

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 February 20, 2001.

PRESENT

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

John Davidson, City Manager  
Daniel J. McHugh, City Attorney  
Lorrie Poyzer, City Clerk  
Beatrice Sanchez, Deputy City Clerk  
(evening session)  
Michael Reynolds, City Treasurer  
Jim Bueermann, Police Chief  
Mel Enslow, Fire Chief  
Bonnie Johnson, Finance Director  
Ronald C. Mutter, Public Works Director  
Gary G. Phelps, Municipal Utilities Director  
Jeffrey L. Shaw, Community Development Director

ABSENT

None

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

PRESENTATION

Recognition - City Clerk - Mayor Gilbreath presented a 25-year service pin to City Clerk Lorrie Poyzer. Ms. Poyzer first started working for the City of Redlands on February 17, 1976; she was appointed City Clerk on January 4, 1983, and has been re-elected for five four-year terms.

CONSENT CALENDAR

Minutes - On motion of Councilmember George, seconded by Councilmember Freedman, the minutes of the special meeting of February 2, 2001, and the regular meeting of February 6, 2001, 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 - The report of the Planning Commission meeting held on February 13, 2001, was received. A determination of General

Plan conformity for the sale of City-owned property in San Timoteo Canyon (portions of Assessor's Parcel Nos. 175-122-01, 293-031-29, 30, and 31) as part of the San Timoteo Creek Improvement Project (Reach 3B) was made by the Planning Commission. Councilmember Freedman moved to appeal this decision of the Planning Commission and schedule a hearing at a City Council meeting on March 6, 2001, or as soon as it can be noticed; motion seconded by Councilmember George. It was noted the County Board of Supervisors will hold a hearing on February 27, 2001, to consider a resolution of necessity to exercise the right of eminent domain to acquire property for this project but that an appeal hearing should not effect those proceedings. Bill Cunningham supported this request for an appeal stating he would appreciate the opportunity to bring forward information regarding the flood control project. There was much discussion regarding the scope of the appeal and the lawsuit filed by The Redlands Association/Coalition to Save San Timoteo Creek. Bob Roberts asked why this group was not paying an appeal fee and whether or not Councilmember Freedman had a conflict in this matter since he is a member of The Redlands Association. Mayor Gilbreath did not feel an appeal would address the desires as expressed by Councilmember Freedman and Mr. Cunningham and that perhaps the Planning Commission should review the entire project. The motion to hold a hearing to appeal the Planning Commission's decision that the sale of certain City-owned property is consistent with the General Plan was approved with Councilmembers Gilbreath and Pepler voting NO.

Ordinance No. 2440 - City Purchases - Ordinance No. 2440, an ordinance of the City of Redlands amending Chapter 2.16 of the Redlands Municipal Code relating to City purchases, was unanimously adopted on motion of Councilmember George, seconded by Councilmember Freedman.

Fee Waivers - Redlands Bicycle Classic - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously approved the request of the Redlands Bicycle Classic to waive all City-related fees, costs and charges associated with the 17th annual race to be held in March.

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

Resolution No. 5839 - Street Vacation No. 116 - On motion of Councilmember George, seconded by Councilmember Freedman, Resolution No. 5839, a resolution of the City Council of the City of Redlands declaring its intention to vacate a portion of public right-of-way located on the west side of Iowa Street, north of Citrus Avenue (Caseworks, Inc., applicant) and setting the public hearing for this street vacation for March 20, 2001, at 7:00 P.M. was unanimously adopted.

Settlement Agreement - Redlands Joint Venture et al - A copy of the executed settlement agreement with Redlands Joint Venture, LLC and the County of San Bernardino, as agreed to by the City Council in a closed session, with Councilmembers George and Freedman opposing, was provided at this time to notify the public in accordance with requirements of the Brown Act.

Agreement - Cost Recovery Services - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously approved an agreement with the City of Loma Linda for the City of Redlands to provide cost recovery services and authorized the Mayor and City Clerk to sign the agreement on behalf of the City.

