motion seconded by Councilmember Freedman and carried unanimously.

Airport Land Use Compatibility Plan - Redlands Sports Complex - Public Works Director Mutter reported the Redlands Municipal Airport is affected by

the proposed Sports Park project. Currently the helicopter flight pattern is located on the south side of the airport runway resulting in aircraft overflights over the Sports Park, but by relocating the helicopter flight pattern and helicopter pad to the north side of the runway, the Compatibility Zone for the area will change which allows "park" as one of the allowable uses. He then reviewed the process and the timing and financing to make this change.

Resolution No. 5794 - Grant Application - Redlands Sports Complex - Councilmember Gilbreath moved to adopt Resolution No. 5794, a resolution of the City Council of the City of Redlands approving the application for grant funds for the Redlands Sports Complex. Motion seconded by Councilmember Pepler and carried unanimously.

NEW BUSINESS

Ordinance No. 2452 - Nuisance Abatement - Ordinance No. 2452, an ordinance of the City of Redlands amending Chapter 8.04 of the Redlands Municipal Code relating to nuisance abatement which will allow the City to recover attorneys' fees in any action, administrative proceeding or special proceeding to abate a nuisance in accordance with Government Code Section 38773.5, 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. 2452 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for September 19, 2000.

Appeal - CUP No. 677 - United Pentecostal Church - The United Pentecostal Church of Redlands has requested temporary deferment of the Public Works requirements for Conditional Use Permit No. 677 for property located at the southwest corner of Highland Avenue and Ford Street (APN 174-161-36) in lieu of posting bonds, as required, in order to obtain building permits. The appellant has set up a meeting with staff to be held on September 13, 2000, and he requested a continuance of this appeal. Councilmember Freedman moved to continue this item to September 19, 2000. Motion seconded by Councilmember Haws and carried unanimously.

Recycled Water Project - Councilmember Freedman moved to accept the \$5 million grant from the Safety Drinking Water, Clean Water, Watershed Protection and Flood Protection Bond Act of 2000 (Proposition 13, approved by the California Voters on March 7, 2000) to assist in funding a recycled water project. Motion seconded by Councilmember Haws and carried unanimously. Councilmembers congratulated Chief of Water Resources Douglas Headrick on a job well done.

Agreement - Provision of Recycled Water - Reporting he had not only obtained the \$5 million grant but he also had a customer for recycled water, Chief of

Water Resources Douglas Headrick explained that Mountainview Power Company, located on the northeast corner of San Bernardino and Mountain View Avenues, would like to use treated effluent from the City's Wastewater Treatment Plant instead of potable groundwater supplies. Councilmember George moved to approve an agreement for the provision of recycled water with Mountainview Power Company, LLC. Motion seconded by Councilmember Haws and carried unanimously. Councilmembers again commended Chief of Water Resources Douglas Headrick for his efforts.

Ordinance No. 2454 - Water Service - Ordinance No. 2454, an ordinance of the City of Redlands amending Chapter 13.12 of the Redlands Municipal Code relating to prepayments for domestic water service, was presented by Municipal Utilities Director Phelps with amendments which he explained. The current requirement for the collection of prepayments does not specifically state certain criteria for the refund of the prepayment. This ordinance addresses this issue. Ordinance No. 2454 was read by title only by City Clerk Poyzer, and on motion of Councilmember Gilbreath, seconded by Councilmember Freedman, further reading of the ordinance text was unanimously waived, and Ordinance No. 2454 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for September 19, 2000.

Ordinance No. 2453 - Adult-Oriented Businesses - City Attorney McHugh explained the need to amend the provisions governing the issuance of adult-oriented business permits. Ordinance No. 2453, an urgency ordinance of the City of Redlands amending Chapter 8.76 of the Redlands Municipal Code relating to adult-oriented businesses, was read by title only by City Clerk Poyzer, and on motion of Councilmember Haws, seconded by Councilmember Gilbreath, further reading of the ordinance text was unanimously waived, and Ordinance No. 2453 was adopted by the following vote:

AYES: Councilmembers George, Freedman, Peppler, Haws;
Mayor Gilbreath
NOES: None
ABSENT: None

Ordinance No. 2455 - Adult Oriented Businesses - Ordinance No. 2455, an ordinance of the City of Redlands amending Chapter 8.76 of the Redlands Municipal Code relating to adult-oriented businesses, was read by title only by City Clerk Poyzer, and on motion of Councilmember Haws, seconded by Councilmember Freedman, further reading of the ordinance text was unanimously waived, and Ordinance No. 2455 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for September 19, 2000.

CLOSED SESSION REPORT

AB 1544 Challenge - Under Government Code Section 54956.9(c), City Attorney McHugh reported the City Council voted, in closed session, to initiate litigation against the State of California and re-file action challenging AB 1544. This was done by the following vote:

AYES: Councilmembers Freedman, George; Mayor Gilbreath

NOES: Councilmembers Pepler and Haws

PUBLIC COMMENTS

World Peace - Alice M. Morse addressed the City Council and urged them to form a World Peace Committee in Redlands. She also addressed the need to cover pornographic displays in a decent manner and left two heritage cloths for the City's use.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 10:19 P.M. The next regular meeting will be held on September 19, 2000.

City Clerk