

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 July 17, 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
(evening session)
Larry Burgess, Library Director
(afternoon session)
Jim Bueermann, Police Chief
(afternoon session)
Mel Enslow, Fire Chief
Bonnie Johnson, Finance Director
Alan Griffiths, Acting Public Works Director
(afternoon session)
Tom Fujiwara, Assistant Public Works Director
(evening session)
Gary G. Phelps, Municipal Utilities Director
Jeffrey L. Shaw, Community Development Director

ABSENT

None

The meeting was opened with an invocation by Councilmember Freedman followed by the pledge of allegiance.

PRESENTATION

Employee Service - Introductions were made by the department heads and Mayor Gilbreath presented five year service pins to: Rene Groese, Police Department; Justin Jimenez, Police Department; Daren Longnecker, Police Department; Marie Murphy, Police Department-Community Services; Jill Martinson, Smiley Library; Daniel Borell, Municipal Utilities Department-Administration; Manuel Gonzales, Municipal Utilities Department-Solid Waste Division; Gary Pike, Municipal Utilities Department-Solid Waste Division; and Tim Garcia, Municipal Utilities Department-Water Division.

Ten year service pins were presented to: Gayle Lipes, Police Department; Fermin Ruiz, Police Department; David Starr, Finance Department-Equipment Maintenance; Anthony Mackesy, Public Works Department-Engineering Services; Elsa Paisley, Public Works Department-Engineering Services; Fire Chief Mel Enslow; Diane Rivera, Fire Department; and Richard Ramos, Municipal Utilities Department-Solid Waste Division.

Fifteen year service pins were presented to: Stephen Starr, Police Department; Kyle Wilson, Public Works Department-Electrical Division; Donald McCue, Smiley Library; Paul Martinez, Municipal Utilities Department-Water Division; and Gerald Zink, Municipal Utilities Department-Water Division.

Twenty year service pins were presented to: Russell Dawkins, Police Department; Gary Bickford, Fire Department; Gregory Hostetler, Fire Department; Mitchall McKee, Fire Department; and Tom Jurgens, Municipal Utilities Department-Water Division.

A twenty-five year service pin was presented to: Donna Turner, City Treasurer's Office.

In recognition of 30 years of service, gold watches were presented to: Luis Gonzales, Municipal Utilities Department-Solid Waste Division, and Ernest Saldana, Municipal Utilities Department-Wastewater Division.

Municipal Utilities Director Phelps reported Gary Heapes was scheduled to receive his 15 year service pin award today for his many years of service as a Senior Water Service Worker. Mayor Gilbreath announced the City's family of employees, Councilmembers, and others were recently saddened by the sudden passing of Gary Heapes on July 5, 2001, due to an apparent heart attack at his home at the age of 54. He was responsible to locate City utilities in the streets for the Underground Service Alert so that contractors would be aware of the location of our water and sewer pipes. This is a very important function for the City requiring great care and accuracy on Mr. Heapes' part so as not to disrupt water and sewer service to the residents of Redlands. He will be missed as a fellow worker who did his job well and as a person and a friend. Away from work, Mr. Heapes was an avid fisherman, especially bass fishing. Among the simple joys of life, he was very fond of his dog "Sasha" and his favorite eatery was the Little Fisherman Seafoods on Barton Road where he enjoyed eating lunch. Mr. Heapes was remembered at this meeting as a good friend and a gentle person who was a very effective City employee and was satisfied with the simple joys of life.

Employees of the Quarter - City Manager Davidson introduced the following nominees for the Employee of the Quarter award:

Category: Field

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|------------------------|-----------------------------------------------------------------|
| James Brittain | Storekeeper, Purchasing Division Finance Department |
| Mike Finn | Senior Asphalt Work, Street Division Public Works Department |
| Tony Hoppe | Maintenance Custodian A. K. Smiley Public Library |
| Rick Pyatt Division | Grounds Maintenance Worker II, Parks Public Works Department |
| Art Ramos | Maintenance Worker, Recreation Division Police Department |

Category: Safety

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|------------------|------------------------------------------|
| Chris Catren | Police Detective Police Department |
| Dempsey Chappell | Firefighter/Paramedic Fire Department |
| Ken Longman | Fire Engineer Fire Department |
| Justin Jimenez | Police Officer Police Department |
| Rob Williams | Police Officer Police Department |
| Shawn Ryan | Police Sergeant Police Department |
| Stephen Starr | Police Officer Police Department |
| Rachel Tolber | Police Officer Police Department |
| Steve Young | Fire Engineer Fire Department |

Category: Administration

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|-----------------|--------------------------------------------------------------------------|
| Ruth Breslin | Administrative Secretary, Community Services Police Department |
| Cynthia Brooks | Purchasing Assistant Finance Department |
| Nathan Gonzales | Associate Archivist A. K. Smiley Public Library |
| Marie Murphy | Recreation Program Coordinator, Community Services, Police Department |
| Derek Schott | Recreation Program Coordinator Community Services, Police Department |
| Tom Steele | Financial Analyst Finance Department |

Mayor Gilbreath presented a plaque with the City seal to the selected employees of the quarter as follows:

Rick Pyatt - Mr. Pyatt was nominated by three of his co-workers this quarter. He is a hard worker who goes out of his way to keep his park and restrooms clean for the community. He takes pride in his areas, and he plans his days wisely. His hard work can be seen in his areas of responsibility which demonstrate the extra effort he provides. He has worked hard for many years and deserves recognition for his efforts.

