

MINUTES of a regular meeting of the City Council of the City of Redlands held in the Council Chambers, Civic Center, 35 Cajon Street, on June 20, 2006, at 3:00 P.M.

PRESENT Jon Harrison, Mayor
Pat Gilbreath, Mayor Pro Tem
Gilberto Gil, Councilmember
Mick Gallagher, Councilmember
Pete Aguilar, Councilmember

ABSENT None

STAFF John Davidson, City Manager; Daniel J. McHugh, City Attorney; Lorrie Poyzer, City Clerk; Michael Reynolds, City Treasurer; Cletus Hyman, Assistant Police Chief; Jim Drabinski, Fire Chief; Don Gee, Redevelopment Agency Director; Tina Kundig, Finance Director; Ronald C. Mutter, Public Works Director; Marjie Pettus, Administrative Services Director; Gary G. Phelps, Municipal Utilities Director; and Jeffrey L. Shaw, Community Development Director

The meeting was opened with an invocation by Mayor Pro Tem Gilbreath followed by the pledge of allegiance. There was no air conditioning in the City Council Chambers for the second day; therefore, everyone was dressed casually coping with the uncomfortable conditions.

DEPARTMENTAL INFORMATION REPORT

City Treasurer - City Treasurer Reynolds distributed information about rabies and reported on the low-cost rabies clinic his office and Animal Control sponsor every summer. Three Redlands' dogs with their owners were present and received their rabies vaccinations and dog licenses.

PRESENTATION

SANBAG - Mayor Pro Tem Gilbreath introduced Tony Grasso, Executive Director of SANBAG, who took over the position on January 23, 2006. Mr. Grasso reviewed the current projects being undertaken by SANBAG.

CONSENT CALENDAR

Minutes - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the minutes of the regular meeting of June 6, 2006, and the adjourned regular meeting of June 13, 2006, were approved as submitted.

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

Contract - Annual Street Report - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved a contract with the Office of the State Controller to prepare the City's Annual Street Report for fiscal year ended June 30, 2006, and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Planning Commission Actions - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the report of the Planning Commission meeting held on June 13, 2006, was acknowledged as received.

Notice of Environmental Actions - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the report on pending environmental actions received from surrounding jurisdictions was acknowledged as received.

Ordinance No. 2643 - Specific Plan No. 33 Land Uses - Ordinance No. 2643, an ordinance of the City of Redlands amending Ordinance No. 1850 (Specific Plan No. 33) relating to permitted land uses allowed within the Specific Plan, was unanimously adopted on motion of Councilmember Gilbreath, seconded by Councilmember Gil.

Ordinance No. 2642 - Permitted Residential Density - On behalf of The Redlands Association, Bill Cunningham opposed adoption of Ordinance No. 2642 which will allow four-story buildings in the downtown area as he felt the citizens preferred less density; he also requested an Environmental Impact Report be prepared. Ordinance No. 2642, an ordinance of the City of Redlands amending Chapter 18.92 of the Redlands Municipal Code relating to permitted residential density in a mixed-use development combining residential and commercial uses in the C-3 (General Commercial) District, was unanimously adopted on motion of Councilmember Gilbreath, seconded by Councilmember Gil.

Tract No. 16722 - Final Approval - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously granted final approval for Tract No. 16722 located at 1540 Church Street between Pennsylvania Avenue and San Bernardino Avenue, west of Robyn Street (Diamond Peak Homes and Management, applicant).

Tract No. 16488 - Final Approval - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously granted final approval for Tract No. 16488 located on the north side of Sunset Drive, approximately 200 feet west of Helen Drive (William Buster/Vespar Development Company, applicant).

Fee Waiver - Redlands 4th of July Committee - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously waived all fees and personnel costs for the 4th of July Committee's fireworks

show the evening of June 30, 2006, at the Redlands Bowl under the direction of Jeff Martin, Pyro Spectaculars, during the Redlands 4th of July Band performance.

Proclamation - Fun in the Sun, Safe Summer 2006 - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously authorized issuance of a proclamation declaring May 29 through September 4, 2006, as *Fun in the Sun, Safe Summer 2006*.

