

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 September 4, 2001.

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

ABSENT None

STAFF John Davidson, City Manager; Daniel J. McHugh, City Attorney; Lorrie Poyzer, City Clerk; Beatrice Sanchez, Deputy City Clerk (evening session); Cletus Hyman, Deputy Police Chief (afternoon session); Mel Enslow, Fire Chief (afternoon session); John Habant, Deputy Fire Chief (evening session); Bonnie Johnson, Finance Director; Ronald C. Mutter, Public Works Director; Gary G. Phelps, Municipal Utilities Director; and Jeffrey L. Shaw, Community Development Director.

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

CONSENT CALENDAR

Minutes - On motion of Councilmember George, seconded by Councilmember Freedman, the minutes of the regular meeting of August 7, 2001, and the special meeting of August 24, 2001, were approved as submitted.

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

Agreement - Arbitrage Rebate Refund - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously approved an agreement with Bond Logistix regarding a potential arbitrage rebate refund due the City from the Internal Revenue Service related to the City's 1987 Sewer Facilities Certificates of Participation and authorized the Mayor and City Clerk to sign the contract on behalf of the City.

Planning Commission Actions - On motion of Councilmember George, seconded by Councilmember Freedman, the report of the Planning Commission meetings held on August 14, 2001, and August 28, 2001, were acknowledged as received.

Ordinance No. 2479 - Specific Plan 40 Amendment - Ordinance No. 2479, an ordinance of the City of Redlands amending Ordinances Nos. 2295, 2320, 2321, 2322, 2364, 2432, 2444, and 2473 (which together comprise the East Valley Corridor Specific Plan) by adopting Amendment No. 18 to the East Valley Corridor Specific Plan (Specific Plan No. 40) to change the location and alignment of Palmetto Avenue and Marigold Street, was unanimously adopted on motion of Councilmember George, seconded by Councilmember Freedman.

Final Approval - Improvement Agreement - Tract No. 14790-3 - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously approved the Public Works Department subdivision improvement agreement for Tract No. 14790-3 which is generally located on the east side of Alessandro Road between San Timoteo Canyon Road and Sunset Drive in Specific Plan No. 43 (Sunset Hills Estates, LLC, applicant).

Ordinance No. 2480 - Business and Economic Development Commission - Ordinance No. 2480 an ordinance of the City of Redlands adding Chapter 2.66 to the Redlands Municipal Code to establish a Business and Economic Development Advisory Commission, was unanimously adopted on motion of Councilmember George, seconded by Councilmember Freedman.

Settlement and Release Agreement - Frances Riguis - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously approved a settlement and release agreement with Frances Riguis and authorized the Mayor and City Clerk to sign the document on behalf of the City.

Sale of Property - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously approved a purchase and sale agreement with Dr. John Steinmann relating to the sale of Assessor's Parcel No. 292-321-06 located at the southwest corner of Lugonia Avenue and Nevada Street and authorized the Mayor and City Clerk to sign the agreement on behalf of the City.

Subcontracts - Ammonium Perchlorate Research - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously approved two subcontracts with Penn State University that provide for reimbursement of the Municipal Utilities Department's costs in support of ammonium perchlorate research projects conducted at the Texas Street Treatment Facility.

OSC 01-01 - Guy Yocum, applicant - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously determined that Outside City Case (OSC) 01-01 for Tentative Parcel Map No. 15515 is consistent with the City of Redlands General Plan and that the public health, safety and welfare, and the best interests of the citizens of

Redlands, are served by the City's continued processing of the application for water and sewer connections.

Loan - Electricity Cogeneration Facility - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously approved a loan agreement and promissory note for \$1,500,000.00 with the California Energy Commission for the Innovative Peak Load Reduction Program for the electricity cogeneration facility and directed the Municipal Utilities Director to execute the documents as the authorized party for the loan in accordance with City Council Resolution No. 5928.

Agreement - Electricity Cogeneration Facility - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously approved an agreement with the Southern California Edison Company to perform a combined system impact study and facilities study in support of the electricity cogeneration facility and authorized the Mayor and City Clerk to sign the contract on behalf of the City.

Agreement - AB 939 Annual Report - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously approved an agreement with John C. Davis to furnish consulting services for the preparation and submission of the 2000 California Integrated Waste Management Board Annual Report.

