

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 June 20, 2000.

PRESENT

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

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

ABSENT

None

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

PRESENTATIONS

CVP 365 Club - Mayor Gilbreath, Police Chief Bueermann, and Civilian Volunteer Patrolman James Stellar presented "365 Club" membership certificates to its 42 members. Mayor Gilbreath thanked Mr. Stellar for his ability and willingness to serve the community in this capacity and expressed her pride that the Redlands Police Department is so involved in the community.

SCAG Role - Grand Terrace Councilmember Lee Ann Garcia, who represents our district on the Southern California Association of Governments (SCAG) Regional Council, addressed the City Council explaining the role of SCAG.

CONSENT CALENDAR

Minutes - On motion of Councilmember Freedman, seconded by Councilmember George, the minutes of the adjourned regular meeting of June 6, 2000, and the regular meeting of June 6, 2000, were approved as submitted.

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

Planning Commission Actions - On motion of Councilmember Freedman, seconded by Councilmember George, the report of the Planning Commission meeting held on June 13, 2000, was acknowledged as received.

Conflict of Interest Code - On motion of Councilmember Freedman, seconded by Councilmember George, the City Council unanimously directed staff to review the City's Conflict of Interest Code in accordance with Section 87306.5 of the California Government Code and submit a biennial report no later than October 1, 2000.

Proclamation - National Carousel Week - On motion of Councilmember Freedman, seconded by Councilmember George, the City Council unanimously authorized issuance of a proclamation declaring the week of June 18-24, 2000, as *National Carousel Week* and wished continued success to the Make-A-Wish Foundation in their aid to children with life-threatening illnesses.

Certificate of Appreciation - George Taro Sakato - On motion of Councilmember Freedman, seconded by Councilmember George, the City Council unanimously authorized issuance of a Certificate of Recognition to George Taro Sakato to honor our 1941 Redlands High School graduate for award of the Nation's highest military decoration, the Medal of Honor, for heroism during World War II. Mr. Sakato is among 21 men of Asian descent who will receive their medals from President Clinton at a White House ceremony on June 21, 2000. Mr. Sakato was a member of the all-Japanese 442nd Regimental Combat Team which has been featured in many television documentaries and is credited with rescuing many American soldiers from behind enemy lines during World War II.

Contract Award - CDBG Intersection Improvements Project - Bids were opened and publicly declared on June 8, 2000 by the City Clerk for construction of the Community Development Block Grant (CDBG) intersection improvements project which will construct curb and gutter, cross gutter, and handicap ramps improvements at various intersections within the CDBG Target Area; 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 JDC, Inc., Rancho Cucamonga, in the amount of \$89,200.00, and it would be in the best interest of the City that this contract be awarded to said firm. It was further recommended this award be in the full \$104,000.00 amount of the CDBG funds allocated to allow use of the \$14,800.00 for change orders to add intersections, if approved, by the County ECD staff. On motion of

Councilmember Freedman, seconded by Councilmember George, this recommendation was unanimously approved, and the Mayor and City Clerk were authorized to sign the contract on behalf of the City.

Street Tree, Trails, and Redlands Heritage Park Committees - Public Works Director Mutter reported the Trails Committee and the Street Tree Committee were established and appointed under Resolution No. 5574 adopted by the City Council on November 3, 1998, in an effort to assist staff with policies and operations relative to their particular function. The formation of the Redlands Heritage Park Committee was approved on February 16, 1999, and members appointed on April 20, 1999. Since these three committees were formally appointed by the City Council, they are subject to all rules and regulations of the Brown Act. Agendas are prepared and minutes recorded. Staff has been subject to significantly more work in support of these committees as well as trying to avoid Brown Act and conflict of interest violations. All three committees make recommendations to the Parks Commission which reviews these recommendations and forwards them on to the City Council. In an effort to make things more flexible for staff and the committee members, it was recommended these three committees be disbanded as formal committees and re-organized as sub-committees under the Parks Commission. Speaking in opposition to this recommendation were: Linda Romero, Street Tree Committee; Mike Kelly, Trails Committee; Caroline Laymon, former member of the Trails Committee; Mary Ellen Harris, Parks Commissioner; Teddy Banta, Trails Committee; Craig Wesson, Parks Commissioner; Saralyn Brooks; Bettina McLeod, Street Tree Committee; Laurie Harding; and Bill Cunningham, Councilmember-emeritus. Councilmembers expressed their concerns and suggested consolidating these committees under the auspices of the Planning Commission as there is a cross-over of their goals which involves both departments. Councilmembers concurred to defer this matter at this time, and asked Community Development Director Shaw and Public Works Director Mutter to report back after further study. Public Works Director Mutter also suggested the City Council should set and define goals for these committees.

