

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 May 4, 1999.

PRESENT

William E. Cunningham, Mayor
Geni A. S. Banda, Mayor Pro Tem
Pat Gilbreath, Councilmember
John L. Freedman, Councilmember
Gary George, Councilmember

Gary M. Luebbers, City Manager
Daniel J. McHugh, City Attorney
Lorrie Poyzer, City Clerk
Beatrice Sanchez, Deputy City Clerk
(evening session)
Michael Reynolds, City Treasurer
Jim Bueermann, Police Chief
Mel Enslow, Fire Chief
Bonnie Johnson, Finance Director
Ronald C. Mutter, Public Works Director
Michael L. Huffstutler, Water Resources and
Utility Operations Chief
Jeffrey L. Shaw, Community Development Director

ABSENT

None

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

PRESENTATIONS

TV Crew - Mayor Cunningham presented a certificate of appreciation to Cheryl Entler as an expression of gratitude for her volunteer service as Assistant Director of the live televised production of the City Council meetings. Certificates of appreciation were also presented to Cory Elgin, Aaron Godard, and Quinn Stevenson for their volunteer services as Camera Operators and to Robert Ettleman for his volunteer service as Director and Producer.

Boys and Girls Club - Special Project Grant - Marge Emrick, President of the Redlands Boys and Girls Club, informed Councilmembers they have been notified they are to receive \$500,000.00 from HUD through Congressman Lewis. The grant is part of a package which also includes bridge and Fox Theater renovation funds. The grant must go through a public entity but if the City is willing to write a letter indicating the Redlands Boys and Girls Club is fiscally responsible, the funds can be diverted directly to their organization for administration. Councilmember Gilbreath announced she had a possible conflict of interest and left the City Council Chambers. By consensus of the

remaining members of the City Council, the Mayor was authorized to write a letter to HUD as requested by the Redlands Boys and Girls Club.

CONSENT CALENDAR

Minutes - On motion of Councilmember Banda, seconded by Councilmember Freedman, the minutes of the regular meeting of April 20, 1999, were approved as submitted.

Bills and Salaries - On motion of Councilmember Banda, seconded by Councilmember Freedman, bills and salaries were ordered paid.

Planning Commission Actions - Joan Dotson expressed concern about the attendance of a majority of the members of the City Council at the Planning Commission meeting held on April 27, 1999. She shared copies of an opinion from the California Attorney General addressing questions in relation to members of a legislative body of a local public agency attending a meeting of a standing committee and requested the subject be agendaized for the next meeting for an opinion and advice from the City Attorney. City Attorney McHugh reminded Councilmembers the Brown Act had been amended several years ago allowing attendance at meetings and social functions so long as members of the legislative body are present only as observers and do not deliberate. Councilmember Gilbreath asked that the City Attorney review the statute for Councilmember liaisons. Mayor Cunningham asked the City Attorney to prepare an opinion regarding this matter and share it with Mrs. Dotson. Councilmember Freedman then moved to acknowledge receipt of the report of the Planning Commission meeting held on April 27, 1999. Motion seconded by Councilmember Banda and carried unanimously.

Environmental Review Committee - On motion of Councilmember Banda, seconded by Councilmember Freedman, the report of the Environmental Review Committee meeting held April 19, 1999, and the tentative agenda for the Environmental Review Committee meeting to be held on May 10, 1999, were acknowledged as received.

Ordinance No. 2400 - Water Charges - Citing a possible conflict of interest, Mayor Cunningham left the City Council Chambers. Ordinance No. 2400, an ordinance of the City of Redlands amending Chapters 3.48 and 13.40 of the Redlands Municipal Code relating to Water Capital Improvement and Water Source Acquisition Charges, was adopted on motion of Councilmember Freedman, seconded by Councilmember George, by the following vote:

AYES: Councilmembers Banda, Gilbreath, Freedman, and George

NOES: None

ABSTAIN: Mayor Cunningham

ABSENT: None

Resolution No. 5637 - California Healthy Cities - On motion of Councilmember Banda, seconded by Councilmember Freedman, the City Council unanimously adopted Resolution No. 5637, a resolution of the City Council of the City of Redlands, California, supporting the California Healthy Cities and Communities Project and indicating the intent to continue participation in the project to include the Building A Generation program and the Youth Coalition to address specific youth development and community health needs.