Fee Waiver - Showmobile - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously approved a request for waiver of fees for the use of the showmobile by the City of Highland's Historic and Cultural Preservation Board on March 31, 2001, providing that certain other requirements noted in the rental contract are met for towing, set-up, deposit, insurance coverage, and rental period.

Funds - Agreement - Redlands Sports Complex - Staff requested this matter be continued.

Agreement - Community Center - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously approved an independent contractor agreement with Valerie Fields for the purpose of conducting *Mommy and Me* classes at the Community Center and authorized the Mayor and City Clerk to sign the agreement on behalf of the City.

Ford Park - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously authorized temporary field use and lighting at Ford Park for Recreation Bureau-sponsored youth and adult programs while Texonia Park is closed for renovations.

JAIBG Funds - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously authorized the Mayor to execute a "Waiver of Direct Subgrant Award from Unit of Local Government" form which will contribute the City of Redlands' allocation of Juvenile Accountability Incentive Block Grant (JAIBG) funds to the Regional Juvenile Crime Enforcement Coalition.

Resolution No. 5850 - EPA Grant Application - Following brief discussion, on motion of Councilmember Pepler, seconded by Councilmember George, the City Council unanimously adopted Resolution No. 5850, a resolution of the City Council of the City of Redlands approving the EPA grant application

prepared by The Dangermond Group for the San Timoteo Creek enhancements, designating the participating agencies, outlining the distribution of grant funds and required match amounts, and authorizing the City of Loma Linda to file the application with the EPA.

Funds - Contract - Legislative Representation - City Manager Davidson said Copeland, Lowery & Jacquez has provided a huge return to the City acting as good quality lobbyists. Specific accomplishments achieved during the year 2000, include: \$5 million for the Army Corps of Engineers to continue work on the San Timoteo Creek; inclusion of \$800,000.00 for Phase 2 of the Redlands Trolley Project; \$500,000.00 for the East Valley Regional Community Analysis Center for a data-warehousing project under the COPS technology program, \$301,000.00 for infrastructure activities related to the Redlands Community Center; and work with other California entities to oppose a FEMA rule to require insurance coverage of public buildings. Councilmember Haws moved to approve an additional appropriation in the amount of \$30,000.00 to extend the contract with Copeland, Lowery & Jacquez for legislative representation services for the period January 1, 2001, through December 31, 2001, and authorized the Mayor and City Clerk to sign the agreement on behalf of the City. Motion seconded by Councilmember George and carried unanimously.

CDGB Funds - Smiley Library - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously authorized an appropriation in the amount of \$30,000.00 from the City Council's Unprogrammed Community Development Block Grant Funds to General Fund Account No. 23.6839 for the A. K. Smiley Public Library for replacement of three leaky skylight windows in the Stack Wing as approved by the City Council on November 7, 2000.

CDBG Funds - Redlands Community Music Association - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously authorized an appropriation in the amount of \$2,200.00 from the City Council's Unprogrammed Community Development Block Grant Funds to Account No. 23.6807 for the Redlands Community Music Association to complement and expand the Redlands Bowl Children's Festival Workshops as approved by the City Council on November 7, 2000.

CDBG Funds - Y Alliance - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously approved the request for an additional appropriation of Community Development Block Grant Funds and authorized an allocation of \$40,000.00 to cover kitchen project costs and to purchase computers for the Y Alliance Teen Center.

Agreement - Document Services - On motion of Councilmember George, seconded by Councilmember Haws, the City Council approved an amended document services agreement with Xerox Corporation to provide two sorters for

existing copy machines located in Purchasing and Municipal Utilities, with Councilmember Freedman abstaining from the vote due to a possible conflict of interest.

Annual Review - Development Agreements - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously acknowledged receipt of the Notice of Annual Review of Approved Development Agreements for Barton Development Company and The Glorious Redlands Investment Partnership, Kaiser Foundation Hospitals, Cities Pavillion Partners, and Mountainview Power Company, and moved to accept said Notice.

Resolution No. 5851 - Children's Spine Foundation - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously adopted Resolution No. 5851, a resolution of the City Council of the City of Redlands supporting the efforts of the Children's Spine Foundation and proclaiming March 12-16, 2001, as Children's Spine Foundation Week.

