

MINUTES

of an adjourned regular meeting of the City Council of the City of Redlands held in the Council Chambers, Civic Center, 35 Cajon Street, at 7:00 P.M. on July 27, 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  
Beatrice Sanchez, Deputy City Clerk  
Jeffrey L. Shaw, Community Development Director

ABSENT

None

PUBLIC HEARINGS

City Council Ballot Initiatives - Public hearings were continued to this time and place to consider two initiative ordinances regarding amendments to the Redlands General Plan: proposed Ordinance No. 2412 amending the Growth Management, Design, Land Use and Circulation Elements of the Redlands General Plan; and proposed Ordinance No. 2414 amending the Land Use Element and the Circulation Element of the Redlands General Plan to establish a new residential land use classification in the San Timoteo Canyon and Live Oak Canyon areas. Since the meeting of July 20, 1999, Mayor Cunningham, Councilmember Banda and Councilmember Freedman suggested modifications to the ordinances being discussed. The revised ordinances were distributed July 26, 1999.

Proposed Ordinance No. 2412 - The public hearing was opened by Mayor Cunningham. Louis Fletcher, citing that the ordinances are being discussed without proper time for public review, requested that no action be taken by the Council today but continued to another meeting. He is concerned that the initiatives have serious consequences in terms of higher fees and reduced levels of City services. Pat Meyer concurred these are being rushed, as evidenced by the typing mistakes. He then explained to Council, utilizing the City-generated map, that there is a particular street that will be looped but could be defined as a "new" street that serves only two homes in the Sector 10 specific plan. By consensus among Councilmembers and staff, it will be added by reference. Discussion then followed concerning dates within the body of the ordinance which needed to be consistent with the General Plan. On motion of Councilmember Freedman, seconded by Councilmember Banda, Council unanimously voted to remove reference to August 1, 1999, on page five. Councilmember Freedman then moved to approve Ordinance No. 2412 for

placement on the November 2, 1999, ballot. Motion seconded by Councilmember Banda and carried with Councilmember Gilbreath voting NO and stating she felt strongly that the Council should have available for the public extra copies of the General Plan and the map being considered. She also felt CEQA and noticing requirements were not met. When property is downzoned it could be interpreted as a "taking," leaving it with no viable use.

Proposed Ordinance No. 2414 - Prior to any discussion, Mayor Cunningham pointed out that the most recent map indicates that property he owns is more than 2,500 feet from the area being discussed so he has no conflict according to State law. However, Mayor Pro Tem Banda will lead this portion of the meeting. A discussion then followed among all Councilmembers and the audience as to which map was being considered. A chronology of changes and printing dates were explained. On motion of Councilmember Cunningham, seconded by Councilmember Banda, Council approved the map dated July 19, 1999, as the one to be considered at this meeting. Councilmember Gilbreath voted NO stating that she is against the whole process being utilized for this ordinance. Councilmember Banda reviewed statistics predicting a sharp increase in population and traffic and said now is the time to plan for future growth and asked for support of this ordinance.

The public hearing was then opened for public comments. Terrance Emershy stated that he is presently processing a project and soon will be submitting his plans but there are issues that need to be clarified. Theodora Banta reiterated her prior comments that she supports the initiative because it preserves habitats, trails and watershed and is also supported by the Greenway Conservancy. Rufus (Tex) Moore did not believe this initiative could have an impact on any development in the "Donut Hole." Pat Meyer objected to the "Resource Preservation (RL Density)" (Section 5) where proposed as well as a portion of the (Section 4) "Natural Slopes" limitation on building pads and bike trails, as well as urban streets. Bob Rappuchi stated that Sunset Drive is not conducive to heavy traffic which is increasing and urged letting the voters decide. Henry Dillon supported the initiative ordinance. George Riday referred to animal studies that uphold the theory that heavy population results in negative results. He felt we have a lovely area to live in and it is worthwhile foregoing additional revenue for that benefit. Jeff Sabatini stated that after serving in the Civilian Volunteer Patrol, he has seen first hand that most of the traffic density is from people merely driving through; there is no rush of developers to build in the Canyon and this is crying wolf. The public hearing was then closed. Councilmember Banda stated the initiative is modeled after the community of Claremont. She then read from a Claremont document regarding grading and building pads. Councilmembers reviewed the proposed ordinance, section by section, refined the language, eliminated a sentence in Section 4 concerning building pads, added reference to planned residential developments which would address clustering of homes, addressed rural roads, and amendments to the Land Use Element of the General Plan (page 25) pertaining to Residential

Land Uses and Density within the Southeast Area Plan (Page 30) to reference the July 19, 1999, map. (Councilmember Banda distributed suggested wording at the meeting.)