Funds - Grant Agreement - California Healthy Cities - On motion of Councilmember Banda, seconded by Councilmember Freedman, the City Council unanimously authorized execution of a grant agreement between the City of Redlands and the Public Health Institute and California Healthy Cities and Communities to accept the technical assistance grant award of \$3,000.00 and approve an additional appropriation in the amount of \$3,000.00 to fund the grant expenditures.

Contract Award - Judson and Pioneer Water Transmission Main - Bids were opened and publicly declared on April 15, 1999, by the City Clerk for the construction of the Judson and Pioneer Water Transmission Main, Project No. 4-9916; a bid opening report is on file in the Office of the City Clerk. It was the recommendation of the Municipal Utilities Department that the responsible bidder submitting the bid for said project which will result in the lowest cost for the City was Genesis Construction in the amount of \$273,739.00, and it would be in the best interest of the City that this contract be awarded to said firm. On motion of Councilmember Banda, seconded by Councilmember Freedman, this recommendation was unanimously approved and the Mayor and City Clerk were authorized to sign the contract on behalf of the City.

Resolution No. 5638 - TRANS - On motion of Councilmember Banda, seconded by Councilmember Freedman, the City Council unanimously adopted Resolution No. 5638, a resolution authorizing and approving the borrowing of funds for fiscal year 1999-2000, the issuance and sale of a 1999-2000 Tax and Revenue Anticipation Note (TRANS) therefore, and participation in the California communities cash flow financing program.

Resolution No. 5640 - Traffic - On motion of Councilmember Banda, seconded by Councilmember Freedman, the City Council unanimously adopted Resolution No. 5640, a resolution of the City Council of the City of Redlands establishing the following traffic regulations pursuant to Title 10 of the Redlands Municipal Code: set speed limits on Pennsylvania Avenue between Karon and Judson Streets.

Resolution No. 5641 - Traffic - On motion of Councilmember Banda, seconded by Councilmember Freedman, the City Council unanimously adopted Resolution No. 5641, a resolution of the City Council of the City of Redlands

establishing the following traffic regulations pursuant to Title 10 of the Redlands Municipal Code: set speed limits on Highland Avenue between Ford Street and Serpentine Drive.

Resolution No. 5642 - Traffic - On motion of Councilmember Banda, seconded by Councilmember Freedman, the City Council unanimously adopted Resolution No. 5642, a resolution of the City Council of the City of Redlands establishing the following traffic regulations pursuant to Title 10 of the Redlands Municipal Code: set speed limits on Alabama Street between Barton Road and Lugonia Avenue.

Resolution No. 5643 - Traffic - On motion of Councilmember Banda, seconded by Councilmember Freedman, the City Council unanimously adopted Resolution No. 5643, a resolution of the City Council of the City of Redlands establishing the following traffic regulations pursuant to Title 10 of the Redlands Municipal Code: set speed limits on Brockton Avenue between New York Street and Wabash Avenue.

Resolution No. 5644 - Traffic - On motion of Councilmember Banda, seconded by Councilmember Freedman, the City Council unanimously adopted Resolution No. 5644, a resolution of the City Council of the City of Redlands establishing the following traffic regulations pursuant to Title 10 of the Redlands Municipal Code: designate six parking spaces on the north side of Vine Street between Cajon and Fourth Streets for use by "on-duty" emergency vehicles only.

Resolution No. 5646 - Street Fees - On motion of Councilmember Banda, seconded by Councilmember Freedman, the City Council unanimously adopted Resolution No. 5646, a resolution of the City Council of the City of Redlands relating to the street cut workmanship and performance warranty fee.

Funds - Emergency Service Academy - On motion of Councilmember Banda, seconded by Councilmember Freedman, the City Council unanimously authorized acceptance of a grant of \$10,000.00 from the San Bernardino County Superintendent of Schools to establish a City of Redlands Emergency Service Academy (RESA) and to approve an additional appropriation for this program.

Funds - MOU - San Bernardino County Housing Authority - On motion of Councilmember Banda, seconded by Councilmember Freedman, the City Council unanimously authorized execution of a memorandum of understanding with the Housing Authority of the County of San Bernardino enabling the City of Redlands Police Department to participate in the Public Housing Drug Elimination Funds Grant and to authorize an additional appropriation of \$42,000.00 to fund the Police Department's activities.