Sublease - Coyote Aviation Corporation - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously consented to a sublease agreement by Coyote Aviation Corporation at the Redlands Municipal Airport.

Resolution No. 5841 - Landscape Maintenance District - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously adopted Resolution No. 5841, a resolution of the City Council of the City of Redlands, County of San Bernardino, California, instituting proceedings, appointing an assessment engineer, and ordering the preparation of an Engineer's Report in the matter of Landscape Maintenance District No. 1.

Resolution No. 5845 - Street Lighting District - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously adopted Resolution No. 5845, a resolution of the City Council of the City of Redlands, County of San Bernardino, California, instituting proceedings, appointing an assessment engineer, and ordering the preparation of an Engineer's Report in the matter of Street Lighting District No. 1.

## COMMUNICATIONS

Request for Refund of Fees - Terrance L. Emershy - Mr. Emershy requested a refund of \$2,100.00 which he paid on October 28, 1999, for his application for final approval of Minor Subdivision No. 236. At his request, the item was removed from the November 16, 1999, agenda and no action was taken. Public Works Director Mutter reported staff provided the first plan check and determined that the map submitted did not substantially comply with the

tentative map originally submitted. A full plan check was provided and the map was returned to Mr. Emershy's engineer with the appropriate comments. The map has not been returned to staff for any further review or checking. Plan check fees are based on a full first plan check and a review second plan check. A substantial portion of Mr. Emershy's fee was used for the first plan check. Further, much staff time has been expended at the public counter and in meetings discussing his project and, in particular, his parcel map. In Public Works Director Mutter's opinion, the \$2,100.00 fee paid has been expended and substantially exceeded in staff time on the review and processing of the parcel map. He noted that if Mr. Emershy continues processing his application, the fee would cover a second plan check. No action was taken by the City Council on this request.

Mid-Year Budget Review - With 50 percent of the fiscal year complete, Finance Director Johnson reported the General Fund revenues are 49.85 percent received while expenditures are 46.56 percent spent. She detailed revenues and expenditures and said that, overall, budgeted expenditures are expected to come in slightly under budget; however, no provision has been factored in for the recent increase in electric and gas prices as well as a recent unbudgeted increase in the City's health insurance premiums. Although the focus of the mid-year review was on the General Fund, a cursory review was also done of all other City funds. Citywide, revenues are 46.63 percent received, while expenditures are 34.17 percent spent. The lower than average expenditure percentage is due to the fact that much of the capital improvement budget remains unspent. An updated projection of expenditures and revenues was provided at this meeting. It is expected that a proposed budget for the next fiscal year will be ready in mid-May for the City Council's review. Mayor Gilbreath urged staff to seek legislative relief to allow us a revenue stream through the Fire Department in the transport of patients as private ambulance charges are extremely expensive. Councilmember Pepler concurred with this idea.

Park-Once Grant Application - Mayor Pro Tem George presented a \$9.6 million grant application entitled *A New Vision for Downtown Redlands - Redlands Transportation and Community Preservation Project*. This project is a package of measures designed to provide key elements of the public infrastructure required to attract businesses and people to downtown Redlands and counter the trend toward increased auto dependent suburban sprawl. This will support the short and medium term viability of the commercial downtown fabric and will help to sustain Redlands' long-term goal of being a pedestrian friendly livable City. The project will also contribute to the efficiency of the local and regional transportation system that services this community. Mayor Pro Tem George asked the City Council for support to prepare an executive summary and submit the application to Congressman Lewis. Councilmember Haws moved to forward the application to Congressman Lewis with the City Council's whole-hearted support. Motion seconded by Councilmember Freedman and carried

unanimously. Councilmember Pepler commended Mayor Pro Tem George for a job well done.

SBX 30 Support - Mayor Gilbreath asked the City Council to authorize a letter of support of SBX 30, a bill introduced by Senator Brulte to provide an incentive for local governments to grant permits for the siting of electrical generation plants within their jurisdictions. Councilmember George moved to authorize the Mayor to send a letter of support of SBX 30. Motion seconded by Councilmember Pepler and carried unanimously.