CLETS Contract Amendment - On motion of Councilmember Freedman, seconded by Councilmember George, the City Council unanimously approved an amendment to the contract with San Bernardino County Sheriff's Department for access to the California Law Enforcement Telecommunications System (CLETS) for fiscal year 2000-2001, and the Mayor and City Clerk were authorized to sign the amendment on behalf of the City.

Contract - Sheriff's Range Facilities - On motion of Councilmember Freedman, seconded by Councilmember George, the City Council unanimously authorized a contract with the County of San Bernardino to allow the use of the San Bernardino County Sheriff's Department range facilities by members of the

Redlands Police Department, , and the Mayor and City Clerk were authorized to sign the contract on behalf of the City.

Fee Waiver - Redlands Horticultural and Improvement Society - On motion of Councilmember Freedman, seconded by Councilmember George, the City Council unanimously approved the waiver of fees in the amount of \$85.00 for the use of Sylvan Park on June 15, 2000, by the Redlands Horticultural and Improvement Society.

Fee Waiver - Juvenile Diabetes Foundation - On motion of Councilmember Freedman, seconded by Councilmember George, the City Council unanimously approved the waiver of fees in the amount of \$565.00 for the use of Sylvan Park on October 21, 2000, for the Juvenile Diabetes Foundation's "*Walk to Cure Diabetes*" program.

Fee Waiver - The Legendary Ink Spots - Following brief discussion, on motion of Councilmember Haws, seconded by Councilmember Freedman, the City Council unanimously denied the request for waiver of the clean-up deposit for use of the Redlands Bowl by The Legendary Ink Spots.

Resolution No. 5772 - Classification and Compensation Plan - On motion of Councilmember Freedman, seconded by Councilmember George, the City Council unanimously adopted Resolution No. 5772, a resolution of the City Council of the City of Redlands establishing a classification and compensation plan for City employees and implementing the classification component of the classification and compensation study presented on November 2, 1999, by Tony Gerczak, President of Personnel Concepts. This component establishes new classification specifications (job descriptions) for all City positions except for positions assigned to the Redlands Professional Firefighters Association who chose not to participate in the study. Twenty-seven reclassifications in the general unit were recommended and two downward reclassifications will have a "Y-rating" so that the employees in the positions will not receive a downward salary adjustment. Resolution No. 5772 also reflects the addition of one Solid Waste Truck Driver which was approved and funded in the 1999-2000 budget.

Contract - Labor Negotiations - On motion of Councilmember Freedman, seconded by Councilmember George, the City Council unanimously approved an agreement with Labor Management Success to conduct labor negotiations for all of the City's represented and unrepresented units , and the Mayor and City Clerk were authorized to sign the contract on behalf of the City.

Agreements - Finance and Utility Billing Computer - On motion of Councilmember Freedman, seconded by Councilmember George, the City Council unanimously approved software license agreements with SunGard Bi-Tech, Inc. and Advanced Utility Systems Corporation to provide the financial

and utility billing systems, and the Mayor and City Clerk were authorized to sign the contract on behalf of the City.

Resolution No. 5759 - NPDES Guidelines - On motion of Councilmember Freedman, seconded by Councilmember George, the City Council unanimously adopted Resolution No. 5759, a resolution of the City Council of the City of Redlands, State of California, adopting the new development and redevelopment guidelines as a supplement to the Drainage Area Management Program and the Report of Waste Discharge relative to the National Pollutant Discharge Elimination Systems (NPDES).

Contract Revocation - The Legendary Ink Spots Foundation - On motion of Councilmember Freedman, seconded by Councilmember George, the City Council unanimously revoked the contract with The Legendary Ink Spots Foundation which was to have conducted musical education and coaching classes for children and senior citizens as the contractor will not be providing these services under the auspices of the City of Redlands.

Resolution No. 5773 - Deferred Compensation Plan - On motion of Councilmember Freedman, seconded by Councilmember George, the City Council unanimously adopted Resolution No. 5773, a resolution of the City Council of the City of Redlands adopting a deferred compensation amended and restated plan and trust/custodial document which updates the City's current deferred compensation plan.