COMMUNICATIONS

Legislative Bulletin - Letters were directed sent to State legislators regarding SB 402, AB 24, SB 160, SB 498, AB 83, SB 887, AB 302, and AB 1504.

City Manager's Report - City Manager Luebbbers reported we have received \$40,000.00 from the COPS More grant; these funds will be used to civilianize the Police ID technician position and relieve a sworn police officer of those duties. We have received notification from the County of Riverside that installation of a stop sign at San Timoteo Canyon and Live Oak Canyon Roads has been authorized in response to our recent request for a traffic study.

Budget Preparation Update - City Manager Luebbbers reminded Councilmembers the study sessions will begin next Tuesday, May 11, 1999, at 9:00 A.M. to review the proposed 1999-2000 budget; copies of the proposed budget will be distributed later this week.

Redlands Municipal Airport - Public Works Director Mutter submitted a report regarding the Notice to Quit sent by Redlands Aviation to Aerodrome Flight Training and Aircraft Rental at the Redlands Municipal Airport. Redlands Aviation holds one of three Master Leases at Redlands Municipal Airport; they lease Parcels 1, 2, and 3 at the airport. Included in the lease is one structure: the large hangar near the rotating beacon. All other buildings on the leasehold are owned by Redlands Aviation which includes all other office areas and hangars. The lease is for a term of 20 years with a provision for three 10-year extensions at the option of the lessee. Redlands Aviation exercised the first 10-year extension option in December, 1998. Redlands Aviation is in compliance with the Master Lease in all respects. They make lease payments and pay fuel fees in a timely manner. They provide insurance documentation as required, maintain and clean the lobby as required, and provide UNICOM service as stipulated in the lease agreement. They have, on occasion, provided service to the City over and above the lease requirements. For several years, they have administered the sale of gate cards at the lobby at no cost to the City. They also regularly run and cleaned the emergency crash truck which the Fire Department has placed at the airport. They have generally maintained their facilities on the leasehold in a clean and neat manner. At the time the runway and taxiway were slurried several years ago, they slurried all pavement areas on their leasehold. It is the position of the Public Works Department that the Notice to Quit is a matter between landlord and tenant and is not within the purview of the department. Mike Marko did not feel the investigation was complete as no one from Aerodrome was contacted. On behalf of Aerodrome, Andy Testman expressed disappointment that he was not contacted, noting he has a "suitcase" full of violations to share with City staff. He reiterated his feeling of being discriminated against and urged the City Council to conduct a thorough investigation to see what is going on at the airport. Mark Lenchnen was concerned if Aerodrome was evicted from the Redlands Municipal Airport that we would lose a wonderful resource in this town and urged the City Council to assist. Responding to Councilmembers' questions, Public Works Director

Mutter said representatives from Redlands Aviation declined to attend this meeting as they felt it was a private business matter, and he explained the original lease was negotiated many years ago by City Attorney Edward F. Taylor at what was then a good benefit to the City. Finance Director Johnson said the proposed budget indicates the General Fund will provide a subsidy to the Redlands Municipal Airport in the amount of \$30,000.00 next year, bringing the total subsidy for the last seven years to \$582,000.00. Councilmember Freedman moved to direct Public Works Director Mutter to ask Redlands Aviation if they would be willing to grant a voluntary 30 day extension on the Notice to Quit and, further, requested all parties involved to submit their allegations and accusations in writing to staff for the City Attorney to review. Motion seconded by Councilmember Banda and carried unanimously. Acknowledging that Public Works Director Mutter is not a licensed investigator, Councilmembers expressed their appreciation for his efforts.

Agricultural Water Rate - Councilmember George has been approached by a constituent who lives on a large parcel of land and has enough room on his property to plant a small orange grove, but irrigating it with water at the domestic rate is not feasible. Councilmember George urged Councilmembers to consider the possibility of allowing "new" groves, not just existing groves that are currently required to maintain a minimum of 40 trees on the property, to qualify for the irrigation rate thus encouraging our citizens to plant additional small groves within our City. Water Resources and Utility Operations Chief Huffstutler reviewed the three irrigation rates available: the grandfathered agreements with Mentone Domestic Water Company, the 40-tree rate, and the institutional rate which applies to schools, Caltrans, the Country Club, and public parks. The institutional rate includes an agreement to curtail water usage in case of a drought. Councilmember George moved to direct staff to investigate a 40-tree rate for new plantings and bring back a proposal for the City Council to consider. Motion seconded by Councilmember Banda and carried unanimously.