Announcement - CDBG Hearing - Mayor Gilbreath announced the City Council will meet on February 28, 2001, at 7:00 P.M. to establish prioritization and funding distribution of Community Development Block Grant proposals for the 2001-2002 funding cycle.

Attorney/Council Correspondence - City Attorney McHugh reported he was asked to place on this agenda a discussion item relating to the possible establishment of a City Council policy governing the disclosure of attorney-generated memoranda to the City Council. At least two Councilmembers have asked questions about "how" and "when" such disclosure is legally permissible, or politically appropriate, and whether the City Council should establish written guidelines governing the same. Once the advice is rendered, the City Attorney has neither the legal authority to "prohibit" the disclosure of such advice by an individual Councilmember, nor the legal authority to "authorize" the disclosure of such advice. Councilmember Haws felt the City Council should come up with a policy which Councilmembers know in advance as the City Attorney needs to know if his information is going to become public. He felt this information should be released only with City Council approval. Referring to a memorandum prepared by the City Attorney that was referred to at the last Council meeting relating to the settlement agreement with Redlands Joint Venture, LLC and the County of San Bernardino, Councilmember Haws moved to authorize its release publicly. Councilmember Gilbreath seconded the motion. Noting the City Council never had an official policy prior to this discussion, Councilmember George explained his reason why he released this information to his constituents. Councilmember Freedman stated he and Councilmember George were informing the public why they had voted against this agreement. Following discussion, by consensus, the City Attorney will prepare a policy to address different situations and categories regarding attorney-generated memoranda and present it to the City Council for its review at a future meeting. The Mayor then called for the vote to authorize release of the settlement agreement with Redlands Joint Venture, LLC and the County of San Bernardino and the motion carried unanimously.

Donut Hole Settlement Agreement - Councilmember Freedman displayed a map showing the location of the "Donut Hole" and reiterated his reasons for voting against the settlement agreement with Redlands Joint Venture, LLC and the

County of San Bernardino, and made copies of the agreement available in the City Council Chambers. Laurence K. Wormser addressed Councilmembers indicating his support for the execution of the settlement agreement as he hoped it was a good compromise. He urged folks to "give it a chance" and expressed his hope that this area would become a part of the City. Stating she had not felt it was appropriate to discuss the unsigned settlement agreement at the last meeting, Councilmember Pepler now addressed some points explaining her affirmative vote; she noted we did not lose the Donut Hole as we never had it, and said she did not appreciate the scare tactics such as comments regarding nuclear waste plants and low-income housing being located in the Donut Hole. She felt it was time to move on. Councilmember George rebutted these comments and told Majestic Realty to "go away." Councilmember Gilbreath firmly stated this was not the opinion of the City Council. Councilmember Haws stated he was looking toward the future and it was time to move on.

### JOINT MEETING - CITY COUNCIL AND REDEVELOPMENT AGENCY

Resolution No. 5849 - Great Neighborhood Program - Councilmember Pepler moved to adopt Resolution No. 5849, 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 Great Neighborhood Program to implement an additional participant agreement 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 February 20, 2001.)

### CLOSED SESSION

The City Council meeting recessed at 4:27 P.M. to continue the Redevelopment Agency meeting and reconvened at 4:29 P.M. to a closed session to discuss the following:

1. Conference with legal counsel: Existing litigation - Government Code Section 54956.9(a)
  - a. County of San Bernardino v. City of Redlands and Spring Pacific - Case No. SCVSS 74079
  - b. City of Redlands v. County of San Bernardino - SCVSS 60116
2. Conference with legal counsel: Anticipated litigation - Government Code Section 54956.9(b) - One Case
3. Conference with real property negotiator - Government Code Section 54956.8
  - Property: APNs 171-341-10, 11, and 12  
(Myrtle Street Parking Lot)
  - Negotiating parties: Deb Craney and Dave Higginson
  - Under negotiation: Terms and price
  - Property: APNs 293-031-29, 30, and 31, 175-122-06,  
and 174-011-53