Appointments - DRBA - On motion of Councilmember Freedman, seconded by Councilmember George, the City Council unanimously appointed David Ahlers, Barbara Garcia and Craig Foucher to the Downtown Redlands Business Association Advisory Board as recommended by the DRBA Advisory Board on June 13, 2000.

Wading Pool - Sylvan Park - On motion of Councilmember Freedman, seconded by Councilmember George, the City Council unanimously authorized staff to close the wading pool at Sylvan Park; authorized staff to remove the pool facility; and authorized the sale of any related surplus equipment through normal City procedures. This item was originally presented to the City Council on April 18, 2000, for review by the Kiwanis Club of Redlands. After its review, the Kiwanis Club members concurred with the staff recommendation that the wading pool should be closed.

PLANNING AND COMMUNITY DEVELOPMENT

RDA No. 2000-2-1 - Tract No. 16082 - Residential Development Allocation (RDA) No. 2000-2-1 for 13 single family homes for Tract No. 16082, generally located on the north side of Olive Avenue, approximately 400 feet west of

Norwood Street (J. F. O'Brien Construction, applicant), has been reviewed by the Planning Commission, the Historic and Scenic Preservation Commission, City staff, and the Redlands Unified School District. Community Development Director Shaw reported the applicant has exceeded the minimum number of points needed to be given a development allocation and reviewed the 18 categories examined. Councilmember George moved to accept the recommendations for points to be awarded to this project and to approve RDA No. 2000-2-1. Motion seconded by Councilmember Freedman and carried unanimously.

RDA No. 2000-2-2 - Tract No. 16015 - Residential Development Allocation (RDA) No. 2000-2-2 for 62 single family homes for Tract No. 16015, generally located on the north side of Pioneer Avenue, approximately 130 feet east of Duke Street (Pioneer Associates, L.P., applicant), has been reviewed by the Planning Commission, the Historic and Scenic Preservation Commission, City staff, and the Redlands Unified School District. Community Development Director Shaw reported the applicant has exceeded the minimum number of points needed to be given a development allocation and reviewed the 18 categories examined. Councilmember Freedman moved to accept the recommendations for points to be awarded to this project and to approve RDA No. 2000-2-2. Motion seconded by Councilmember George and carried unanimously.

COMMUNICATIONS

Funds - Resolution No. 5770 - Annexation No. 79 - Greenspot - Community Development Director Shaw reported in October, 1997, the City of Redlands adopted Resolution No. 5422 declaring its intention to file an application for annexation of the Greenspot area. The request for annexation was withdrawn but the request by Redlands and Highland for a determination from the Local Agency Formation Commission (LAFCO) pertaining to a sphere of influence of the Greenspot area proceeded. A compromise position was reached between Highland, Redlands, and LAFCO in November, 1997, and LAFCO adopted a resolution approving a sphere of influence expansion for the City of Redlands consisting of two parcels in the Greenspot area comprising a total of approximately 895 acres. Parcel 1, comprised of approximately 455 acres, is generally located east and northeast of the existing City of Redlands' boundary, south of Villers Street and west of Emerald Avenue and is generally known as the Greenspot residential area. Parcel 2, comprised of approximately 440 acres, is generally known as the Mill Creek area and is generally located south of the National Forest boundary, north of the existing City of Redlands' boundary, east of the Sunrise Ranch area, and west of the east line of Section 14. Jack Woodbury, a resident within the Greenspot area, recently contacted the City indicating that there is a strong support for annexation to the City of Redlands at this time. He was present at this meeting and requested the City to initiate

proceedings on behalf of the residents of Greenspot. There is no evidence that residents in Parcel 2, known as the Mill Creek area, have any interest in annexation at this time. Councilmember Freedman moved to adopt Resolution No. 5770, a resolution of the City Council of the City of Redlands declaring its intention to file an application with the Local Agency Formation Commission to initiate on its own motion proceedings to annex certain inhabited territory (Annexation No. 79). Motion seconded by Councilmember George and carried unanimously. Councilmember Freedman moved to appropriate funds for the payment of application fees for Annexation No. 79 in the amount of \$5,000.00. Motion seconded by George and carried unanimously.