Councilmember George moved to continue this item because the language changes and the map changes are still being finalized. The County's deadline can still be met if this is reviewed again at the August 3, 1999, Council meeting. There was no second to this motion. Councilmember Banda moved to approve Ordinance No. 2414 for the November 2, 1999, ballot. Councilmember Freedman seconded the motion, and said the City Council is not making the decision, only presenting the ordinances to the voters. Councilmember George stated this is a "rush to judgement," this is bad planning policy and is inconsistent, unfair and unwise. Mayor Cunningham reminded Councilmembers no issue has been vented publicly as much as these initiatives; all the changes have been compiled at Council meetings with public input; it is appropriate to go to the people as they are the final arbitrators of the future. City Attorney McHugh stressed that the General Plan handout should be forwarded to staff and the July 19, 1999, map should be forwarded to the City Clerk. Finalized ordinance initiatives will be distributed in the next few days reflecting today's changes which will allow the City Council to place them on the August 3, 1999, agenda if needed. Ordinance No. 2414 was approved with Councilmembers Gilbreath and George voting NO.

#### UNFINISHED BUSINESS

Resolution No. 5670 - Special Election for Ballot Measures - Resolution No. 5670, a resolution of the City Council of the City of Redlands calling and giving notice of the holding of a special municipal election for the purpose of submitting two measures to the voters and requesting the Board of Supervisors of the County of San Bernardino to consolidate said election with the election to be held on Tuesday, November 2, 1999, was unanimously approved on motion of Councilmember Banda, seconded by Councilmember Freedman.

#### LATE BREAKING ITEMS

Smiley Library Grant Application - Mayor Cunningham advised Councilmembers that Library Director Burgess requested he sign a letter of support to accompany an application for grant funds which must be submitted within the next few days. Councilmember Gilbreath moved to add this matter to the agenda which arose subsequent to the agenda being posted. Motion seconded by Councilmember Cunningham and carried unanimously. On Motion of Councilmember Freedman, seconded by Councilmember Banda, Council unanimously authorized the Mayor to sign a letter of support to accompany the application for grant funds on behalf of the A. K. Smiley Public Library.

Donut Hole Development AB 1553 (Calderon)- City Manager Luebbers reported the League of California Cities called him today as well as the City Attorney and he desired to inform Councilmembers of the information. Councilmember Freedman moved to add this matter to the agenda which arose subsequent to the agenda being posted. Motion seconded by Councilmember Banda and carried unanimously. As reported at the July 20, 1999, Council meeting, the City has been monitoring AB 1553 (Calderon) which would enact legislation which would change existing laws governing development in the "Donut Hole." Following a delay, it is now scheduled to be discussed in Sacramento on August 18, 1999. Language is being amended by Assemblyman Baca and will be available after August 9, 1999. As soon as possible appointments should be set up with legislators, selection of which Councilmembers will travel to Sacramento, plane/hotel reservations made, etc. Councilmember Freedman moved to start the process, directing the secretaries to work with the League of California Cities to set up appointments and the Mayor to appoint Councilmembers to travel to Sacramento to meet with members of the Legislature. Councilmember Gilbreath seconded the motion and stated we should get the process started but it would be beneficial to have the language to review. Mayor Cunningham stressed he had no problem authorizing staff to take all measures necessary to protect the City. City Manager Luebbers inquired about authorization to employ a lobbyist and public relations firm to assist the City. Councilmember George questioned the costs; he would not approve a blank check. Councilmember Freedman explained that the City is looking at a \$5,500,000 investment loss in the Donut Hole. So whatever the cost is, even up to \$150,000, the City would benefit. Mayor Cunningham added that most San Bernardino County Cities already have their own lobbyist in Sacramento. City Manager Luebbers encouraged the City Council to meet on Thursday, July 29, 1999, at which time he will have additional information and the City Council can make a decision on the facts, but we can start the process now. Councilmember Gilbreath announced she would not be available but agreed to communicate via telephone with the City Council during the meeting time so that she can participate in the discussion. Motion carried unanimously.

#### ADJOURNMENT

There being no further business, the City Council meeting adjourned at 8:59 P.M. The City Council will hold a special meeting on July 29, 1999, at 1:00 P.M. The next regular meeting will be held on August 3, 1999.

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Beatrice Sanchez  
Deputy City Clerk