Shawn Ryan - Sgt. Ryan has been assigned to the Police Department's narcotic unit for approximately two years. His service is marked by his constant sacrifice and courage. He works a tremendous amount of overtime, usually all through the night, weekends and holidays, and he has maintained this high level of commitment while the case load has risen and the unit has grown smaller due to loss of personnel. He is responsible for much of the unit's success. According to Police Chief Bueermann, Sgt. Ryan's knowledge and dedication is second to none, and has served in this very demanding position beyond all expectations.

Marie Murphy - Ms. Murphy has spearheaded the efforts to develop and sustain the City's senior bus program. She has done so because she is sincerely concerned about the seniors in our community. She believes it is important to ensure they have access to others to maintain their quality of life. Her initiative and drive have made the senior transportation program a success despite our limited resources.

PRESENTATION

Redlands Sports Park - Feasibility Study - The Market Analysis and Cash Flow Projection for the proposed Redlands Sports Park has been completed by Keyser Marsten Associates and submitted to the City staff. The report is now being presented to the City Council for review and discussion. Representing Keyser Marsten, Jim Rabbe reviewed the executive summary including the feasibility analysis, competitive facilities, potential market, cash flow projects, and findings and recommendations. The analysis indicates the facility is too large. It will generate significant annual deficits for the City even under the optimistic scenario; consequently, the scale of the arena and softball portions of the project should be reconsidered as it is likely that a smaller project with four softball fields and maybe two arenas would be more viable. Councilmember Pepler noted the study has provided us information we need. Councilmember Haws said this study will be used as a primary tool in future discussions knowing now what we can build on 50-60 acres and saving the existing citrus.

CONSENT CALENDAR

Minutes - On motion of Councilmember George, seconded by Councilmember Haws, the minutes of the regular meeting of July 3, 2001, were approved as submitted.

Ordinance No. 2476 - Development Agreement - CEMEX - Bill Cunningham expressed concerns about the development agreements with CEMEX and Robertson's Ready Mix: traffic, noise, dust, length of the agreements, and that the tax is based on CPI rather than revenue. Councilmembers George and Haws responded to his concerns noting Redlands has not had the problems the City of Highland has with this tax and that they were satisfied with the outcome of the final documents. Ordinance No. 2476, an ordinance of the City of Redlands approving a development agreement with CEMEX Construction Materials, Inc. concerning a business license tax on extraction and processing of rock, sand and gravel (aggregate), was unanimously adopted on motion of Councilmember Gilbreath, seconded by Councilmember Pepler.

Ordinance No. 2477 - Development Agreement - Robertson's Ready Mix - Ordinance No. 2477, an ordinance of the City of Redlands approving a development agreement with Robertson's Ready Mix concerning a business license tax on extraction and processing of rock, sand and gravel (aggregate), was unanimously adopted on motion of Councilmember Gilbreath, seconded by Councilmember Pepler.

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

Resolution No. 5922 - Measure "O" Tax Rate - On motion of Councilmember George, seconded by Councilmember Haws, the City Council unanimously adopted Resolution No. 5922, a resolution of the City Council of the City of Redlands levying a tax rate for fiscal year 2001-02 to service the annual principal, interest, and other charges relating to the Measure "O" 1994 General Obligation Refunding Bonds.

Agreement - CFD No. 2001-1 Tax Collection - On motion of Councilmember George, seconded by Councilmember Haws, the City Council unanimously authorized an agreement with the County of San Bernardino for the collection of special taxes related to Community Facilities District No. 2001-1.

Resolution No. 5927 - CFD No. 2001-1 Bonds - On motion of Councilmember George, seconded by Councilmember Haws, the City Council unanimously adopted Resolution No. 5927, a resolution of the City Council of the City of Redlands modifying Resolution No. 5911 which authorized the issuance of special tax bonds relating to Community Facilities District No. 2001-1.

Planning Commission Actions - Councilmember Freedman questioned the report of the Planning Commission meeting held on July 10, 2001, in regards to the Van Diest project. Community Development Director Shaw noted the project has been revised to 14 units and that the vote to recommend approval of General Plan Amendment No. 65, Specific Plan No. 52, and Planning Commission Review and Approval No. 728 was 6-1. With those changes, Councilmember Freedman moved to accept the report. Motion seconded by Councilmember Haws and carried unanimously.