The City Council briefly recessed at 4:45 P.M. and reconvened at 4:52 P.M.

AB 1544 - Donut Hole - Complimenting California State Senator Jim Brulte for doing a good job for cities, Councilmember George moved to send him a letter expressing the City's appreciation for his recent vote against AB 1544 and for his assistance obtaining the \$4.5 million for the sports complex. Motion seconded by Councilmember Freedman. Richard Kunihiro, president of the United Donut Hole Owners Property Association, addressed the Council at length, stating the group of property owners he represents are amiable to annexation on mutually acceptable terms but complained that no serious discussions have taken place recently. Following a rather contentious discussion, Councilmembers asked Dr. Kunihiro to contact the Acting City Manager and City Attorney to start negotiations with them and asked that a status report be included on the July 18, 2000, agenda. The motion to send a letter to Senator Brulte then carried unanimously. At the beginning of the 7:00 P.M. session, Councilmember Freedman noted receipt of a preliminary report from CH2M Hill regarding the Donut Hole valuation. This report stated that based on the review of City provided cost records, the estimated value of the City's investment in serving the Donut Hole exceeds \$3.4 million. Councilmember Freedman moved to send this information to the State Department of Finance. Motion seconded by Councilmember George and carried unanimously.

Gas Tax - Mayor Gilbreath asked the City Council for permission to send a letter to our legislators and the Governor indicating our support for the re-allocation of gas tax monies to the cities within California. Councilmember George moved to approve this request; motion seconded by Councilmember Freedman and carried unanimously.

Grant Agreement - Soccer Fields - Councilmember Haws moved to approve a grant agreement for a capital field project with Redlands AYSO - Region 50, Area N, Section 1, in conjunction with the \$91,884.51 grant from the U. S. Soccer Foundation. Motion seconded by Councilmember Pepler and carried unanimously.

State of the Community Luncheon - Mayor Gilbreath announced the City Council will adjourn this meeting to Wednesday, June 21, 2000, at noon to hold a State of the Community Luncheon in the Heritage Hall hosted by the Redlands Chamber of Commerce.

San Timoteo Creek Flood Control Project - Councilmember George reviewed the history of the San Timoteo Creek Flood Control Project and asked the City Council to send a letter of appreciation to Congressman Jerry Lewis for his inclusion of an additional \$5 million for Reach 3b of the San Timoteo Creek Flood Control Project in the City of Redlands. Councilmember Gilbreath moved to approve this request; motion seconded by Councilmember George and carried unanimously.

JOINT MEETING - CITY COUNCIL AND REDEVELOPMENT AGENCY

Resolution No. 5769 - Great Neighborhoods Program - Councilmember Haws moved to adopt Resolution No. 5769, 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 participant agreement 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 June 20, 2000.)

CLOSED SESSION

The City Council meeting recessed at 5:24 P.M. to continue the Redevelopment Agency meeting and reconvened at 5:32 P.M. to a closed session to discuss the following:

1. Conference with labor negotiator - Government Code Section 54957.6
City negotiator: Karen Olsen, Personnel Manager
Unrepresented employee: Acting City Manager

The meeting reconvened at 7:00 P.M.

PRESENTATIONS

Donation - Chandler's Cove - Fire Chief Enslow proudly announced that Norman and Ida Wenzel, owners of Chandler's Cove, have offered to donate two Thomas Kinkadee lithographs for a fund raiser to purchase a tow vehicle for the Fire Prevention Safety Education trailer. Mr. and Mrs. Wenzel displayed *Carmel*, *Sunset on Ocean Avenue*, and *Hometown Morning*, two limited editions, signed and numbered, framed canvas lithographs which will be awarded at a sponsorship donor drawing to be held on August 29, 2000. They

explained their plan to recruit sponsorship donations and looked forward with pride to their participation in this project. Councilmembers expressed their appreciation for their generous donation and effort.

San Timoteo Greenway Conservancy - On behalf of the San Timoteo Greenway Conservancy, Ann Mohnike reviewed the San Timoteo Canyon's \$2.5 million environmental restoration grant allocated by the U. S. Congress and asked the City Council to assist by acting a lead agency in an application for matching funds and to work with the City of Loma Linda to best use the unmatched portion of Loma Linda's funds within Redlands. Pete Kiriakos, President of the Conservancy, also spoke urging the City Council to assist them. Councilmember George moved to direct staff to act as lead agency to seek the funds needed to match the available EPA grant for habitat restoration in San Timoteo Canyon. Motion seconded by Councilmember Haws and carried unanimously. Councilmember Gilbreath moved to work with the City of Loma Linda to put to use the unmatched portion of Loma Linda's funds within Redlands. Motion seconded by Councilmember George and carried unanimously.