Stack Gas Analyzer - Electricity Cogeneration Facility - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously approved the purchase of a stack gas analyzer from Horiba Instruments, Inc. in the amount of \$52,500.00 for use at the electricity cogeneration facility.

Mutual Water Company Stock Purchase - Mayor Gilbreath left the City Council Chambers due to a potential conflict of interest; Mayor Pro Tem George conducted the meeting on this item. On motion of Councilmember Haws, seconded by Councilmember Freedman, the City Council approved the purchase of five shares of Lugonia Water Company stock from Daun Orr for a total price of \$6,380.00 by AYE votes of all present.

Resolution No. 5947 - Recycled/Non-Potable Water Study - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously adopted Resolution No. 5947, a resolution of the City Council of the City of Redlands authorizing the submission of a grant application to the United States Bureau of Reclamation for a recycled/non-potable water demand and market study and authorized the Municipal Utilities Director to sign the grant documents.

Agreement - Recycled Water Project - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously approved and authorized execution of Task Order No. 2 (Amendment No. 2) of the master services agreement with Carollo Engineers to provide engineering services for the Redlands recycled water project treatment facilities.

Fee Waiver - Optimist Club - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously approved a fee waiver to the Optimist Club of Redlands for use and reservation of the bandstand (gazebo) at Sylvan Park for their annual car show on July 20, 2002.

Mission Gables Bowl House - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously approved an agreement to furnish consulting services between the City of Redlands and Claremont Environmental Design Group, Inc. to provide the design, construction documents and construction support for the rehabilitation of the Mission Gables Bowl House located at 168 South Eureka Street.

Transit Center Street Improvements Project - Bids were opened and publicly declared on August 16, 2001, by the City Clerk for the construction of the Transit Center Street Improvement Project; a bid opening report is on file in the Office of the City Clerk. Laird Construction Company, Inc. was the only responsive/responsible bidder and submitted a bid for \$491,033.45; there is only \$303,000.00 available to fund the project. A second bidder, Holland-Lowe Construction, was at the bid opening but refused to submit their bid unless the City waived the revised insurance requirements contained in Addendum No. 1 for the project. The City could not, at that time, waive any requirements contained in the bid package. Holland-Lowe's reason for not submitting their bid was due to a requirement that the general contractor insure all subcontractors. This error in the revised insurance requirements has been corrected to the satisfaction of the City Attorney and staff can re-advertise with the new requirement. Councilmember George moved to reject all bids and authorized staff to re-advertise the Transit Center Street Improvements Project. Motion seconded by Councilmember Freedman and carried unanimously.

Resolution No. 5942 - LED Traffic Signal Lamps - Mayor Pro Tem George commended staff for their efforts to conserve energy. Public Works Director Mutter presented a request to apply for a loan from the California Energy Commission for the LED traffic signal lamp replacement program. He noted the signal at the intersection of Orange Street and Citrus Avenue has been replaced with LED lamps and is generating an 83 percent savings. The loan payback will be made with funding that is now used to pay energy costs for traffic signals. On motion of Councilmember George, seconded by Councilmember Pepler, the City Council unanimously adopted Resolution No. 5942, a resolution of the City Council of the City of Redlands authorizing an application to the California Energy Commission for a loan to implement energy efficiency measures for the LED traffic signal lamp replacement program.

Fire Station No. 261 - Asbestos and Lead Abatement - Bids were received August 14, 2001, by the Purchasing Division for abatement of asbestos and lead in Fire Station No. 261; a report is on file in the Purchasing Division. It was

recommended that the lowest responsive/responsible bidder was Total Environmental Industries, Inc. in the amount of \$26,981.00. On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously authorized the Purchasing Division to issue a purchase order to Total Environmental Industries, Inc. for abatement of asbestos and lead in Fire Station No. 261.

Funds - Soils Removal - Hillside Memorial Park - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously appropriated additional funds in the amount of \$5,607.05 and approved a change order to the contract for the contaminated soils removal at Hillside Memorial Park project in the amount of \$6,828.05 and authorized staff to execute the change order.

Church Street Right-of-Way - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously approved an agreement with Jim and Laura J. Blackwell regarding purchase of fee interest for street right-of-way in conjunction with the widening of Church Street from Redlands Boulevard to Colton Avenue and authorized the Mayor and City Clerk to sign the contract on behalf of the City.