Alabama Street/Redlands Boulevard/Colton Avenue Improvement Project - Councilmember Gilbreath moved to approve the Environmental Review Committee's mitigated negative declaration for the Alabama Street/Redlands Boulevard/Colton Avenue Improvement Project based on the finding that the project will not have a significant effect on the environment, determining this project will not individually or cumulatively have an adverse impact on wildlife resources as defined in Section 711.2 of the California Fish and Game Code and directed staff to file and post a Notice of Determination in accordance with the City's guidelines. Motion seconded by Councilmember Gil and carried unanimously. On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved an agreement regarding purchase of an easement from Peter Suey Chan and Amy Morisawa Chan, Trustees of the Chan Family Trust dated August 21, 1984, and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Funds - Contract - Rock Wall Repair - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved a contract with Van Uffelen Masonry in the amount of \$2,000.00 for the repair of the damaged rock wall located in Smiley Park on Vine Street and Eureka Street, authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City, and approved an additional appropriation of \$2,000.00 from the General Fund.

Funds - Agreement - San Timoteo Road Quiet Zone - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously accepted \$37,326.00 from Mission Development Company (DBA Deer Park, LLC) and appropriated these funds for the preparation of the San Timoteo Canyon Road at the Union Pacific Railroad Crossing Quiet Zone Project, approved a funding agreement with Mission Development Company for this project, and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Agreement - San Timoteo Road Quiet Zone - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved a consulting services agreement with Wilson and Company to prepare the City's San Timoteo Canyon Road Quiet Zone Project and authorized the

Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Grant of Easement - Redlands Sports Park - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved a grant of easement to the Southern California Edison Company across the Redlands Sports Park property and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

MOU - Native Plant Greenhouse - In response to Councilmember Gil's question, Solid Waste Manager Gary Van Dorst explained this proposed Memorandum of Understanding obligates the City to negotiate an agreement related to the operation of a native plant greenhouse to be developed in association with the proposed ABT-Haskell in-vessel composting facility; this agreement will be brought back to the City Council for review and approval by the City Council. On motion of Councilmember Gil, seconded by Councilmember Gilbreath, the City Council unanimously approved the Memorandum of Understanding with the University of Redlands related to the operation and management of a native plant greenhouse proposed to be developed in association with an in-vessel composting facility on land adjacent to the City's Water Reclamation Facility, authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City and authorized staff to negotiate an agreement with the University of Redlands and ABT-Haskell.

Purchase - In-Wall Rear Projection Board - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously awarded the bid for the purchase of an In-Wall Rear Projection Small Board Interactive Whiteboard and Mirror Stand in the amount of \$18,223.36 for the Municipal Utilities Department.

Contract - Breath Alcohol Analysis Instrument - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved a three-year contract with the County of San Bernardino to provide services and supplies for the Police Department to maintain a breath alcohol analysis instrument and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

PLANNING AND COMMUNITY DEVELOPMENT

Residential Development Allocations 2006-II - Community Development Director Shaw reviewed the following application for residential development allocations for the second quarter of 2006, as recommended by the Planning Commission, the Historic and Scenic Preservation Commission, the Housing Commission, City departments and the Redlands Unified School District:

1. RDA 2006-II-01 - Ryland Homes, Applicant - Recommendation approval of points for Tentative Tract No. 17502, an approved 26 unit single-family Planned Residential Development project on a 10.37 acre site located south of Pioneer Avenue, north of San Bernardino Avenue and east of Hanford Street, in the R-E (Residential Estate) District.

Director Shaw reviewed the summary of the point tabulations for each of the 18 categories that were evaluated. The minimum required by the Redlands Municipal Code to receive development allocations for residential development is 90 points. This application received 79 points; therefore, it did not received the minimum points required to make them eligible for an allocation of building permits. On behalf of the applicant, Pat Meyer explained the project was phased to address the San Bernardino Kangaroo Rat situation but that they are using the same models from Phase I to sell Phase 2 and have added a single-story model. He urged the City Council to award the same points for this phase of this project. Following brief discussion, Councilmember Gilbreath moved to grant an additional three points under Consistency with Zone, an additional point each to Architectural Design, Site and Grading Design, Landscaping, and Open Space, and five points for Phasing bringing the total points up to 91 and to approve the allocation of 26 units to RDA 2006-II-01, Ryland Homes. Motion seconded by Councilmember Gallagher and carried unanimously.