JOINT MEETING - CITY COUNCIL AND REDEVELOPMENT AGENCY

Resolution No. 5647 - Great Neighborhoods Program - Councilmember Banda moved to adopt Resolution No. 5647, 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 Neighborhoods Program to implement an additional six participant agreements which will be acted upon by the Board of Directors of the Redevelopment Agency. Motion seconded by Councilmember Gilbreath and carried unanimously. (Also see Redevelopment Agency minutes for May 4, 1999.)

CLOSED SESSION

The City Council meeting recessed at 4:03 P.M. to continue the Redevelopment Agency meeting and reconvened at 4:04 P.M. to a closed session to discuss the following:

- a. Conference with legal counsel: Existing litigation - Government Code Section 54956.9(a)
 - Federal Energy Regulations Commission/SCE Administrative Licensing Proceedings
 - Sharon Scott v. City of Redlands and Redlands Unified School District - SCV 37417
 - Biggs v. City of Redlands - SACV 94-204 (City Attorney McHugh declared a conflict of interest on this lawsuit and stated he would not participate in the conference.)
 - Derek Macias v. City of Redlands SCV 53457
 - Ernest Juarez v. City of Redlands - SCV 53458
- b. Conference with legal counsel: Anticipated litigation - Government Code Section 54956.9(c): one case

The meeting reconvened at 7:00 P.M.

PRESENTATION

Larry Jacinto - Mayor Cunningham presented a plaque with the City seal to Larry Jacinto as an expression of appreciation for the Jacinto family's generous contribution to the preservation of our local citrus heritage and the gift of 922 orange trees planted along Reservoir Road in memory of his father Frank Jacinto. Mr. Jacinto accepted the plaque saying Redlands has always been good to him and his family, and thanked the City for letting them name the park as a tribute to his father.

PUBLIC HEARINGS

Resolution No. 5633 - Parking and Business Improvement Area - Public hearing was advertised for this time and place to consider Resolution No. 5633, a resolution of the City Council of the City of Redlands ordering the continued operation of Parking and Business Improvement Area B and confirming the annual report and assessment for fiscal year 1999-2000. Police Chief Bueermann presented the 1999-2000 annual report outlining assessments, district boundaries, proposed improvements and activities and budgets for the Parking and Business Improvement Area B. The report has been approved by the Advisory Board and filed with the City Clerk in accordance with Section 36533 of the California Streets and Highways Code. Resolutions declaring the City Council's intent to levy assessments were approved on April 20, 1999. Mayor Cunningham declared the meeting open as a public hearing for any questions or comments. None being forthcoming, the public hearing was declared closed. Councilmember George moved to adopt Resolution No. 5633. Motion seconded by Councilmember Banda and carried unanimously.

Ordinance No. 2399 - SMARA - Public hearing was advertised for this time and place to consider Ordinance No. 2399, an ordinance of the City of Redlands adding Chapter 18.266 to the Redlands Municipal Code to establish regulations for surface mining and reclamation activities and repealing Article XI of the Redlands Municipal Code. Community Development Director Shaw explained that Zoning Ordinance Text Amendment No. 263 is a recommendation to replace the City's existing Surface Mining and Land Reclamation Ordinance (Section 18.156.490 of the Redlands Municipal Code) with a new ordinance that is in conformance with the current regulations contained in the State's Surfacing Mining and Reclamation Act (SMARA). The proposed ordinance does not affect the zoning for the location of this type of use but rather is intended to apply minimum requirements to regulate surface mining operations in accordance with SMARA. Mayor Cunningham declared the meeting open as a public hearing for any questions or comments. None being forthcoming, the public hearing was declared closed. Councilmember Banda moved to approve the Environmental Review Committee's Negative Declaration for Ordinance No. 2399 based on the finding that the project will not have a significant effect on the environment, determining this project will not individually or cumulatively have an adverse impact on wildlife resources as defined in Section 711.2 of the California Fish and Game Code and directed staff to file and post a Notice of Determination in accordance with the City's guidelines. Motion seconded by Councilmember Freedman and carried unanimously. Ordinance No. 2399 was read by title only by City Clerk Poyzer, and on motion of Councilmember Banda, seconded by Councilmember Freedman, further reading of the ordinance text was unanimously waived, and Ordinance No. 2399 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for May 18, 1999.