Resolution No. 5946 - Traffic - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously adopted Resolution No. 5946, 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 an additional "No Parking" zone along the westerly side of Terracina Boulevard, north of Circle Drive at Redlands Community Hospital.

Public Library Foundation Allocation - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously authorized the allocation of Public Library Foundation funds in the amount of \$48,319.00 from the State of California for the A. K. Smiley Public Library. These funds are being carried over to the 2001-02 budget to enable the purchase of additional hardware required for upgrading the library's automated system.

Funds - Children's Books - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously approved an additional appropriation in the amount of \$1,025.00 to purchase children's books for the Community Center resource room. These funds were donated by the *Mom's Club of Redlands* who will coordinate volunteers and provide "story time" for children in the Community Center.

Funds - Cool Center - Deputy Police Chief Hyman described the proposed "Cool Center" program which is designed to encourage people to go to centralized locations during peak electric usage times allowing conservation in

individual homes. The Redlands Community Center has been designated as a "Cool Center" which allows the Recreation Bureau to obtain grant funds to promote and operate programs between the hours of 2:00 P.M. and 7:00 P.M. On motion of Councilmember George, seconded by Councilmember Pepler, the City Council unanimously approved an additional appropriation in the amount of \$26,100.00 to promote and operate a "Cool Center" in the Community Center with the use of grant funds. Mayor Pro Tem George commended staff for their efforts to conserve energy and thanked his fellow Councilmembers for supporting these projects.

Agreement - Darrell Feuerhahn - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously approved an independent contractor agreement with Darrell Feuerhahn to conduct karate/self defense classes at Joslyn Senior Center and authorized the Mayor and City Clerk to sign the contract on behalf of the City.

Agreement - Tommy Ybarra - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously approved an independent contractor agreement with Tommy Ybarra to develop and conduct an acting lessons class at Community Center and authorized the Mayor and City Clerk to sign the contract on behalf of the City.

Agreement - AARP - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously approved a facility use agreement with the American Association of Retired Persons (AARP) for use of the auditorium and kitchen at Joslyn Senior Center for their monthly general membership meetings and authorized the Mayor and City Clerk to sign the contract on behalf of the City.

Agreement - Fire Protection Exchange - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously approved an agreement with the City of Highland for an automatic exchange of fire protection and rescue services and authorized the Mayor and City Clerk to sign the contract on behalf of the City.

Resolution No. 5948 - Salary - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously adopted Resolution No. 5948, a resolution of the City Council of the City of Redlands establishing a salary schedule and compensation plan for City employees and rescinding Resolution No. 5924, reflecting changes to authorized positions that have been previously approved by the City Council: National Pollutant Discharge Elimination System Inspector, Public Works Department, and two grant funded civilian Community Service Officers.

PLANNING AND COMMUNITY DEVELOPMENT

Development Processing Procedures - Community Development Director Shaw reported that at the City Council meeting on August 7, 2001, Councilmember Haws presented a proposal to allow and possibly require subdivisions to be submitted concurrently with a general plan amendment and/or zone change. In response the City Council requested that staff bring back a list of pros and cons for making such a change. For purposes of discussion, staff suggested the concept be expanded to deal with all development projects and not just subdivisions. The pros and cons for such a procedural change were presented at this time for the City Council review and consideration based on an assumed policy of requiring submittal of a development project with a general plan amendment and/or zone change. Three proposals were submitted for the City Council's consideration. Councilmember Haws felt the permissive approach would be a good way to proceed, and moved to direct the City Attorney to bring back an ordinance providing a project may be submitted concurrently with general plan amendments and/or zone changes. Motion seconded by Councilmember Freedman and carried unanimously.

COMMUNICATIONS

Bike Lane - Brookside Avenue - Mayor Pro Tem George brought forward a request from the Bicycle Community Coalition of the Inland Empire to establish a bicycle lane on Brookside Avenue from Eureka Street to San Mateo Street. It was suggested this request be referred to staff to prepare proposed design with the proper width and refer the request to the Traffic and Parking Commission for study. Councilmember Freedman indicated he did not want to reduce the street parking. By consensus, this matter was referred to staff and the Traffic and Parking Commission to study the physical perimeters for striping and signage.