UNFINISHED BUSINESS

Transient Occupancy Tax - Citing the need for unified and total support behind his proposal to place a measure on the November ballot to increase the transient occupancy tax from 10 percent to 12 percent, Mayor Harrison stated he would table the issue and take no action on it at this time. He called upon Paul Barich from the Redlands Chamber of Commerce for a statement. Mr. Barich presented a proposal for the Chamber of Commerce to meet with the City Manager and City Council to create a viable and useful tourism plan. Staff was directed to work with the Chamber of Commerce to bring back a report on a tourism program.

Capital Improvement Program Water Pipeline Master Plan - Municipal Utilities Director Phelps reviewed the Capital Improvement Program for the Water Master Plan and Replacement Project.

Bids - Councilmember Gilbreath moved that the City Council waive the irregularity in WEKA's bid (failure to submit subcontractor qualifications) for the Capital Improvement Program Water Pipeline Master Plan and Replacement Project for the reasons that staff's review of all documents associated with the bid demonstrates the irregularity does not affect the amount of the bid, provides no competitive advantage to WEKA, does not affect the City's ability to check bid comparisons, did not cause potential bidders to refrain from bidding and does not serve as vehicle for favoritism. Motion seconded by Councilmember Gallagher and carried unanimously.

Funds - Contract - Councilmember Gilbreath moved to determine that the Capital Improvement Program Water Pipeline Master Plan and Replacement Project is categorically exempt from the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Section 15302(c), approve an additional appropriation in the amount of \$2.6 million in the Water Project Fund, award the contract for the Capital Improvement Program Water Pipeline Master Plan and Replacement Project, Project No. 1-0722, to WEKA Inc., based on the total bid amount of \$3,825,213.00, authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City and authorize staff to approve contingent costs up to 10 percent over the initial amount. Motion seconded by Councilmember Gallagher and carried unanimously.

Capital Improvement Program Sewer Pipeline Replacement Project - Municipal Utilities Director Phelps reviewed the Capital Improvement Program Sewer Pipeline Replacement Project.

Bids - Councilmember Gilbreath moved that the City Council waive the irregularity in WEKA's bid (failure to submit subcontractor qualifications) for the Capital Improvement Program Sewer Pipeline Replacement Project for the reasons that staff's review of all documents associated with the bid demonstrates the irregularity does not affect the amount of the bid, provides no competitive advantage to WEKA, does not affect the City's ability to check bid comparisons, did not cause potential bidders to refrain from bidding and does not serve as vehicle for favoritism. Motion seconded by Councilmember Gallagher and carried unanimously.

Funds - Contract - Councilmember Gilbreath moved to determine that the Capital Improvement Program Sewer Pipeline Replacement Project is categorically exempt from the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Section 15302(c), award the contract for the Capital Improvement Program Sewer Pipeline Replacement Project, Project No. 12-0723, to WEKA Inc., based on the total bid amount of \$969,992.00, authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City. and authorize staff to approve contingent costs up to 10 percent over the initial amount. Motion seconded by Councilmember Gallagher and carried unanimously.

COMMUNICATIONS

Meeting Attendance - No reports forthcoming.

Appointment - Human Relations Commission - Councilmember Gallagher moved to appoint Anthony Bocanegra to serve a four-year term on the Human Relations Commission. Motion seconded by Councilmember Gil and carried unanimously.

Funds - Boxing Program - Deputy Police Chief Hyman reported the Boys and Girls Club of Redlands has asked the City to take back the Boxing Program as it is being eliminated from their budget, and they will close the doors to the program effective June 30, 2006. Donations have been received from Alaina Matthews (\$3,500.00), James and Rowena Ramos (\$3,500.00) and James and Theresa Ramos (\$3,500.00) to be used to continue the boxing program. Staff will continue to seek donations and other alternative funding sources to cover the remaining \$5,700.00 needed to operate the program for 12 months. Councilmember Gil moved to approve acceptance of the boxing program to be operated by the Police Department and approved acceptance and appropriation of the three community donations to fund the program. Motion seconded by Gallagher and carried with Councilmember Gilbreath voting NO as she felt the kids should be doing something more productive.

Funds - Redlands Fire Department - Fire Chief Drabinski reported Aryana Olive Grove Land Development, LLC has expressed a desire to assist the City of Redlands with the purchase of a new fire engine to replace the 18-year old apparatus currently in service at Redlands Fire Station 264. To that end, they have presented a voluntary contribution of \$100,000.00 to the Redlands Fire Department with the designation that the funds be used specifically for the purchase of a new fire engine. Councilmember Gilbreath moved to accept the voluntary contribution of \$100,000.00 from Aryana Olive Grove Land Development, LLC and approve an additional appropriation for the same for the expenditure of these funds for the purchase of a fire engine for the Redlands Fire Department. Motion seconded by Gallagher and carried unanimously.