Resolution No. 5924 - Salary - On motion of Councilmember George, seconded by Councilmember Haws, the City Council unanimously adopted Resolution No. 5924, resolution of the City Council of the City of Redlands establishing a salary schedule and compensation plan for City employees and rescinding Resolution No. 5867. This resolution reflects all of the staff level changes associated with the approval of the budget for fiscal year 2001-02 and scheduled cost of living adjustments for the Police, Fire, Mid-Management and Safety Management employee units of representation.

Resolution No. 5915 - Traffic - On motion of Councilmember George, seconded by Councilmember Haws, the City Council unanimously adopted Resolution No. 5915, 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: install a two-way stop on Herald Street at Sun Avenue.

Resolution No. 5916 - Traffic - On motion of Councilmember George, seconded by Councilmember Haws, the City Council unanimously adopted Resolution No. 5916, 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: install a two-way stop on Herald Street at Union Avenue.

Resolution No. 5917 - Traffic - On motion of Councilmember George, seconded by Councilmember Haws, the City Council unanimously adopted Resolution No. 5917, 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: install a stop sign on Horse Trail Drive at Sunset Hills Lane.

Resolution No. 5918 - Traffic - On motion of Councilmember George, seconded by Councilmember Haws, the City Council unanimously adopted Resolution No. 5918, 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: establish speed limits on Crescent Avenue between Serpentine Drive and Ramona Drive.

Resolution No. 5919 - Traffic - Councilmember Freedman asked Council to refer the engineering, traffic and speed survey for Cypress Avenue back to the Traffic Commission to consider lowering the speed limit. Councilmember

Haws suggested reviewing the speed limit after the Novak tract is completed and the new stop sign has been installed. Councilmember Gilbreath moved to adopt Resolution No. 5919, 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: establish speed limits on Cypress Avenue between Terracina Boulevard and Citrus Avenue. Motion seconded by Councilmember Haws and carried with Councilmember Freedman voting NO.

Resolution No. 5920 - Traffic - On motion of Councilmember George, seconded by Councilmember Haws, the City Council unanimously adopted Resolution No. 5920, 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: establish speed limits on Fern Avenue between Redlands Boulevard and Terracina Boulevard.

Funds - Contract Award - Fire Station No. 1 - Bids were opened and publicly declared on June 28, 2001, by the City Clerk for the construction of the Fire Station No. 1 renovations project; a bid opening report is on file in the Office of the City Clerk. It was the recommendation of the Public Works Department that the responsible bidder submitting the bid for said project which will result in the lowest cost for the City was NBI General Contractors, Redlands, in the amount of \$1,480,000.00, and it would be in the best interest of the City that this contract be awarded to said firm. On motion of Councilmember George, seconded by Councilmember Haws, the City Council unanimously approved this recommendation and approved an additional appropriation of funds in the amount of \$1,600,000.00 to allow for the construction contract and a \$120,000.00 contingency fund for use during construction, if necessary.

Funds - Inspection Services - Fire Station No. 1 - City Manager Davidson recommended the contract for resident inspection services for construction of the Fire Station No. 1 renovations project be revisited by staff. This recommendation was unanimously approved on motion of Councilmember Haws, seconded by Councilmember Pepler.

Agreement - Playground Makeovers - On motion of Councilmember George, seconded by Councilmember Haws, the City Council unanimously authorized an agreement to furnish consulting services with Playground Makeovers. Playground Makeovers will inspect and report on all seven of Redlands' playground sites for a fee of \$2,660.00 which will satisfy the regulations put forth by the Department of Health Services as required under the grant application.

Water Stock Purchase - On motion of Councilmember Freedman, seconded by Councilmember Haws, the City Council approved the purchase of five (5) shares of Lugonia Water Company stock from Justin Orr for a total price of

\$6,380.00 with Councilmember Gilbreath abstaining due to a possible conflict of interest.

Proclamation - Safe Kids Summer - On motion of Councilmember George, seconded by Councilmember Haws, the City Council unanimously authorized issuance of a proclamation declaring the Summer of 2001 as *Safe Kids Summer* and calling upon all residents to help educate families about summer safety. This proclamation will be presented to Linda Reilly, Children's Network, at the evening session.

COMMUNICATIONS

Energy Conservation Pledge - Mayor Pro Tem George informed Councilmembers the State of California, the League of California Cities, the California State Association of Counties, and the California Special Districts Association are encouraging jurisdictions to pledge to implement programs in local government buildings and facilities, the goal of which is to achieve up to a 15 percent reduction in electricity use over last year. Mayor Pro Tem George moved to approve this energy conservation pledge to implement programs to further reduce energy consumption as proposed by these entities; to authorize the City Manager, or his designee, to serve as the City's Energy Coordinator to communicate with the State and to coordinate energy efficiency and conservation actions. Motion seconded by Councilmember Haws and carried unanimously. In addition, the City will cooperate with the State by taking the following actions: evaluate the energy performance of local government office buildings using the ENERGY STAR performance rating system and encourage local businesses to do the same; undertake conservation measures in local government buildings and encourage energy conservation in the commercial sector; support outreach by community-based organizations and non-profit groups; conduct a public education campaign by utilizing the "*Watt's*" *Going On California?* energy information toolkit and other materials; and develop and implement a community assistance plan.