Appeal - Planning Commission Decision - Councilmember Freedman asked Councilmembers to consider appealing the requirement to widen the street in front of 214 Myrtle Street in conjunction with Conditional Use Permit No. 732 for the conversion of a single family residence to an office use in the A-P (Administrative Professional) District. Public Works Director Mutter reviewed the application and Code requirements. Community Development Director Shaw noted the applicant has filed an appeal to this decision and a check is being held for the appeal fee. Councilmember Gilbreath felt this was setting a precedent, and Councilmember Haws was not comfortable waiving the fee. Therefore Councilmember Freedman's motion to appeal Conditional Use Permit No. 732 and direct staff to notice a hearing appropriately failed to receive a second. The check will be processed and the hearing will be noticed for the September 18, 2001, meeting.

Priority List - Park and Recreation Facility Repairs/Upgrades - Public Works Director Mutter and Deputy Police Chief Hyman presented a report summarizing the Parks Commission's and the Recreation Commission's list of

recommended capital improvements and upgrades to City park and recreation facilities resulting from their joint meeting held on July 11, 2001. Community Services Division Manager Marjie Pettus was also present. The goal of their effort was to identify approximately \$897,000.00 in projects, based on the total anticipated revenue to be allocated to the City of Redlands for this purpose from the Proposition 12 Park Bond. Public Works Director Mutter commended Parks Commissioner Bob Carothers and Recreation Commissioner Dave Eason for their efforts to develop an extensive list of improvements for City parks and recreation facilities. Recreation Commissioner Eason thanked staff for their assistance and reviewed the lighting needs at Community Field. Recreation Commissioner Patty Holohan told Councilmembers she had voted against the list as she felt the Community Center recreation patio installation for the children was more important than the preparation of an area in Ford Park for a new dog park. Councilmembers agreed to swop Items 15 (dog park) and 23 (Community Center patio) on the priority list. Councilmember Haws asked staff how and when the City will receive the funds and requested the City Council make the final allocation. Public Works Director Mutter reported it would probably take a year to receive the funds and implement the improvements. Councilmember Freedman moved to approve the revised priority list of repairs and upgrades for City park and recreation facilities utilizing Proposition 12 Park Bond allocations with the understanding staff would come to the City Council for approval of each expenditure. Motion seconded by Councilmember George and carried unanimously.

Master Metered Accounts - Municipal Utilities Director Phelps reviewed Resolution No. 5857 which was adopted by the City Council on April 3, 2001, and established rules and regulations relating to termination of master metered utility service. On June 18, 2001, the utility billing section of the Municipal Utilities Department prepared and delivered notices, in accordance with the recently approved rules, to approximately 50 tenants at 14 different delinquent master metered utility accounts. These 14 accounts represented the most severe delinquencies currently on the books, with some accounts as much as 21 months in arrears. In addition, repeated payment arrangements have been broken and all collection efforts by staff have been disregarded to date. To date, the City has received only five partial payments totaling \$1,652.00 towards a total delinquency of \$23,363.00. Several tenants expressed an initial interest in becoming a utility customer of the City and paying directly for water service, but no new accounts have been opened although two customers came into the office the morning of this meeting to discuss this option. Municipal Utilities Director Phelps explained that community meetings with the tenants will be held in advance of any water shutoff to ensure that tenants fully understand the process and to provide temporary housing referral sources to those who may be affected in the event the situation is not resolved within 24 hours after disconnection of the water services. Staff also requested the opportunity to return to the City Council in approximately 60 days with an ordinance to address the overall utility billing operational needs in a consolidated, comprehensive

manner, in addition to providing rules and regulations to help minimize similar situations with master-metered accounts in the future. Councilmembers were uncomfortable turning off the water and penalizing the tenants for the property owner's indifference. Councilmembers discussed this issue at length and options to be pursued. Councilmember Haws moved to direct staff, in conjunction with the City Attorney, to draft a policy or ordinance language as necessary to implement the following policy: (suggested this language not be included in an ordinance) do not turn off water as a result of non-payment; that interest should be charged at a reasonable rate that commences immediately upon the end of a reasonable period to make payment and that the interest should be reflected in the on-going invoices which are sent; and in the discretion of the City Attorney, that aggressive legal process should be used in order to place all legal burdens possible upon the landlord and the attendant property to force payment in all legal ways. Motion seconded by Councilmember George and carried unanimously.