Donation Policy - Gift Catalog - City Manager Davidson presented a proposed outline for a Redlands gift catalog containing a sampling of the types of items that may be included in the catalog. Should the City Council decide to proceed with a catalog, meetings will be held with Department Heads to solicit input on donation recommendations and pricing. A final product could be available for City Council approval by the end of the year. Councilmember Gilbreath moved to authorize staff to proceed with the development of a City donation policy and the creation of a Redlands gift catalog. Motion seconded by Councilmember Gallagher and carried unanimously.

CLOSED SESSION

The City Council meeting recessed at 4:01 P.M. to a closed session to discuss the following:

1. Conference with legal counsel: Existing Litigation - Government Code Section 54956.9(a) - Redlands Residents for Rural Living v City of Redlands - SCVSS 126460
2. Conference with legal counsel: Anticipated Litigation - Government Code Section 54956.9(b) - Facts and circumstances: Consideration of claim of Lisa and Eric Carlisle

The meeting reconvened at 7:00 P.M. with the temperature in the Council Chambers hovering at 90 degrees due to the lack of air conditioning.

PRESENT

Jon Harrison, Mayor
Pat Gilbreath, Mayor Pro Tem
Gilberto Gil, Councilmember
Mick Gallagher, Councilmember
Pete Aguilar, Councilmember

ABSENT

None

STAFF

John Davidson, City Manager; Daniel J. McHugh, City Attorney; Lorrie Poyzer, City Clerk; Teresa Ballinger, Assistant City Clerk; Michael Reynolds, City Treasurer; Cletus Hyman, Deputy Police Chief; Jim Drabinski, Fire Chief; Don Gee, Redevelopment Agency Director; Tina Kundig, Finance Director; Ronald C. Mutter, Public Works Director; Douglas Headrick, Chief of Water Resources; and Jeffrey L. Shaw, Community Development Director

CLOSED SESSION REPORT

None forthcoming.

LAND USE AND PUBLIC HEARINGS

Walton Development, LLC - Continued to this time and place was a public hearing for consideration of Socio-Economic Analysis and Cost/Benefit Study for Conditional Use Permit Nos. 809 and 819 and Tentative Tract Nos. 16465 and 16627; consideration of adoption of CEQA findings of fact preceding project approval and adoption of mitigation monitoring plan; a public hearing for consideration of introduction and first reading of the title of Ordinance No. 2628, Zone Change No. 396, a change of zone from A-1 (Agricultural) District to R-E (Residential Estate) District on three contiguous parcels totaling 30.4 gross acres located north of San Bernardino Avenue, south of Pioneer Avenue, and west of Judson Street in the A-1 (Agricultural) District; a public hearing for consideration of Resolution No. 6453, Agricultural Preserve

Removal No. 104, an agricultural preserve removal of approximately 30.4 gross acres on property located north of San Bernardino Avenue, south of Pioneer Avenue and west of Judson Street in the A-1 (Agricultural) District; a public hearing for consideration of Conditional Use Permit No. 809, a conditional use permit for a Planned Residential Development (PRD) on 30.4 gross acres consisting of 61 residential lots and multiple common open space lots located north of San Bernardino Avenue, south of Pioneer Avenue and west of Judson Street in the A-1 (Agricultural) District; a public hearing for consideration of Tentative Tract No. 16465, a Tentative Tract Map to subdivide 30.4 gross acres into 61 residential lots and multiple common open space lots located north of San Bernardino Avenue, south of Pioneer Avenue and west of Judson Street in the A-1 (Agricultural) District (proposed R-E District); a public hearing for consideration of introduction and first reading of the title of Ordinance No. 2629, Zone Change No. 399, a change of zone A-1 (Agricultural) District to R-E (Residential Estate) District on 12.1 gross acres located at the southeast corner of Pioneer Avenue and Judson Street in the A-1 (Agricultural) District; a public hearing for consideration of Resolution No. 6454, Agricultural Preserve Removal No. 105, an agricultural preserve removal of approximately 12.1 gross acres on property located at the southeast corner of Pioneer Avenue and Judson Street in the A-1 (Agricultural) District; a public hearing for consideration of Conditional Use Permit No. 819, a conditional use permit for a Planned Residential Development (PRD) on 12.1 gross acres consisting of 20 residential lots and multiple common open space lots located at the southeast corner of Pioneer Avenue and Judson Street in the A-1 (Agricultural) District (proposed R-E District); and a public hearing for consideration of Tentative Tract No. 16627, a Tentative Tract Map to subdivide 12.1 gross acres into 20 residential lots and multiple common open space lots located at the southeast corner of Pioneer Avenue and Judson Street in the A-1 (Agricultural) District (proposed R-E District). Mayor Harrison declared the meeting open as a public hearing.