- Negotiating parties: Deb Craney and Jan Dustin, San Bernardino County Flood Control District
- Under negotiation: Terms and price
- Property: A portion of APN 175-011-21
- Negotiating parties: Dan McHugh and Lois Lauer for The Chresman Family Irrevocable Trust
- Under negotiation: Terms and price
- Property: APN 292-192-19 (1615 West Park Avenue)
- Negotiating parties: Deb Craney and Henry Morales
- Under negotiation: Terms and price
- 4. Conference with labor negotiator - Government Code Section 54957.6
  - a. Agency negotiator: Renée Mayne
  - Employee organizations: Redlands Association of Mid-Management Employees and Redlands Association of Safety Management Employees

The meeting reconvened at 7:00 P.M.

#### LAND USE AND PUBLIC HEARINGS

Tentative Tract No. 16139 - Michael Novak - A notice of the preparation of a Draft Mitigated Negative Declaration and public hearings were continued to this time and place for Tentative Tract No. 16139 and its accompanying Socio-Economic Cost/Benefit Study for the subdivision of 7.2 acres into 21 residential lots located north of Cypress Avenue, east of Heather Lane, and west of Linda Vista Avenue in the R-S (Suburban Residential - 10,000 square foot lots) District. Community Development Director Shaw explained the project in detail and reviewed minutes of previous City Council meetings and the issues that were raised by surrounding residents relating to traffic, drainage, biology, site views, and density. A new map needs to be prepared to address a proposed traffic mitigation (Transportation/Circulation, Mitigation No. 6) to redesign the relocation of the intersection of Street "A" and Cypress Avenue from the present design to a minimum distance of 30 feet westerly until there is adequate site distance with oncoming traffic on Cypress Avenue and no blind spots are present in order to achieve safe stopping distance at a design speed of 40 miles per hour. Community Development Director Shaw recommended this item be continued for the re-design of the map and staff's review. He then responded to questions from Councilmembers. Mayor Gilbreath declared the meeting open as a public hearing for any questions or comments. Michael Novak, the applicant, submitted a re-designed map addressing the proposed Transportation/Circulation, Mitigation No. 6. He then addressed each concern raised by the neighbors. He reported he mailed 85 notices for two neighborhood meetings and noted only about 20 percent attended the meetings. Neighbors reiterating their concerns at length were: Nancy Gordes, Jane Hawkins who also submitted a petition containing 58 signatures of residents opposing the proposed project, Rosemary Rendell-Baker, Tom Slamal, Ken

Kruse, Michael Carruth, Kathryn Wood, Edward S. Perry, Steven Becker, John Steinmann, John Coleman, William Padavick, and Marti Hardesty. Co-owner of the property Michael Gosselin addressed Councilmembers noting he felt the only way to appease the neighbors would be by not doing the project or reducing the density which was not financially feasible. Councilmember Haws defended the neighbors' concerns and noted the City Council would go slowly through the process or not go at all. Councilmember Freedman brought up an issue of credibility and referred to a letter from the developer to the Walshes. Mr. Gosselin stated they had made a lot of concessions to the Walshes while they campaigned against their project and they no longer felt compelled to continue working with the Walshes' concerns. Mr. Perry was allowed time to rebut some of the comments made by Mr. Gosselin and indicated he would be willing to work with their traffic engineer as he was a retired engineer. Mayor Gilbreath declared the public hearing closed. Councilmembers discussed this project at length especially the timing for the Draft Mitigated Negative Declaration. Mr. Novak stated he was willing to go along with a continuance which would allow an extension of time for action on the Draft Mitigated Negative Declaration. With this consent from the applicant, Councilmember Freedman moved to continue this matter to the April 3, 2001, meeting. Motion seconded by Councilmember George and carried unanimously.

The City Council recessed at 9:08 P.M. and reconvened at 9:16 P.M.

International Union of Operating Engineers - A notice of the preparation of a Draft Negative Declaration and public hearing for the Socio-Economic Cost/Benefit Study for the construction of a 6,379 square foot administrative office building located on the south side of Lugonia Avenue, approximately 600 feet west of Alabama Street, in the Office Industrial District of Specific Plan No. 33, Centennial Commerce Park, was advertised for this time and place. Councilmember Haws moved to continue this matter to March 6, 2001, as requested by the applicant. Motion seconded by Freedman and carried unanimously.