Donut Hole - Municipal Utilities Director Phelps and Water Resources Chief Headrick presented a response to a list of questions submitted by Councilmember Freedman regarding the proposal for the City to provide water and sewer service to the Donut Hole. It was important to note these types of estimates are not normally developed without a specific development plan that determines the actual demand for water and sewer services. However, staff utilized all available resources including facility master plans, the East Valley Corridor Specific Plan land use designations, and its extensive experience to provide the estimates of water and sewer demands and the costs associated with providing the matching level of service. The report included options available, water availability, treatment and storage capacity, estimated cost of additional facilities, timing and financing of additional facilities, and a response that a rate increase for existing customer would not be necessary if the up front costs were paid by those receiving the service or commodity rates charged to the Donut Hole users are consistent with that paid by other customers. Water Resources Chief Headrick explained in detail how the components of the figures were calculated. Councilmember George reported the County will be fronting the money (acting as the developer/bank) and will pay the fees up front and that he and Councilmember Haws are negotiating an agreement so the Donut Hole will pay the same fees as Home Depot, BD and Hershey's. Following this discussion, Councilmember Haws presented two revisions regarding sales tax sharing (paragraph 4) and property tax shift (paragraph 7) which are to be included in the negotiations. Finance Director Johnson reported the State Board of Equalization said sharing sales tax is proper but that they will not implement the program. She assured Councilmembers the City has a sales tax consultant that can do this for us. Councilmember Haws moved to authorize himself and Councilmember George to continue the negotiation process and communicate to the County that the changes presented at this meeting were acceptable. Motion seconded by Councilmember George and carried unanimously.

SCE Tree Trimming Program - Mayor Pro Tem George expressed his disappointment that Southern California Edison did not follow through with their promise to let us know where they would be working with problem trees. Last week, the crowns of three palms on Olive Avenue were "trimmed" by cutting the crowns out. They provided no notice to the City that they would be taking this drastic action. Based on their earlier promise, Mayor Pro Tem George felt they owed us the money to replace these damaged trees with mature trees of good size. He also suggested we find an area legislator to introduce a bill next term to amend the PUC requirements for this utility as the current code refers only to how far they must keep the trees from the wires but does not carry any language about required notification to the City and/or homeowners. Councilmember Haws moved to direct the City Attorney to come back at the next available opportunity with a report to the City Council with regard to our legal options, and otherwise, with regard to the removal of trees that conflict with the lines through review of the franchise agreement (with Southern California Edison Company) and any other applicable legal authorities (including PUC regulations) and to send a letter to Southern California Edison requesting compensation for the trees as we believe there were rights violated. Motion seconded by Councilmember George and carried unanimously.

Support AB 1147 - Bruce Smith, MD, MPH, asked the City Council and citizens for support of AB 1147 (Thomson) to restore funding for public health work for women and children in local public health jurisdictions across the state. Councilmember Freedman moved to support Assembly Bill 1147 by sending letters to Governor Gray Davis, Assembly Members Bill Leonard, Russ Bough, and Helen Thomson and Senator Jim Brulte. Motion seconded by Councilmember Pepler and carried unanimously.

JOINT MEETING - CITY COUNCIL AND REDEVELOPMENT AGENCY

Resolution No. 5941 - Great Neighborhood Program - Councilmember Freedman moved to adopt Resolution No. 5941, 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 George and carried unanimously. (Also see Redevelopment Agency minutes for September 4, 2001.)

Resolution No. 5943- First Time Home Buyer Program - Councilmember Freedman moved to adopt Resolution No. 5943 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 a First Time Home Buyer loan agreement which will be acted upon by the Board of Directors of the Redevelopment Agency. Motion seconded by Councilmember George and carried unanimously. (Also see Redevelopment Agency minutes for September 4, 2001.)

CLOSED SESSION

The City Council meeting recessed at 5:03 P.M. to continue the Redevelopment Agency meeting and reconvened at 5:04 P.M. to a closed session to discuss the following:

1. Conference with real property negotiator - Government Code Section 54956.8
 - a. Property: APN 170-191-39
Negotiating parties: Doug Wetton and Linda Emmerson
Under negotiation: Terms and price
 - a. Property: 13 Grant Street
Negotiating parties: Greg Stone and Linda Emmerson
Under negotiation: Terms and price
2. Conference with legal counsel: Existing litigation - Government Code Section 54956.9(a)
 - a. City of Redlands v. William J. Locklin et al - SCVSS 78488
 - b. Redlanders for Informed Development v. City of Redlands - SCVSS 80668
3. Public employee performance evaluation - Government Code Section 54957
Title: Community Development Director

The meeting reconvened at 7:00 P.M.