Community Development Director Shaw reported the City Council held a hearing on this project on April 18, 2006, and continued the hearing to June 20, 2006, to allow the City Council to review the projects based on the preparation of a letter report by the City's consultant, Coffman Associates, with recommendations on the Redlands Municipal Airport Land Use Compatibility Plan. The letter report has been provided and includes a history of the Plan that was approved in 1997 and revised in 2003, existing and potential future impacts and conclusions and recommendations. Community Development Director Shaw reviewed the report and options recommended by the consultant. Based on the conclusions and recommendations of the Coffman Associates' letter report and the recommendation of the Municipal Utilities Department for approval, staff recommends that the City Council approve the requests. Gary Van Dorst, Municipal Utilities Department, reviewed the Coffman letter report and answered questions. Everett Hughes, Walton Development, expressed appreciation for everyone's perseverance and urged the City Council to approve

his project. Bob Pearce, Larry Fortier, Eric Paul, Wes Green, and Casper Terry expressed concerns for the airport and urged the project be denied. Mr. Hughes and his attorney, Dean Dennis, continued to urge approval of their project as they felt their project was compatible with the airport. Chris Huganin, Coffman Associates, responded to Councilmembers' questions. Todd Housley, Redlands Airport Manager, also answered questions. The public hearing was closed at 8:52 P.M.

Socio-Economic Analysis and Cost/Benefit Study- Councilmember Gilbreath moved to approve the Socio-Economic Analysis and Cost/Benefit Study for Conditional Use Permit Nos. 809 and 819 and Tentative Tract Nos. 16465 and 16627 as it has been determined that this project will not create unmitigable physical blight or overburden public services in the community and no additional information or evaluation is needed. Motion seconded by Councilmember Aguilar and carried with Councilmembers Harrison and Gallagher voting NO.

Environmental Findings of Fact - Councilmember Gilbreath moved to adopt the findings of fact prepared by City staff pursuant to Section 21081 of the California Environmental Quality Act and adopt the accompanying Mitigation Monitoring and Reporting Program for the projects. Motion seconded by Councilmember Aguilar and carried with Councilmembers Harrison and Gallagher voting NO.

Ordinance No. 2628 - Zone Change No. 396 - Ordinance No. 2628, an ordinance of the City of Redlands amending Title 18 of the Redlands Municipal Code revising the City's Land Use Zoning Map and approving Zone Change No. 396, was read by title only by City Clerk Poyzer, and on motion of Councilmember Gilbreath, seconded by Councilmember Aguilar, further reading of the ordinance text was waived, and Ordinance No. 2628 was introduced and laid over under the rules with adoption scheduled for July 5, 2006, with Councilmembers Harrison and Gallagher voting NO.

The City Council briefly recessed at 8:05 P.M. and reconvened at 8:14 P.M. City Attorney McHugh explained to complete a process started some time ago, the City Council may need to adopt findings of facts and any kind of statement of considerations if there were adverse impacts that were not mitigated. In this instance, we do have certain findings to be made prior to project approval.

Environmental Findings of Fact - Councilmember Gilbreath moved to adopt the findings of fact for Tract Nos. 16465 and 16627 and all other entitlements associated with the project as contained in Exhibit H and adopt the Mitigation Monitoring Plan as identified in Exhibit I. Motion seconded by Councilmember Aguilar and carried with Councilmembers Harrison and Gallagher voting NO.

At this time, with the confirmation of the maker of the motion and second, the City Council acknowledged approval of the Socio-Economic Cost/Benefit Study and Zone Change as reported above.

Resolution No. 6453 - Agricultural Preserve Removal No. 104 - Councilmember Gilbreath moved to adopt Resolution No. 6453, a resolution of the City Council of the City of Redlands removing the property on which

Tentative Tract No. 16465 is proposed to be constructed from the Agricultural Preserve. Motion seconded by Councilmember Aguilar and carried with Councilmembers Harrison and Gallagher voting NO.