SBX230 - Property Tax for New Power Plants - Mayor Pro Tem George expressed concern about the wording of Senator Brulte's SBX230 and requested the City Council urge the senator to amend the bill so that property tax increment go directly to cities rather than special districts, and that significant expansion of existing power plants, as well as new power plants be incorporated into this bill. Councilmember Pepler said she contacted Senator Brulte earlier today and verified that this language was already incorporated in the bill. She also noted the bill is suspended in appropriations and that she felt a letter to Senator Brulte was premature at this time, and that we should wait until the next session to address any concerns. Councilmember Haws moved to continue this matter. Motion seconded by Councilmember George and carried unanimously.

Live Oak Canyon and San Timoteo Canyon - Maintenance - City Manager Davidson reported the Public Works Department has revised its maintenance schedule to provide twice a month service for the canyons to improve the overall appearance and health and safety of the canyons in response to concerns expressed by David Matuszak, President of the Friends of Live Oak Canyon. He also reported the Police Department is taking an active role in enforcement of uncovered loads of trash being transported to the County landfill in San Timoteo Canyon. Councilmember Freedman expressed appreciation for the staff's work on this matter. Bill Cunningham addressed the City Council and suggested asking Riverside County to participate in this expense as portions of Live Oak Canyon are located within their county.

League of California Cities' Delegate - Councilmember Haws moved to designate Mayor Gilbreath to serve as the voting delegate and Mayor Pro Tem George to serve as the alternate voting delegate for the League of California Cities' 2001 Annual Conference to be held September 12-15, 2001, in Sacramento. Motion seconded by Councilmember Freedman and carried unanimously.

JOINT MEETING - CITY COUNCIL AND REDEVELOPMENT AGENCY

Resolution No. 5923 - Great Neighborhood Program - Councilmember George moved to adopt Resolution No. 5923, 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. Motion seconded by Councilmember Freedman and carried unanimously. (Also see Redevelopment Agency minutes for July 17, 2001.)

Resolution No. 5925- First Time Home Buyer Program - Councilmember George moved to adopt Resolution No. 5925 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 First Time Home Buyer loan agreements which will be acted upon by the Board of Directors of the Redevelopment Agency. Motion seconded by Councilmember Freedman and carried unanimously. (Also see Redevelopment Agency minutes for July 17, 2001.)

LATE BREAKING ITEM

Resolution No. 5928 - Electricity Cogeneration Facility - Noting the need to take action was immediate, Councilmember Haws moved to add the following item to the agenda which arose subsequent to the agenda being posted: "Resolution No. 5928 - Authorize submission of a low interest loan application for the Electricity Cogeneration Facility." Motion seconded by Councilmember George and carried unanimously. Municipal Utilities Director Phelps explained the City has taken three previous actions regarding the proposed Electricity

Cogeneration Facility to be located at the City's Wastewater Treatment Plant on Nevada Street. Staff was pleased to inform the City Council that a grant in the amount of \$242,500.00 has been approved and authorization to begin expending grant funds has been granted by the California Energy Commission. The California Energy Commission also commented that our project was one of the most beneficial projects they had encountered from the hundreds of applications received and approved the project within a week of receiving the grant application. On July 16, 2001, staff was informed the City also has qualified for a low interest loan, currently at three percent, to pay for the remainder of the project costs. Commending staff for a job well done, Councilmember Freedman moved to adopt Resolution No. 5928, a resolution of the City Council of the City of Redlands authorizing an application for an energy efficiency low interest loan. Motion seconded by Councilmember Pepler and carried unanimously.

CLOSED SESSION

The City Council meeting recessed at 4:35 P.M. to continue the Redevelopment Agency meeting and reconvened at 4:37 P.M. to a closed session to discuss the following:

1. Conference with legal counsel: Existing litigation - Government Code Section 54956.9(a)
 - a. John Cullen, Larry McDonald, and Paula Rae Espinoza - Worker's Compensation Appeal Board Process
2. Conference with real property negotiator - Government Code Section 54956.8
 - Property: APN Nos. 169-141-01, 20, and 22
Southwest corner of I-10 Freeway and Eureka Street
Negotiating parties: Jim Bueermann and Rohan Development
Under negotiation: Terms and price
 - Property: APN 169-141-01, 20 and 22
Negotiating parties: Jim Bueermann and Redlands Financial Services, Inc.
Under negotiation: Terms and price
 - Property: APN 169-141-02
Negotiating parties: Jim Bueermann and Pamela L. McNutt
Under negotiation: Terms and price
 - Property: APN 169-151-32
Negotiating parties: Jim Bueermann and Eleanor L. McGrath
Under negotiation: Terms and price
 - Property: APN 169-151-16 and 17
Negotiating parties: Jim Bueermann and Ralph & Leah Reading
Under negotiation: Terms and price
 - Property: APN 169-151-20, 21 and 27
Negotiating parties: Jim Bueermann and David S. Christensen, Trustee
Under negotiation: Terms and price