PUBLIC HEARINGS

Resolution No. 5768 - Appropriations Limit - Public hearing was advertised for this time and place to consider Resolution No. 5768 to establish an appropriations limit in accordance with the State of California Constitution. Finance Director Johnson reported the City of Redlands has consistently maintained an exceedingly wide and comfortable margin between its limits and its proceeds of taxes subject to the State Constitution appropriation limit, commonly referred to as the "Gann Limit" or the "Proposition 4 Limit." 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 Gilbreath moved to adopt Resolution No. 5768, a resolution of the City Council of the City of Redlands establishing an appropriations limit of \$54,439,885.00 for fiscal year 2000-2001 in accordance with Article XIII B of the State of California Constitution. Motion seconded by Councilmember Freedman and carried unanimously.

Resolution No. 5767- Historic Resource No. 102 - Public hearing was advertised for this time and place to consider the recommendation of the Historic and Scenic Preservation Commission to designate the "*Holsten-Fairchild Home*" located at 671 West Cypress Avenue as Historic Resource No. 102. Community Development Director Shaw reviewed the recommendation of the Historic and Scenic Preservation Commission and noted the designation of Historic Resource No. 102 is exempt from the California Environmental Quality Act based on Section 15061(b)(3), since the activity covered has no potential to cause a significant impact on the environment.

Mayor Gilbreath declared the meeting open as a public hearing for any questions or comments concerning this matter. Jerome Fairchild, the proud owner, described their restoration efforts and urged approval of this resolution. There being no further comments, the public hearing was declared closed. Councilmember George moved to adopt Resolution No. 5767, a resolution of the City Council approving this recommendation based on the findings made by the Historic and Scenic Preservation Commission in accordance with Section 2.62 of the Redlands Municipal Code. Motion seconded by Councilmember Haws and carried unanimously.

Appeal - Certificate of Appropriateness No. 151 - Public hearing was advertised for this time and place to consider an appeal of a decision made by the Historic and Scenic Preservation Commission regarding the installation of three skylights into the roof of the west elevation of a home which is located at 135 Grant Street within Historic and Scenic District No. 8 (Ralph Thornburg, appellant). Community Development Director Shaw reported that at the April 20, 2000, meeting of the Historic and Scenic Preservation Commission, the applicant presented a request for three skylights on the west (front) and south (side) elevations of the structure. At their May 18, 2000, meeting, a Certificate of Appropriateness for three skylights on the south elevation was approved. This was proposed by the Commission and considered a compromise stance of all the alternatives that had been examined. The skylights on the south elevation are not in question by the applicant and not part of this appeal. The applicant has appealed the Commission's decision as he desires three skylights on the west (front) elevation. The main issue for the City Council to address is the placement of these skylights and how they will ultimately affect the integrity of the historic structure. Mayor Gilbreath declared the meeting open as a public hearing for any questions or comments. Mr. Thornburg addressed the City Council informing them that these are not the modern bubble skylight but will be flush to the roof. He express amazement that his request has caused such a commotion considering his next door neighbor does not maintain his property. He also requested his property be removed from the Historic District as this situation is causing too much stress in his family. There being no further comments, the public hearing was declared closed. Councilmember Haws discussed alternatives with Mr. Thornburg and moved to continue this matter for two weeks. Motion seconded by Councilmember Gilbreath and carried unanimously.