Conditional Use Permit No. 809 - Councilmember Gilbreath moved to approve Conditional Use Permit No. 809 with its effective date being the effective date of Ordinance No. 2628 and based on the findings contained in the staff report. Motion seconded by Councilmember Aguilar and carried with Councilmembers Harrison and Gallagher voting NO.

Tentative Tract Map No. 16465 - Councilmember Gilbreath moved to approve Tentative Tract No. 16465 with its effective approval date being the effective date of Ordinance No. 2628 and subject to the conditions of approval and findings contained in the staff report. Motion seconded by Councilmember Aguilar and carried with Councilmembers Harrison and Gallagher voting NO.

Ordinance No. 2629 - Zone Change No. 399 - Ordinance No. 2629, an ordinance of the City of Redlands amending Title 18 of the Redlands Municipal Code revising the City's Land Use Zoning Map and approving Zone Change No. 399, was read by title only by City Clerk Poyzer, and on motion of Councilmember Gilbreath, seconded by Councilmember Aguilar, further reading of the ordinance text was waived and Ordinance No. 2629 was introduced and laid over under the rules with adoption scheduled for July 5, 2006, with Councilmembers Harrison and Gallagher voting NO.

Resolution No. 6454 - Agricultural Preserve Removal No. 105 - Councilmember Gilbreath moved to adopt Resolution No. 6454, a resolution of the City Council of the City of Redlands removing the property on which Tentative Tract No. 16627 is proposed to be constructed from the Agricultural Preserve. Motion seconded by Councilmember Aguilar and carried with Councilmembers Harrison and Gallagher voting NO.

Conditional Use Permit No. 819 - Councilmember Gilbreath moved to approve Conditional Use Permit No. 819 with its effective date being the effective date of Ordinance No. 2629 and based on the findings contained in the staff report. Motion seconded by Councilmember Aguilar and carried with Councilmembers Harrison and Gallagher voting NO.

Tentative Tract No. 16627 - Councilmember Gilbreath moved to approve Tentative Tract No. 16627 with its effective date being the effective date of Ordinance No. 2629 and subject to the conditions of approval and findings contained in the staff report. Motion seconded by Councilmember Aguilar and carried with Councilmembers Harrison and Gallagher voting NO.

Gardner Construction and Development - Public notice was advertised for this time and place to consider a Draft Mitigated Negative Declaration as well as a public hearing for a Socio-Economic Analysis and Cost/Benefit Study and a public hearing to consider introduction and first reading of the title of Ordinance No. 2644, rescind the R-A-A, (Residential Estates Animal) District for a 5.69 acre site at the northwest corner of Wabash Avenue and Los Altos Drive; a public hearing to consider Resolution No. 6510, Specific Plan No. 60,

to approve the Casalingo Specific Plan for the development of a 5.69 acre site at the northwest corner of Wabash Avenue and Los Altos Drive; and a public hearing to consider Tentative Tract Map No. 17622, a Tentative Tract Map to subdivide 5.69 gross acres into 14 residential lots and 2 common area lots for a private street and common open space located at the northwest corner of Wabash Avenue and Los Altos Drive. Mayor Harrison declared the meeting open as a public hearing.

Community Development Director Shaw explained the applicant is proposing a project on the site of the former Redlands Swim & Tennis Club consisting of a Specific Plan and a Tentative Tract Map to subdivide the 5.69 gross acre site into a gated community with 14 detached single-family dwellings and a clubhouse. The adoption of the Specific Plan requires the existing zoning of R-A-A (Residential Estate - Animals) to be rescinded and replaced with a Specific Plan 60 designation. On April 25, 2006, the Planning Commission held a hearing for this project, and by a 4-2 vote approved a motion to continue the hearing to May 9, 2006 and directed staff to bring back appropriate positive motions and conditions of approval for Planning Commission consideration. On May 9, 2006 the Planning Commission recommended by a 5-1 vote that the City Council approve the proposed Specific Plan and Tentative Tract Map by Gardner Development.