- Property: APN 169-151-22
Negotiating parties: Jim Bueermann and Marion L. Conley
Under negotiation: Terms and price
- Property: APN 169-151-29
Negotiating parties: Jim Bueermann and Jose G. and Alfonso A. Perez
Under negotiation: Terms and price
- Property: APN 169-271-09
Negotiating parties: Jim Bueermann and Swen and Helen Larson, Tr.
Under negotiation: Terms and price
- Property: APN 169-271-10
Negotiating parties: Jim Bueermann and Ray J. Valdivia
Under negotiation: Terms and price
- Property: APN 169-271-11 and 12
Negotiating parties: Jim Bueermann and Famrid LP
Under negotiation: Terms and price
- Property: APN 169-271-13
Negotiating parties: Jim Bueermann and Julia A. Vilchis
Under negotiation: Terms and price
- Property: APN 169-271-14
Negotiating parties: Jim Bueermann and Leopold E. and Eliana L. Wenzel
Under negotiation: Terms and price
- Property: APN 169-271-15 and 16
Negotiating parties: Jim Bueermann and Ofelia Escobedo
Under negotiation: Terms and price
- Property: APN 169-271-17
Negotiating parties: Jim Bueermann and Mary E. Weller
Under negotiation: Terms and price
- Property: APN 169-271-18 and 19
Negotiating parties: Jim Bueermann and Nicolae N.F. and Diona D. Farcas
Under negotiation: Terms and price
- Property: APN 169-271-20
Negotiating parties: Jim Bueermann and Debra Jean Martinez
Under negotiation: Terms and price
- Property: APN 169-271-21
Negotiating parties: Jim Bueermann and MD Auto Repair
Under negotiation: Terms and price
- Property: APN 169-271-44
Negotiating parties: Jim Bueermann and Brian/Mary/Barbara Harkness Trustee
Under negotiation: Terms and price
- Property: APN 169-271-47 and 52
Negotiating parties: Jim Bueermann and George W. and Eleanor L. McGrath
Under negotiation: Terms and price

- Property: APN 169-271-53
- Negotiating parties: Jim Bueermann and
Carol Gering and Barbara J. Gilmore
- Under negotiation: Terms and price
- 3. Conference with legal counsel: Existing litigation - Government Code
Section 54956.9(a)
 - a. The Redlands Association v. City of Redlands et al - Case number not yet
issued
 - b. County of San Bernardino v. City of Redlands/Spring Pacific - San
Bernardino Superior Court Case No. SCVSS 74079

The meeting reconvened at 7:00 P.M.

PRESENTATION

Proclamation - Safe Kids Summer - Mayor Gilbreath presented a proclamation declaring the Summer of 2001 as *Safe Kids Summer* to Linda Reilly, Children's Network. This proclamation was approved for issuance during the afternoon session. Ms. Reilly urged everyone to assist in educating families about summer safety and provided several informational brochures.

LAND USE AND PUBLIC HEARINGS

General Plan Amendments - Community Development Director Shaw provided a map showing the locations of General Plan Amendment Nos. 73, 74, 77, and 78 which were to be discussed at this meeting.

Resolution No. 5895 - General Plan Amendment No. 74 - A notice of the preparation of a Draft Mitigated Negative Declaration and public hearings were advertised for this time and place to consider Resolution No. 5895, approving a General Plan amendment to change the land use designation from Rural Living to Very-Low-Density Residential on two contiguous parcels totaling 3.63 acres located on the northeast corner of Opal Avenue and Eastern Lane in the Crafton Hills area (Guy Yocum, applicant). Community Development Director Shaw described the application and the action taken by the Planning Commission on June 12, 2001, including their recommendation to add Policy No. 7.41(f) to the Open Space and Conservation Element of the General Plan and reference said policy in Section 4.40 of the Land Use Element under Rural Living. The policy, to discourage conversion of areas designated Agriculture and Rural Living to prevent the premature removal of viable agricultural land uses, was discussed by Councilmembers with an indication that this policy needed to be refined. Mayor Gilbreath declared the meeting open as a public hearing for any questions or comments. Bill Cunningham shared his thoughts regarding this application and presented an alternative. Planning Commissioner Jon Harrison clarified the Planning Commission's intent in regards to the policy statement. There being no further comments, the public hearing was declared

closed. Councilmember Pepler moved to approve the Environmental Review Committee's Mitigated Negative Declaration for General Plan Amendment No. 74 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 Gilbreath and carried with Councilmember George voting NO. Councilmember Pepler moved to return the policy statement to the Planning Commission for further review and moved to adopt Resolution No. 5895, as revised for the adoption of Amendment No. 74 to the General Plan. Motion seconded by Councilmember Gilbreath and carried with Councilmember George voting NO.