Redlands Health Services - A notice of the preparation of a Draft Mitigated Negative Declaration and public hearings for Demolition Permit No. 22 for the demolition of two non-designated residential structures and related sheds located at the southeast corner of Nevada Street and Barton Road in the A-1 (Agricultural) District and Ordinance No. 2468, Zone Change No. 377, a change of zone from A-1 (Agricultural) District to A-P (Administrative Professional) District for three lots totaling 18,254 square feet and from A-1 (Agricultural) District to R-E (Residential Estate) District for two lots totaling 39,952 square feet for property located at the southeast corner of Nevada Street and Barton Road, were advertised for this time and place. Community Development Director Shaw explained this project. Mayor Gilbreath declared the meeting open as a public hearing for any questions or comments. On behalf of the applicant, Pat Meyer, Urban Environs, explained this property was

annexed into the City under the A-1 zoning and has now been acquired by Redlands Community Hospital. The property is adjacent to Asistencia Villa and next to Mission Commons. There being no further comments, the public hearing was declared closed. Councilmember Haws moved to approve the Mitigated Negative Declaration for Demolition Permit No. 22 and Ordinance No. 2468 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. Ordinance No. 2468, 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. 377, was read by title only by City Clerk Poyzer and on motion of Councilmember Haws, seconded by Councilmember George, was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for March 6, 2001.

Park Gibbs Development Company, Inc. - A notice of the preparation of a Draft Mitigated Negative Declaration and public hearings and the accompanying Socio-Economic Cost/Benefit Study for Conditional Use Permit No. 724 for the construction of a 2,854 square foot fast food drive-through restaurant on .76 acres located on the southeast corner of Redlands Boulevard and New Jersey Street in the Commercial Industrial District of the East Valley Corridor Specific Plan; Conditional Use Permit No. 727 for the construction of a 1,579 square foot fast food drive-through restaurant on .53 acres located on the south side of Redlands Boulevard approximately 500 feet east of New Jersey Street in the Commercial Industrial District of the East Valley Corridor Specific Plan; Minor Subdivision No. 255 for the subdivision of 1.48 acres into two commercial lots located on the south side of Redlands Boulevard, east of New Jersey Street, in the Commercial Industrial District of the East Valley Corridor Specific Plan; and Planning Commission Review and Approval No. 726 for the construction of a 5,000 square foot and a 7,000 square foot commercial buildings for retail uses on approximately 1.48 acres located on the south side of Redlands Boulevard approximately 150 feet east of New Jersey Street in the Commercial Industrial District of the East Valley Corridor Specific Plan were advertised for this time and place. Community Development Director Shaw explained this project and noted the fiscal impact analysis resulted in a positive revenue/cost ratio of 14.84. The project consists of two fast food drive-through restaurants (Wendy's and Wienerschnitzel) and potentially five tenant spaces in two other buildings. Mayor Gilbreath declared the meeting open as a public hearing. The applicant was present and available for any questions. There being no comments, the public hearing was declared closed. Councilmember Freedman moved to approve the Negative Declaration for Conditional Use Permit Nos. 724 and 727, Planning Commission Review and Approval No. 726, and Minor Subdivision

No. 255 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 unanimously. Councilmember Freedman moved to approve the Socio-Economic Cost/Benefit Study for Conditional Use Permit Nos. 724 and 727, Planning Commission Review and Approval No. 726, and Minor Subdivision No. 255 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. Motion seconded by Councilmember Haws and carried unanimously. Councilmember Freedman moved to approve Conditional Use Permit No. 724 subject to the findings, conditions of approval, and all departmental recommendations as contained in the staff report. Motion seconded by Councilmember Haws and carried unanimously. Councilmember Peppler moved to approve Conditional Use Permit No. 727 subject to the findings, conditions of approval, and all departmental recommendations as contained in the staff report. Motion seconded by Councilmember Haws and carried unanimously. Councilmember Peppler moved to approve Planning Commission Review and Approval No. 726 subject to the findings, conditions of approval, and all departmental recommendations as contained in the staff report. Motion seconded by Councilmember Haws and carried unanimously. Councilmember Haws moved to approve Minor Subdivision No. 255 subject to the findings, conditions of approval, and all department recommendations as contained in the staff report. Motion seconded by Councilmember Haws and carried unanimously.