Tentative Tract No. 12382 - CUP No. 685 - Walter Danielson - Public hearings were advertised for this time and place to consider the socio-economic cost benefit studies and notices of mitigated negative declaration for Tentative Tract No. 12382 and Conditional Use Permit No. 685 for a Planned Residential Development for the subdivision of 41.5 acres into 31 residential lots in the RA-A (Residential Estate-Animal) District and the A-1 (Agricultural) District, generally located east of Wabash Avenue and south of Sunset Drive; Walter Danielson, applicant. Community Development Director Shaw reviewed the background and Planning Commission's recommendation to approve these applications. Mayor Cunningham declared the meeting open as a public hearing for any questions or comments. Theodora Banta, Chairman of the Trails Committee, informed the City Council that the Trails Committee had not had the opportunity to review this project and requested a continuance for that review. Representing the Walter Danielson family, Pat Meyer stated they had no objection to a continuance for two weeks. Councilmember Freedman moved to continue these public hearings to May 18, 1999. Motion seconded by Councilmember Banda and carried unanimously.

Tentative Tract No. 15867 - Bob Leonard - Public hearings were advertised for this time and place to consider the socio-economic cost benefit study and notice of preparation of mitigated negative declaration for Tentative Tract No. 15867, a subdivision of 4.61 acres into 11 residential lots generally located between Campbell Avenue and Franklin Avenue, east of Summit "B" Avenue in the R-E (Residential Estate) District; Bob Leonard, applicant. Community Development Director Shaw reviewed the background and Planning Commission's recommendation to approve these applications. He noted the Planning Commission added two conditions of approval (No. 12 and 13) to maintain the existing streets but that these conditions were not in conformance with the General Plan. Mayor Cunningham declared the meeting open as a public hearing for any questions or comments. Representing the Leonard family, Pat Meyer urged the City Council to make a finding that the narrower street would be appropriate and save the existing rock curb. Councilmember George commended the applicant for saving so many of the mature trees on this site. Leon Armantrout, who lives diagonally across the street from the proposed project, expressed his pleasure with the efforts to retain the historic neighborhood and urged the City Council to retain the existing width on Campbell Avenue. There being no further comments, the public hearing was declared closed. Councilmember Banda moved to approve the Environmental Review Committee's Negative Declaration for Tentative Tract No. 15867 based on the finding that the project will not have a significant effect on the environment, determining this project will not individually or cumulatively have an adverse impact on wildlife resources as defined in Section 711.2 of the California Fish and Game Code and directed staff to file and post a Notice of Determination in accordance with the City's guidelines., Motion seconded by Councilmember Freedman and carried with Councilmember Gilbreath abstaining due to a possible conflict of interest. Councilmember Banda moved to approve the socio-economic cost benefit study for Tentative Tract No. 15867, as the project will not create unmitigable physical blight or overburden 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 2.73. Motion seconded by Councilmember Freedman and carried with Councilmember Gilbreath abstaining due to a possible conflict of interest. On motion of Councilmember Freedman, seconded by Councilmember Banda, the City Council (with Councilmember Gilbreath abstaining due to a possible conflict of interest) approved Tentative Tract No. 15867 subject to the following findings and subject to the conditions of approval as modified (see Public Works requirements for Campbell Avenue below) and including Planning Conditions No. 12 and 13 as contained in the Planning Commission minutes dated March 23, 1999:

1. That the proposed map is consistent with the policies, land use designation, and density prescribed by the General Plan.

2. That the design and improvements of the proposed subdivision are consistent with City standards.
3. That the site is physically suitable for the type of development.
4. That 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.
5. That the design of the subdivision or type of improvements will not cause any serious public health problems.
6. That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.
7. And, that pursuant to California Government Code Section 66474.6, the discharge of waste from the subdivision apparently 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.