Resolution No. 5896 - General Plan Amendment No. 78 - A notice of the preparation of a Draft Mitigated Negative Declaration and public hearings were advertised for this time and place to consider Resolution No. 5895 approving a General Plan amendment to change the land use designation from Rural Living to Very-Low Density Residential on six contiguous lots totaling 6.11 acres located east of Opal Avenue, along Eastbern Lane, in the City of Redlands Sphere of Influence area (City of Redlands, applicant). Community Development Director Shaw described the application and the action taken by the Planning Commission on May 22, 2001. Mayor Gilbreath declared the meeting open as a public hearing for any questions or comments. None being forthcoming, the public hearing was declared closed. Councilmember Freedman moved to approve the Environmental Review Committee's Mitigated Negative Declaration for General Plan Amendment No. 78 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 adopt Resolution No. 5896 for the adoption of General Plan Amendment No. 78. Motion seconded by Councilmember Haws and carried unanimously.

Resolution No. 5907 - General Plan Amendment No. 77 - A notice of the preparation of a Draft Mitigated Negative Declaration and public hearings were advertised for this time and place to consider Resolution No. 5907 approving a General Plan amendment to change the land use designation from Medium Density Residential with a Housing Conservation overlay to Office on a 5,100 square foot lot located at 214 Myrtle Street (City of Redlands, applicant). Community Development Director Shaw described the application and the action taken by the Planning Commission on May 22, 2001, and noted one letter of opposition from the property owner to the south had been received. Mayor Gilbreath declared the meeting open as a public hearing for any questions or

comments. None being forthcoming, the public hearing was declared closed. Councilmember Freedman moved to approve the Environmental Review Committee's Mitigated Negative Declaration for General Plan Amendment No. 77 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 adopt Resolution No. 5907 for the adoption of General Plan Amendment No. 77. Motion seconded by Councilmember Haws and carried unanimously.

Cypress Villas, LLC Project - Withdrawn - Community Development Director Shaw reported the applicant has submitted a letter formally requesting to withdraw the application for a 96 unit apartment project located on the north side of Cypress Avenue, approximately 180 feet west of Redlands Boulevard, in the R-2-2000 (Multiple Family Residential) District. The applicant is in the process of submitting an application for a new conditional use permit on the same site for an 82 unit apartment project. No action is necessary on the part of the City Council at this meeting. Councilmember Freedman said he was happy to see this application withdrawn and that the applicant is proposing another project with less apartments.

Resolution No. 5906 - General Plan Amendment No. 73 and

Ordinance No. 2475 - Zone Change No. 378 - A notice of the preparation of a Draft Mitigated Negative Declaration and public hearings were advertised for this time and place to consider Resolution No. 5906 approving a General Plan amendment to change the land use designation from Low-Density Residential to Public/Institutional on two non-contiguous parcels totaling 3.83 acres located on the northwest corner of Brockton Avenue and University Street and on the north side of Brockton Avenue at the terminus of Grove Street; and remove from the Land Use Map a planned street connection of Grove Street between Brockton Avenue and Cornell Avenue located within the campus of the University of Redlands, and Ordinance No. 2475 approving Zone Change No. 378, a change of zone from R-1 (Single Family Residential) District to E (Educational) District on two non-contiguous parcels totaling 3.83 acres located on the northwest corner of Brockton Avenue and University Street and on the north side of Brockton Avenue at the terminus of Grove Street (University of Redlands, applicant). Community Development Director Shaw described the application and the action taken by the Planning Commission on May 22, 2001. Mayor Gilbreath declared the meeting open as a public hearing for any questions or comments. None being forthcoming, the public hearing was declared closed. Councilmember Haws moved to approve the Environmental Review Committee's Mitigated Negative Declaration for Resolution No. 5906 (General Plan Amendment No. 73) and Ordinance No. 2475 (Zone Change No. 378) 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. Councilmember Haws moved to adopt Resolution No. 5906 for the adoption of General Plan Amendment No. 73. Motion seconded by Councilmember Freedman and carried unanimously. Ordinance No. 2475, 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. 378, was read by title only by Deputy City Clerk Sanchez, and on motion of Councilmember Haws, seconded by Councilmember Freedman, was

introduced with unanimous Council approval and laid over under the rules with adoption scheduled for August 7, 2001.