Tom Bell Toyota - Public hearings were advertised for a Socio-Economic Cost/Benefit Study and Planning Commission Review and Approval No. 167, Revision 2, for the construction of a 5,496 square foot expansion, and Variance No. 613 to allow an auto service building addition to encroach fifteen (15) feet into the required twenty-five (25) foot setback along Park Avenue for an existing car dealership located at 1139 West Redlands Boulevard in the EV/CG (General Commercial) District of the East Valley Corridor Specific Plan. Community Development Director Shaw described the project noting the fiscal impact analysis resulted in a positive revenue/cost ratio of 3.49. Mayor Gilbreath declared the meeting open as a public hearing for any questions or comments. None being forthcoming, the public hearing was closed. Councilmember George moved to approve the Socio-Economic Cost/Benefit Study for Planning Commission Review and Approval No. 167, Revision 2, and Variance No. 613 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 noted the proposed project is an infill development within an existing developed commercial area and will not require the installation of any infrastructure or street improvement, and as it is not a growth inducing development, it will not have a negative impact on the City's social

services. Motion seconded by Councilmember Freedman and carried unanimously. Councilmember George moved to approve Variance No. 613 based on the findings contained in the staff report and read into the record. Motion seconded by Councilmember Freedman and carried unanimously. Councilmember George moved to approve Planning Commission Review and Approval No. 167, Revision 2, subject to the findings, conditions of approval, and all departmental recommendations as contained in the staff report. Motion seconded by Councilmember Freedman and carried unanimously.

## NEW BUSINESS

Appeal - Historic Landmark Nomination - Burrage Mansion - Community Development Director Shaw said the Historic and Scenic Preservation Commission, on November 2, 2000, unanimously approved the nomination of the property known as the Burrage Mansion, located at 1205 West Crescent Avenue, as a Historic Landmark. The Historic and Scenic Preservation Commission requested this nomination without the owner's concurrence. The owner requested an appeal of this decision. Community Development Director Shaw noted that the appeal is for the nomination only as the designation has not yet occurred. He described the steps that must be completed in order to be a designated Historic Landmark or Historic Resource. The major policy issue for this nomination is whether the Historic and Scenic Preservation Commission would like to nominate buildings without the owner's concurrence since this will affect the owner's ability to potentially make improvements to the property. There are both positives and negatives to consider in evaluating this policy question; a summary of both was provided in the staff report. Community Development Director Shaw reported there has only been one other nomination without the owner's concurrence; that was the Barton House. City Attorney McHugh responded to Mayor Gilbreath's questions about conflicts within the Redlands Municipal Code. There are two sections in the Code (Chapter 2.24 and Chapter 2.62) pertaining to historic preservation; staff is attempting to consolidate these two sections and address the inconsistencies. Representing the owners, Dr. Russel and Tamara Seheult, Michael Schaefer told Councilmembers this designation would destroy the commercial value of the property. Speaking in support of the nomination were: Frank Herendeen, Nathan Gonzales of the Redlands Area Historical Society, Historic and Scenic Preservation Commissioner Jan Korfmacher, Chairman of the Historic and Scenic Preservation Commission Janet Tearden, and Bob Clark from the Redlands Conservancy. Councilmembers expressed concern about property owner's rights and felt their needed to be a balance of those rights and the City's desire to preserve Redlands' historical landmarks. Councilmember George moved to continue this matter to March 6, 2001, to allow staff time to address the inconsistencies in the Redlands Municipal Code. Motion seconded by Councilmember Haws and carried unanimously.

## PUBLIC COMMENTS

None forthcoming.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 10:02 P.M. to an adjourned regular meeting to be held on Wednesday, February 28, 2001, at 7:00 P.M. in the City Council Chambers, 35 Cajon Street, Redlands, California.

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City Clerk