Modified Public Works requirements for Campbell Avenue:

- a. Construct standard curb and gutter 10 feet south side of street centerline.
- b. Construct standard street section between new curbs and street centerline consistent with the City standard verified through a geotechnical report.
- c. Construct standard sidewalk along the entire street frontage.
- d. Provide redwood trees spaced 40 feet on center avoiding sewer and water laterals.
- e. Use traffic index of 5.5.
- f. Retain 28 foot width parkway.

CUP No. 673 and Minor Subdivision No. 249 - Creekside Gardens - Public hearings were continued from March 16, 1999, to this time and place to consider the socio-economic cost benefit studies and mitigated negative declarations for: Conditional Use Permit No. 673, for the construction of an 88,236 square foot, 120 unit, multiple building, Senior Assisted Living/Alzheimer's Facility with a resident population of 192 people, and Minor Subdivision No. 249, a minor subdivision of 4.06 acres into four residential lots, in the EV/3000 RM (Multiple Family Residential-3000) District of the East Valley Corridor Specific Plan located on the northeast corner of Nevada Street and Orange Avenue; Creekside Gardens, L.P., applicant. Development Director Shaw reviewed the background and Planning Commission's recommendation to approve the negative declaration and socio-economic cost benefit studies and deny the conditional use permit and minor subdivision applications. Mayor Cunningham declared the meeting open as a public hearing for any questions or comments. Urging approval were: Pastor Steve Kay, Redlands Church of Christ; Pollyanna Franks, CEO of Sunset Haven who will operate the facility; Elder Orvil Young, Redlands Church of Christ; Maurice Monnig, General Partner of Brentwood Homes; Gale Carr, board member of Sunset Haven;

Robert Fredericks, Sunset Haven; and Anne Marie Carlton, parishioner of Redlands Church of Christ. Theodora Banta was not in favor of the higher density which was in violation of Measure U. During the public hearing, Mr. Monnig proposed to include in the CC&R's a payment of \$2,500.00 to the City's General Fund on an annual basis; to lower the density to comply with the City's standards; and was agreeable to retaining the property under a single ownership. There being no further comments, the lengthy public hearing was declared closed. Councilmember Freedman moved to approve the Environmental Review Committee's Negative Declaration for Conditional Use Permit No. 673 and Minor Subdivision No. 249 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 Conditional Use Permit No. 673 and Minor Subdivision No. 249, as the project will not create unmitigable physical blight or overburden 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 and with the requirement added to the CC&R's for the payment of an annual contribution of \$2,500.00 to the General Fund, will provide the City with a positive annual revenue/cost ratio. Motion seconded by Councilmember Gilbreath and carried unanimously. On motion of Councilmember Freedman, seconded by Councilmember Gilbreath, the City Council unanimously approved Conditional Use Permit No. 673 based on the following findings:

1. The senior congregate care facility located on the northwest corner of Orange Avenue and Nevada Street is appropriate for a conditional use permit.
2. the senior congregate care facility as proposed is a project that is necessary, essential, and desirable for the public welfare as well as the development of the community.
3. The senior congregate care facility is not detrimental to existing or permitted uses in the EV/3000-RM (Multiple Family Residential-3000) District of the East Valley Corridor Specific Plan.
4. The size and shape of the site are adequate to accommodate the development of a 89,864 square foot senior congregate care facility with five residential buildings and one administrative building having a maximum of 164 beds.
5. The site properly relates to Orange Avenue and Nevada Street which are designed and improved to carry the type and quantity of traffic to be generated by a senior congregate care facility.
6. The conditions set forth on Conditional Use Permit No. 673 are deemed necessary and reasonable to protect the public health, safety and general welfare and are in the best interests of the neighborhood.

7. The proposed project is consistent with the Medium Density Residential District of the General Plan.
8. That prior to the issuance of a building permit, the applicant shall submit CC&Rs to be approved by the City Attorney and the Community Development Director that shall include (a) the requirement for single ownership to provide for a uniform maintenance program for all lots on which the use authorized for Conditional Use Permit No. 673 will be conducted for the life of that conditional use permit, and (b) the voluntary annual payment of \$2,500.00, to be included as an enforceable condition of appeal, to the City's General Fund to offset any costs incurred by the City as shown by the cost benefit socio-economic study prepared for the project.
9. That there be two (2) unannounced inspections conducted yearly by the City of Redlands to verify the population of the senior congregate care facility is in compliance with this conditional use permit.