Speaking on behalf of the project were: Bud Thatcher, Thatcher Engineering, the architect, another member of their team, Mitch Gardner and Mark Gardner. Speaking in opposition of the proposed project by citing density concerns and the need for an Environmental Impact Report were: James Preston, Sue Yeoman, Mike Yeoman, Teresa Sorenson, Pat Pratt, Brenda Brennan, Fannie Van Hyning, Margot Williams, Richard Roy, Bob Toister (who also submitted letters from Attorney James DeAguilera and Tim Kranz with the Environmental Studies Program at the University of Redlands), Jackie Hoar, Richard Hoar, Kathy Toister (who submitted a petition with 128 signatures opposing the Casalingo Specific Plan), Lawrence Perszyk, Kristine Ryew, Lorraine McCormick and Bill Cunningham. Speaking in favor the proposed project were: Lois Lauer, Kathy Stirle, Ann Bryan (who also submitted a letter of support from Phil and Joyce Reiswig), Ann Ciauri, and Peggy Brier. City Clerk Poyzer reported five e-mails had been received supporting the project and three opposing it. Following lengthy discussion, the public hearing was declared closed at 10:32 P.M. At that time, it was apparent the City Council would prefer the applicant to re-design the project with 12 lots to create more space between units. Mr. Gardner agreed that, when submitting a revised version of his project to the City Council, the revision would serve as a new application for the project and, after being deemed complete by staff, would commence new time periods to be in effect for the purposes of the State's Permit Streamlining Act and for CEQA compliance. Councilmember Harrison moved to continue this matter to July 18, 2006. Motion seconded by Councilmember Gallagher and carried unanimously.

KB Homes - Public notice was advertised for this time and place to consider a Draft Mitigated Negative Declaration as well as public hearings for a Socio-Economic Analysis and Cost/Benefit Study and consideration of Pre-Annexation Agreement No. 05-05, a pre-annexation agreement for a request for water and sewer service for Tract No. 16602 consisting of 70 lots on 18.79 acres, located at the northwest corner of Colton Avenue and Sapphire Street in the town of Mentone within San Bernardino County. Mayor Harrison declared the meeting open as a public hearing. Community Development Director Shaw described the proposed project noting the purpose of this request is to obtain approval of an outside City utility connection for water and sewer services. The applicant was present and said he was comfortable with the staff's recommendation. There being no further comments, the public hearing was declared closed.

Negative Declaration - Councilmember Gilbreath moved to approve the Environmental Review Committee's negative declaration for Pre-Annexation Agreement No. 05-05 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 Gallagher and carried unanimously.

Socio-Economic Analysis and Cost/Benefit Study - Councilmember Gilbreath moved to approve the Socio-Economic Analysis and Cost/Benefit Study for Pre-Annexation Agreement No. 05-05 as it has been determined that this project will not create unmitigable physical blight or overburden public services in the community and no additional information or evaluation is needed. Motion seconded by Councilmember Gallagher and carried unanimously.

Pre-Annexation Agreement No. 05-05 - Councilmember Gilbreath moved to approve Pre-Annexation Agreement No. 05-05. Motion seconded by Councilmember Gallagher and carried unanimously.

UNFINISHED BUSINESS

Parolee Homes - Community Development Director Shaw reported that on September 20, 2005, the City Council adopted Ordinance No. 2622 which initiated a prohibition (moratorium) on the approval of non-state licensed parolee homes for 45 days. Subsequently, on November 1, 2005, the City Council adopted Ordinance No. 2624 extending the effect of Ordinance No. 2622 providing for a temporary moratorium on the approval of non-state licensed parolee homes. Staff has been collecting information relating to its ability to regulate group homes and defining what constitutes a convalescent home, a board and care home, foster home, group home and family home. This information will be important as staff comes back to the City Council with recommendations. Staff has been monitoring the current moratorium that is in

effect and does not believe the process of analyzing options to regulate parolee homes can be completed prior to the expiration of the current interim ordinance. Therefore, a public hearing will be held on July 5, 2006, to consider the extension of the interim ordinance. Speaking on behalf of the Step by Step Re-entry Coalition were Arthur Gregory and Sharon Graff. Jerry Holt, owner of seven houses in Redlands who provide parolee housing, also spoke. Roy Alexander, Dorothy Cunningham and George Guessen expressed concerns about having parolee homes in our community. Councilmember Gilbreath moved to acknowledge receipt of the staff's written report. Motion seconded by Councilmember Gil and carried unanimously.