Tentative Tract No. 16042 - Peter Miko, applicant - A notice of the preparation of a Draft Mitigated Negative Declaration and public hearings were advertised for this time and place to consider Tentative Tract No. 16042, a proposed tentative tract map for the subdivision of 28.72 in the R-A (Residential Estate) District and the A-1 (Agricultural) District located west of Terracina Boulevard and Smiley Heights Drive and northeast of San Timoteo Canyon Road; and Conditional Use Permit No. 714, a proposed conditional use permit for a planned residential development on 28.72 acres in the R-A (Residential Estate) District and the A-1 (Agricultural) District located west of Terracina Boulevard and Smiley Heights Drive and northeast of San Timoteo Canyon Road; and Variance No. 612, a variance from Section 18.144.200(B) of the Redlands Municipal Code to waive the requirement that five percent of the gross land area in a planned residential development be developed in common, landscaped, recreational open space for a subdivision on 28.72 acres in the R-A (Residential Estate) District and the A-1 (Agricultural) District located west of Terracina Boulevard and Smiley Heights Drive and northeast of San Timoteo Canyon Road. Community Development Director Shaw described the application and the action taken by the Planning Commission on June 12, 2001. Mayor Gilbreath declared the meeting open as a public hearing for any questions or comments. On behalf of The Redlands Association, Mr. Rufus Moore, the West Redlands Water Company, several neighbors who could not attend this hearing, and himself, Bill Cunningham read a portion of a four-page statement of concerns and requested the project be denied and sent back to the Planning Commission for revision and redesign. Neighbors addressing traffic concerns included: Edward Perry, Tom Slamal, Gwen Hughes, and Lester Mohr. Jane Hawkins agreed with the traffic concerns expressed and also worried about the arroyo which is not being maintained and watered. On behalf of the applicant, Pat Meyer addressed the City Council noted they could have developed 12 units on this property, that the street will not be a public street, and that the project is very consistent with the surrounding neighborhood. There being no further comments, the public hearing was closed. Councilmember Freedman asked the City Attorney to comment on the concerns expressed by Mr. Cunningham; City Attorney McHugh noted he did not receive a copy but that it seemed the applicant and staff had addressed the concerns. Councilmember Freedman then moved to continue this matter for two weeks so the City Attorney could read the statement and review it with staff. His motion died for lack of a second. Councilmember Haws stated he did not see what could be changed and was comfortable proceeding with approval of this project. Councilmember Pepler moved to approve the Environmental Review Committee's Mitigated Negative Declaration for Tentative Tract No. 16042, Conditional Use Permit No. 714, and Variance No. 612 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 Gilbreath and carried with Councilmember Freedman voting NO. Councilmember Peppler moved to approve the Socio-Economic Cost/Benefit Study for Tentative Tract No. 16042, Conditional Use Permit No. 714, and Variance No. 612 as it 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 Gilbreath and carried with Councilmember Freedman voting NO. Councilmember Peppler moved to approve Variance No. 612 based on the findings and subject to the conditions of approval contained in the staff report. Motion seconded by Councilmember Gilbreath and carried with Councilmember Freedman voting NO. Councilmember Peppler moved to approve Conditional Use Permit No. 714 subject to the findings, conditions of approval, and departmental recommendations contained in the staff report. Motion seconded by Councilmember Gilbreath and carried with Councilmember Freedman voting NO. Councilmember Peppler moved to approve Tentative Tract No. 16042 subject to the findings, and conditions of approval, and all department recommendations as contained in the staff report. Motion seconded by Councilmember Gilbreath and carried with Councilmember Freedman voting NO.

Ordinance No. 2473 - Specific Plan No. 40, Amendment No. 17 - A notice of the preparation of a Draft Mitigated Negative Declaration and public hearing was advertised for this time and place to consider Ordinance No. 2473 (Specific Plan No. 40, Amendment No. 17) an amendment to the East Valley Corridor Specific Plan to modify Sections EV1.0615, EV1.0625 and EV3.0720 and adding Sections EV3.0714, EV3.0814 and EV3.0914 to permit for the temporary sale of new and/or used motor vehicles (City of Redlands, applicant). Community Development Director Shaw described the application and the action taken by the Planning Commission on June 12, 2001. Mayor Gilbreath declared the meeting open as a public hearing for any questions or comments. None being forthcoming, the public hearing was declared closed. Councilmember George moved to approve the Environmental Review Committee's Negative Declaration for Amendment No. 17 to the East Valley Corridor Specific Plan No. 40 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. 2473, an ordinance of the City of Redlands amending Ordinance Nos. 2295, 2320, 2321, 2322, 2364, 2432, and 2444 (which together comprise the East Valley Corridor Specific Plan) relating to temporary automobile sales within the East Valley Corridor Specific Plan No. 40, was read by title only by City Clerk Poyzer, and on motion of Councilmember George, seconded by Councilmember Freedman, further

reading of the ordinance text was unanimously waived, and Ordinance No. 2473 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for August 7, 2001. Urv Upton introduced Hugh Adams, the new co-owner of the Redlands Auto Center. Both gentlemen expressed their appreciation for the approval of this ordinance.