Home Depot U.S.A., Inc. - Public hearing was advertised for this time and place to consider a Draft Mitigated Negative Declaration and Socio-Economic Analysis and Cost/Benefit Study for Planning Commission Review and Approval No. 711 for the construction of a 107,920 square foot retail home improvement center and 23,928 square foot outdoor garden center on approximately 17.65 acres, located at the southeast corner of Tennessee Street and Lugonia Avenue in the General Commercial District of the East Valley

Corridor Specific Plan, and Minor Subdivision No. 252, a subdivision of 18.47 acres into five commercial lots on property generally located at the southeast corner of Tennessee Street and Lugonia Avenue in the General Commercial District of the East Valley Corridor Specific Plan. Community Development Director Shaw reviewed the proposed project and the Planning Commission's review and recommendation for approval. Mayor Gilbreath declared the meeting open as a public hearing for any questions or comments. Richard Kunihiro, a landowner across the street, said he was in favor of the project but felt some mitigations should be addressed by the developer. He submitted copies of a petition signed by three other property owners, and presented their concerns at length. He urged the City Council to protect adjacent neighborhoods by requiring adequate traffic mitigation measures to comply with Measure U to avoid extreme congestion; require Home Depot to pay for an extension of New York Street between Brockton and Lugonia Avenues so that vehicles will not be encouraged to travel through adjacent residential neighborhoods; and to modify the site plan so that upon full buildout, the entire 47 acre site at the intersection of the I-10 and I-210 freeways will be planned as a unified, quality development. Teddy Banta asked the applicant if they would be willing to consider upgrading to a Home Depot Expo. Representing the applicant, Dave Dupero explained a Home Depot Expo was more for decorator services rather than home improvements but that he would ask them if they had looked into this area to build a Home Depot Expo. Randy Nichols, Helix, noted the applicant does not own the property for the extension of New York Street and addressed other environmental concerns. There being no further comments, the public hearing was declared closed. City Attorney McHugh addressed Mr. Kunihiro's concern regarding Measure U noting that the traffic study prepared for the project did not indicate the Levels of Service (LOS) would violate Measure U.

Councilmember George moved to approve the Negative Declaration for Planning Commission Review and Approval No. 177 and Minor Subdivision No. 252 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 George moved to approve the Socio-Economic Cost/Benefit Study for Planning Commission Review and Approval No. 177 and Minor Subdivision No. 252 as the project will not create unmitigable physical blight or over-burden public services in the community, and no additional information or evaluation is needed, and that the proposed project, based on the overall Fiscal Impact Analysis, will provide the City with a positive annual revenue/cost ratio

of 2.432. Motion seconded by Councilmember Freedman and carried unanimously.

Councilmember George moved to approve Planning Commission Review and Approval No. 177 subject to all departmental conditions of approval as presented and the following findings:

1. That the site for the proposed use is adequate in size and shape to accommodate the use;
2. That the site properly relates to streets and highways designed and improved to carry the type and quantity of traffic to be generated by the proposed development;
3. That the use is desirable for the overall development of the community, is consistent with the policies, programs, and objectives of the Redlands General Plan, and will not be detrimental to existing development or planned uses in the vicinity of the project site;
4. That the proposed development is in compliance with the policies and standards as identified in the East Valley Corridor Specific Plan; and
5. That the conditions of approval proposed for Planning Commission Review and Approval No. 711 are necessary to protect the public health, safety and general welfare.

Motion seconded by Councilmember Freedman and carried unanimously.

Councilmember George moved to approve Minor Subdivision No. 252 subject to all departmental conditions of approval as presented and the following findings:

1. That the proposed tentative parcel map is consistent with the Redlands General Plan and the East Valley Corridor Specific Plan;
2. That the design or improvements of the proposed subdivision is consistent with the Redlands General Plan and the East Valley Corridor Specific Plan;
3. That the proposed parcels are physically suitable for the type of development permitted in the General Commercial District;
4. That the site is physically suitable for the proposed density of the development;
5. 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;
6. That the design of the subdivision or type of improvements is not likely to cause serious public health problems;
7. 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; and
8. That pursuant to California Government Code Section 66474.6, the discharge of waste from this subdivision 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.

Motion seconded by Councilmember Freedman and carried unanimously.

Property Acquisition Agreement - Home Depot U.S.A., Inc. - City Attorney McHugh explained a Public Works Department condition of approval requires the applicant to acquire certain off-site property. Under the State's Subdivision Map Act, whenever the City conditions a subdivision map on the acquisition of property not owned by the applicant and the applicant cannot, after a good faith effort, acquire that property, the City must either waive the condition or acquire the property on behalf of the applicant. Staff cannot recommend waiver of the Public Works Department condition if Home Depot cannot acquire the off-site property by the time its final map is submitted. Therefore, in accordance with the Subdivision Map Act, City staff has proposed the City Council enter into an agreement with Home Depot whereby the City will acquire the off-site property through negotiation and, if necessary, by eminent domain. That acquisition will be at no cost to the City. Under the agreement, Home Depot will pay all of the City's costs associated with the acquisition. Councilmember Gilbreath moved to approve the agreement for acquisition of property by purchase or condemnation with Home Depot U.S.A., Inc. Motion seconded by Councilmember Pepler and carried unanimously.