On motion of Councilmember Gilbreath, seconded by Councilmember Banda, the City Council unanimously approved Minor Subdivision No. 249 based on the following findings:

1. The proposed parcel map is consistent with the City's General Plan and the East Valley Corridor Specific Plan.
2. The design and improvement of the proposed subdivision is consistent with the City's General Plan and East Valley Corridor Specific Plan.
3. The site located on the northwest corner of Orange Avenue and Nevada Street is physically suitable for a senior congregate care home and its density of development.
4. The subdivision will not cause substantial environmental damage of substantially and avoidably injure fish or wildlife of their habitat.
5. The design of the subdivision and type of improvements is not likely to cause serious public health problems.
6. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.
7. Pursuant to California Government Code Section 66474.6, the discharge of waste from the subdivision apparently 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.
8. That substantial evidence exists in the record that the proposed project will be consistent with the Medium Density category of the General Plan.

The City Council meeting recessed at 8:39 P.M. and reconvened at 8:46 P.M.

Pre-Annexation Agreement No. 98-02 - Neal T. Baker Enterprises - The application for Pre-Annexation Agreement No. 98-02 for outside City utility connections for 10 residential lots in Tract No. 15410, generally located east of Crafton Avenue on the northeast corner of Nice Avenue and Ansley Lane in the

unincorporated Mentone area (Neal T. Baker Enterprises, applicant), was withdrawn.

NEW BUSINESS

Ordinance No. 2401 - Human Relations Commission - Police Chief Bueermann reported the Human Relation Commission voted on April 19, 1999, to recommend to the City Council that Chapter 2.66 of the Redlands Municipal Code be amended to add the words "sexual orientation" in Section 2.66.020 to read in part, "The commission members should be representative of the diverse population of Redlands in regards to race, religion, gender, age, culture, national origin, disability, sexual orientation, income and employment background." During the past six months, the Human Relations Commission has been involved in a dialogue with a group of people who have identified themselves as representatives of the local gay and lesbian community. During these discussions, the group noted that the Commission's Mission Statement refers to eradicating discrimination and prejudice that is based on a number of different designations, including "sexual orientation." The group requested the words "sexual orientation" be added to that portion of the Human Relations Commission's enabling ordinance which discusses membership of the Commission members. Speaking in support of this amendment were: Maggie Hawkins, Rainbow Council; Art Garcia, Riverside resident; Beverly Priscilla Muñoz, Yucaipa Democratic Club; Juliann Anderson, Rainbow Council; Steven G. McGrew, Rainbow Council; Pat Kruger, Rainbow Council; Rex Britt, Redlands resident; and John Ayres, Catholic Church Priest. Opposed to this amendment were: Ellen Egan, Redlands resident, Reverend J. D. Megason, First Congregational Church of Redlands; Reverend Don Wallace, Redlands resident; Sonny Williams, Yucaipa resident; and Esther Ringer, Redlands resident. Also speaking were: Amos Isaac, Redlands resident; Emigdio Sanchez; Violet Perry, Redlands resident; and Bruce Smith, M.D. Arthur Rand, Chairman of the Human Relations Commission, told Councilmembers their Mission Statement says it fully and that amending the Redlands Municipal Code was redundant. Mayor Cunningham said the Human Relations Commission has done "yeoman" working with both sides of this issue and expressed appreciation to the Commissioners for their efforts. Councilmember George moved to delete the sentence ""The commission members should be representative of the diverse population of Redlands in regards to race, religion, gender, age, culture, national origin, disability, income and employment background" from the Redlands Municipal Code and add a sentence to bring the membership of the Human Relations Commission into conformance with all other City commissions/boards which contain a residency requirement only. Motion seconded by Councilmember Gilbreath and carried unanimously. Ordinance No. 2401, an ordinance of the City of Redlands amending Chapter 2.66 of the Redlands Municipal Code relating to the Human Relations Commission, 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. 2401 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for May 18, 1999.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 10:09 P.M. to an adjourned regular meeting to be held on Tuesday, May 11, 1999, at 9:00 A.M. in the City Council Chambers, 35 Cajon Street, Redlands, California.

City Clerk