PUBLIC HEARINGS

Resolution No. 5893 - Street Vacation No. 121 - Public hearing was advertised for this time and place for the vacation of a portion of the right-of-way on the south side of Orange Avenue, west of Nevada Street. Mayor Gilbreath declared the meeting open as a public hearing for any questions or comments concerning this street vacation. None being forthcoming, the public hearing was declared closed, and Resolution No. 5893, a resolution of the City Council of the City of Redlands ordering Street Vacation No. 121, was unanimously adopted on motion of Councilmember Gilbreath, seconded by Councilmember Pepler.

Resolution No. 5844 - Landscape Maintenance District No. 1 - Public hearing was advertised for this time and place to consider Resolution No. 5844, a resolution of the City Council of the City of Redlands ordering the maintenance of improvements, granting final approval of the Engineer's Report, and confirming the assessment for 2001-02 for Landscape Maintenance District No. 1. Assistant Public Works Director Fujiwara reported the preliminary report for Landscape Maintenance District No. 1 was presented to the City Council on May 15, 2001. Resolution No. 5842, granting preliminary approval of the Engineer's Report, and Resolution No. 5843, declaring its intention to levy and collect assessments for Fiscal Year 2001-02 pursuant to the Lighting and Landscaping Act of 1972, have been adopted by the City Council. There will be no increase in the assessments in the next fiscal year. On June 19, 2001, the City Council held a public meeting providing an opportunity to review the Engineer's Report and receive questions and comments from the public. Mayor Gilbreath declared the meeting open as a public hearing for any questions or comments. None being forthcoming, the public hearing was declared closed. Councilmember Haws moved to adopt Resolution No. 5844. Motion seconded by Councilmember Freedman and carried unanimously.

Resolution No. 5848 - Street Lighting District No. 1 - Public hearing was advertised for this time and place to consider Resolution No. 5848, a resolution of the City Council of the City of Redlands ordering the maintenance of improvements, granting final approval of the Engineer's Report, and confirming the assessment for 2001-02 for Street Lighting District No. 1. Assistant Public Works Director Fujiwara reported the preliminary report for Street Lighting District No. 1 was presented to the City Council on May 15, 2001. Resolution No. 5846, granting preliminary approval of the Engineer's Report, and Resolution No. 5847, declaring its intention to levy and collect assessments for Fiscal Year 2001-02 pursuant to the Lighting and Landscaping Act of 1972, have been adopted by the City Council. There is an increase in assessments in

the next fiscal year. On June 19, 2001, the City Council held a public meeting providing an opportunity to review the Engineer's Report and receive questions and comments from the public. Mayor Gilbreath declared the meeting open as a public hearing for any questions or comments. None being forthcoming, the public hearing was declared closed. Councilmember Haws moved to adopt Resolution No. 5848. Motion seconded by Councilmember Freedman and carried unanimously.

Development Agreement - Kaiser Foundation Hospitals - A public hearing was continued to this time and place for a notice of an annual review of an approved development agreement for Kaiser Foundation Hospitals. At this time, staff recommended the City Council determine that the annual report submitted by Kaiser Foundation Hospitals is incomplete and that the City Council should continue this matter to August 7, 2001, to provide the full thirty days notice as required by City Code to complete the final action on the termination of the development agreement. Mayor Gilbreath declared the meeting open as a public hearing for any questions or comments. None were forthcoming. Councilmember George moved to accept this report for the annual review of the approved development agreement for Kaiser Foundation Hospitals and directed staff to initiate the following actions: determine that Kaiser Foundation Hospitals annual report submittal is incomplete and therefore the City Council finds and determines, on the basis of substantial evidence, that the applicant has not complied in good faith to the terms and conditions of the development agreement and continue the matter to August 7, 2001, to terminate, modify, or take other action with regard to the development agreement. Motion seconded by Councilmember Freedman and carried unanimously.

NEW BUSINESS

Ordinance No. 2478 - Parking Regulations - Ordinance No. 2478, an ordinance of the City of Redlands amending Chapter 10.40 of the Redlands Municipal Code relating to restricted parking in commercial and other districts, was read by title only by City Clerk Poyzer, and on motion of Councilmember Haws, seconded by Councilmember Peppler, further reading of the ordinance text was unanimously waived, and Ordinance No. 2478 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for August 7, 2001.

PUBLIC COMMENTS

Sunnyside Avenue Realignment - Meryl McDowell asked the City Council to authorize staff to solve the problems of alignment of Sunnyside Avenue which were not addressed in the approval of Tract No. 15832.

Traffic Studies - Gwen Hughes, who addressed the City Council regarding Tract No. 16042, told Councilmembers she felt that traffic studies are missing something in that they do not address public safety. Assistant Public Works

Director Fujiwara reported the City follows CalTrans guidelines and briefly explained the procedure for conducting a traffic study.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 9:07 P.M. The next regular meeting will be held on August 7, 2001.

City Clerk