Resolution No. 5737 - Landscape Maintenance Assessment District - Public hearing was advertised for this time and place to consider Resolution No. 5737, a resolution of the City Council of the City of Redlands ordering the maintenance of improvements in Landscape Maintenance Assessment District No. 1, granting final approval of the Engineer's Report, and confirming the assessment for the 2000-2001 fiscal year. Public Works Director Mutter reported the preliminary report for Landscape Maintenance District No. 1 was presented to the City Council on April 18, 2000. The City Council adopted Resolution No. 5735, granting preliminary approval to the Engineer's Report, and Resolution No. 5736, declaring its intention to levy and collect assessment for Fiscal Year 2000-2001, pursuant to the Lighting and Landscaping Act of 1972. It is estimated that costs in the Landscape Maintenance Assessment District No. 1 for Fiscal Year 2000-2001 will exceed assessments by \$44,643.00. There will be no increase in the assessments and the fund deficit will continue to increase. On May 16, 2000, the City Council held a public meeting which gave the City Council an opportunity to review the Engineer's Report and receive questions and input from the public. The final step in the process is to conduct a public hearing and receive testimony from the public on the proposed assessment. Mayor Gilbreath declared the meeting open as a public hearing for any questions or comments. None being forthcoming, the public hearing was declared closed. Councilmembers discussed the need to address the fund deficit and Public Works Director Mutter will bring suggestions for next year. Councilmember Gilbreath moved to adopt Resolution No. 5737. Motion seconded by Councilmember Freedman and carried unanimously.

Resolution No. 5741 - Street Lighting Assessment District - Public hearing was advertised for this time and place to consider Resolution No. 5741, a resolution of the City Council of the City of Redlands ordering the maintenance of improvements in Street Lighting Assessment District No. 1, granting final approval of the Engineer's Report, and confirming the assessment for the 2000-2001 fiscal year. Public Works Director Mutter reported the preliminary report for Street Lighting District No. 1 was presented to the City Council on April 18, 2000. The City Council adopted Resolution No. 5739, granting preliminary approval to the Engineer's Report, and Resolution No. 5740, declaring its intention to levy and collect assessment for Fiscal Year 2000-2001, pursuant to the Lighting and Landscaping Act of 1972. It is estimated that costs in the Street Lighting Assessment District No. 1 for Fiscal Year 2000-2001 will exceed assessments by \$312.07 and will continue to escalate. There will be no increase in the assessments and the fund deficit will continue to increase. On May 16, 2000, the City Council held a public meeting which gave the City Council an opportunity to review the Engineer's Report and receive questions and input from the public. The final step in the process is to conduct a public hearing and receive testimony from the public on the proposed assessment. 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 adopt Resolution No. 5741. Motion seconded by Councilmember Haws and carried unanimously.

Re-Allocation of CDBG Funds - Fire Station - Public hearing was advertised for this time and place to consider the cancellation of Program Year 2000-2001 Project No. 26147 (Sun Avenue Improvements) and transfer the allocation in the amount of \$170,000.00 from that project to Fire Station No. 261 (Seismic Improvements for a fire station located at 525 East Citrus Avenue. Public Works Director Mutter recommended cancellation of the Sun Avenue Improvements Project and transfer of those funds to costs associated with the seismic retrofit portion of the restoration of Fire Station No. 261. Mayor Gilbreath declared the meeting open as a public hearing for any questions or comments. None being forthcoming, the public hearing was declared closed. Reminding staff of the City Council's desire to include the Sun Avenue project in next year's CDBG funding (see City Council minutes for meeting of June 6, 2000), Councilmember Haws moved to cancel Public Works Department Project No. 111-26147 (Sun Avenue Improvements) and transfer \$170,000.00 to create a new project entitled Seismic Retrofit of Fire Station No. 261. Motion seconded by Councilmember Freedman and carried unanimously. Councilmember Pepler reported she has talked with County Supervisor Dennis Hansberger about the Sun Avenue project and he will see if the money is available from the County's CDBG funds.