NEW BUSINESS

Ordinance No. 2640 - Airport Influence Area - Gary Van Dorst, Municipal Utilities Department, presented a proposal to require disclosure of airport noise to prospective home buyers in new subdivisions at the time the property is marketed. The proposed ordinance requires marketing materials for residential property in new subdivisions to disclose that the property is in a "Redlands Airport Influence Area" and that it is subject to intermittent noise associated with general aviation use. Sales offices and model homes shall be required to post an aerial photograph identifying the "Redlands Airport Influence Area" in a location that is clearly visible to prospective buyers. The proposed ordinance also requires streetside signage to visibly remind residents and prospective homeowners that they reside in an Airport Influence Area as well as execution of a declaration of covenant and waiver for new residential subdivisions within the "Redlands Airport Influence Area." Ordinance No. 2640, an ordinance of the City of Redlands adding Chapter 17.28 to the Redlands Municipal Code to establish regulations for signage and marketing disclosure requirements for new residential subdivision development located within the Redlands Airport Influence Area, was read by title only by City Clerk Poyzer, and on motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, further reading of the ordinance text was unanimously waived, and Ordinance No. 2640 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for July 5, 2006.

Local Emergency - Due to a potential conflict of interest, Councilmember Gallagher retired from the Council Chambers and did not participate in this matter; a Public Disclosure of Potential Conflict of Interest form is on file in the City Clerk's Office. Public Works Director Mutter reported his department was contacted on June 8, 2006, regarding a sink hole in the pavement on Ford Street between Redlands Boulevard and Sunset Drive. Upon investigation, it was determined that the trench along the major storm drain pipe in Ford Street had collapsed and large voids were present under the street pavement. The exact limits of the trench failure could not be determined; however, settling of the roadway pavement was evident for several hundred feet. The Public Works Director ordered the immediate closure of the portion of Ford Street affected by

the trench failure. The City Manager was advised of the damage, and a recommendation was made that the damage was significant and a local emergency should be declared. Staff has contacted Larry Jacinto Construction, Inc., a local contractor who has performed emergency work for the City on a number of prior occasions.

Proclamation of Local Emergency - Pursuant to the request of the City Manager (the City's Director of Emergency Services), Councilmember Aguilar moved that the City Council proclaim the existence of a local emergency in accordance with Chapter 2.52 of the Redlands Municipal Code. Motion seconded by Councilmember Gilbreath and carried by AYE votes of all present with Councilmember Gallagher having abstained. Councilmember Aguilar moved that this City Council find and determine that City staff has presented this City Council with verbal and written testimony which constitutes substantial evidence that the local emergency caused by the collapsed storm drain trench on Ford Street between Redlands Boulevard and Sunset Drive will not permit a delay in undertaking the work to alleviate the local emergency that would result from a competitive solicitation of bids for the project. Motion seconded by Councilmember Gilbreath and carried by AYE votes of all present with Councilmember Gallagher having abstained.

Resolution No. 6514 - Councilmember Aguilar moved to adopt Resolution No. 6514, a resolution of the City Council of the City of Redlands declaring that the public interest and necessity demand the immediate expenditure of public money to safeguard life, health and property. Motion seconded by Councilmember Gilbreath and carried by AYE votes of all present with Councilmember Gallagher having abstained.

Environmental Determination - Councilmember Aguilar moved that the City Council determine that the City's award of a contract for the repair and replacement of a collapsed storm drain trench on Ford Street between Redlands Boulevard and Sunset Drive does not require further environmental processing, pursuant to Section 15269 of the California Environmental Quality Act Guidelines based on the determinations contained in the staff report. Motion seconded by Councilmember Gilbreath and carried by AYE votes of all present with Councilmember Gallagher having abstained.

Funds - Councilmember Aguilar moved to appropriate \$121,664.00 from the General Fund for this work. Motion seconded by Councilmember Gilbreath and carried by AYE votes of all present with Councilmember Gallagher having abstained.

Contract Award - Councilmember Aguilar moved to approve a contract with Larry Jacinto Construction, Inc. for the repair and replacement of a collapsed storm drain trench on Ford Street between Redlands Boulevard and Sunset Drive on a time and materials basis and for a total cost not to exceed \$121,664.00. Motion seconded by Councilmember Gilbreath and carried by AYE votes of all present with Councilmember Gallagher having abstained.

PUBLIC COMMENTS

Market Night Curfew - Brooks Minchin again addressed the City Council regarding the ticket issuing policy for the Market Night curfew. He was referred to City Manager Davidson to work with the Police Chief.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 11:29 P.M. at which time the temperature in the Council Chambers was down to 80 degrees. The next regular meeting will be held on Wednesday, July 5, 2006.

City Clerk