UNFINISHED BUSINESS

Agreement - Storm Drain Waiver - Tract No. 16082 - Public Works Director Mutter reported at the City Council meeting of June 6, 2000, it was agreed to waive the required storm drain improvements for Tract No. 16082 located north of Olive Avenue, at the terminus of Ash Street and Roma Street, provided that the applicant voluntarily agree to install and complete certain improvements required by staff. Those items in general include repair of any loose rocks and cracks in the existing channel; installation of a fence along the sides of the open channel with the property owners being responsible for the maintenance of the fence; payment of all applicable storm drain fees; and approval of necessary CC&R's to provide for these items. Councilmember Freedman moved to approve the agreement with the Smith Trust for installation of various improvements in lieu of installation of a reinforced concrete pipe in the storm drain through Tract No. 16082. Motion seconded by Councilmember Pepler and carried unanimously.

Deodora Apartments - Consideration of a Draft Negative Declaration for General Plan Amendment No. 65 and Specific Plan No. 52; Resolution No. 5752 for General Plan Amendment No. 65 to change from Low-Density Residential (0 to 6.0 units per gross acre) to Medium-Density Residential (0 to 15.0 units per gross acre); and Resolution No. 5754 for Specific Plan No. 52, a specific plan of development for a sixteen (16) unit apartment complex on 1.16 acres of property located on the southeast corner of Clifton Avenue and San Mateo Street (Deodora Apartments, David A. Van Diest and Rosa E. Gomez, applicant) was continued to this time and place. At the request of the applicant, Councilmember George moved to continue this matter to July 18, 2000. Motion seconded by Councilmember Freedman and carried unanimously.

Ordinance No. 2441 - Mining Tax - Councilmember George reported that he and Councilmember Haws have been meeting with representatives from Robertson's Ready Mix and Cemex regarding a mining tax. A draft of such a proposal (Ordinance No. 2441) has been prepared by the City Attorney and was presented to the City Council on June 6, 2000, and continued to this meeting. Councilmember George indicated it was his intention, and Councilmember Haws concurs, that this issue be placed on the November, 2000, ballot, but that he would like to postpone the discussion to July 5, 2000, at which time a contract may be presented which will eliminate the need to place this ordinance on the ballot. Councilmember George moved to continue this item to July 5, 2000; motion seconded by Councilmember Haws and carried unanimously.

NEW BUSINESS

Ordinance No. 2445 - Citrus Preservation Commission - City Attorney McHugh explained that Ordinance No. 2445, an ordinance of the City of Redlands amending Chapter 2.64 of the Redlands Municipal Code relating to membership

of the City's Citrus Preservation Commission, provides that members serve staggered four year terms. This amendment is consistent with the new appointments the City Council made to the Citrus Preservation Commission at its June 6, 2000, meeting. Ordinance No. 2445 was read by title only by City Clerk Poyzer, and on motion of Councilmember George, seconded by Councilmember Haws, Ordinance No. 2445 was introduced and laid over under the rules with adoption scheduled for July 5, 2000, with Councilmember Freedman voting NO as he was not in favor of staggered terms.

Paramedic Tax - Fire Chief Enslow explained the special tax for emergency paramedic services has been in effect since Fiscal Year 1982-83. The tax currently generates \$935,000.00 annually with an annual program operation budget of \$1.44 million. A General Fund subsidy of approximately \$500,000.00 is required. Over the past 18 years, \$2 million in General Funds have been used to subsidize the paramedic program. The subsidy could be reduced annually and eliminated entirely if the current charge for a single family home was raised by \$30.00 per year (over a four year period) and all other building categories (multi-family, mobilehome, commercial, and industrial) raised proportionately as well. To ensure a self-sustaining program, the City Council may consider staff's recommendation that an annual COLA or CPI increase be implemented to ensure the ongoing future funding of the program. Councilmember Gilbreath moved to place a measure on the November 2000 general election ballot to increase the special tax for emergency paramedic services and directed staff to prepare the appropriate documentation. Motion seconded by Councilmember George and carried unanimously.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 8:39 P.M. to an adjourned regular meeting to be held on June 21, 2000, at 12:00 P.M. in the Heritage Hall, 225 East Olive Avenue, Redlands, California, for the State of the Community Luncheon. Due to the national holiday, the next regular meeting will be held on Wednesday, July 5, 2000.

City Clerk