PRESENTATION

Manager of the Year - Larry Butler - Randy Kuettle, President of Inland Empire Desert Chapter, Maintenance Superintendent's Association, presented its Manager of the Year award to Larry Butler, Principal Construction Inspector with the Public Works Department. On behalf of the City Council, Mayor Gilbreath extended congratulations to Mr. Butler. Mr. Butler thanked Councilmembers, City Manager Davidson, and Public Works Director Mutter for allowing him to serve in this organization.

LAND USE AND PUBLIC HEARINGS

Casa Deodara Project - A notice of the preparation of a Draft Mitigated Negative Declaration and public hearings and a socio-economic cost/benefit study were advertised for this time and place on the following: Resolution No. 5752, General Plan Amendment No. 65, for a change of density from Low-Density Residential (0 to 6.0 units per gross acre) to Medium-Density Residential (0 to 15.0 units per gross acre) on approximately 1.16 acres, located on the southeast corner of Clifton Avenue and San Mateo Street; Resolution No. 5754, Specific Plan No. 52 for an application for a 14 unit apartment complex on approximately 1.16 acres, located on the southeast corner of Clifton Avenue and San Mateo Street; and Planning Commission Review and Approval No. 728 for the construction of a 14 unit apartment complex on approximately 1.16 acres, located on the southeast corner of Clifton Avenue and San Mateo Street (David A. Van Diest and Rosa E. Gomez, applicants). Community Development Director Shaw presented the history of this application and reviewed the key components of changes incorporated into the project's site design since the City Council's last review of the project in January, 2001.

Mayor Gilbreath declared the meeting open as a public hearing for any questions or comments. Speaking in opposition of the project were: Carl Jordon, Chris Sedmack (who represented several neighbors), Ron Wright, Calvin Yandell, Wendy and Dan Walsh, and Joyce Jordon. A letter from David E. Raley was submitted asking that the parking problems be revisited and corrected before the project is approved. Speaking in favor of approving the project were: Liz Beguelin, Mark Beguelin, Roger Halsell, Laurie Harding, Tamara Madai, and Alex Justice. David Van Deist, the applicant, addressed the City Council noting this project was a labor of love with trials and setbacks and that it more than exceeds the standards for open space, setbacks, and covered parking requirements. The public hearing was declared closed.

Mitigated Negative Declaration - Councilmember Peppler moved to approve the Environmental Review Committee's Mitigated Negative Declaration for General Plan Amendment No. 65, Specific Plan No. 52, and Planning Commission Review and Approval No. 728 based on the finding that the project will not have a significant effect on the environment, determining this project will not individually or cumulatively have an adverse impact on wildlife resources as defined in Section 711.2 of the California Fish and Game Code and directed staff to file and post a Notice of Determination in accordance with the City's guidelines. Motion seconded by Councilmember George and carried with Councilmember Freedman voting NO.

Socio-Economic Cost/Benefit Study - Councilmember Peppler moved to approve the Socio-Economic Cost/Benefit Study for Planning Commission Review and Approval No. 728 as it has been determined that this project will not create unmitigable physical blight or overburden public services in the community and that no additional information or evaluation is needed. Motion seconded by Councilmember George and carried with Councilmember Freedman voting NO.

Resolution No. 5752 - General Plan Amendment No. 65 - Councilmember Peppler moved to adopt Resolution No. 5752, a resolution of the City Council of the City of Redlands approving General Plan Amendment No. 65 by changing the land use designation of the subject site from Low-Density Residential to Medium-Density Residential as shown the map provided in the staff report. Motion seconded by Councilmember George and carried with Councilmember Freedman voting NO.

Resolution No. 5754 - Specific Plan No. 52 - Councilmember Peppler moved to adopt Resolution No. 5754, a resolution of the City Council of the City of Redlands approving Specific Plan No. 52 for the project site. Motion seconded by Councilmember George and carried with Councilmember Freedman voting NO.

CR&A No. 728 - Councilmember Pepler moved to approve Planning Commission Review and Approval No. 728, subject to the findings, conditions of approval as contained in the staff report, and with the additional requirement that the intersection site line be addressed to the satisfaction of the Public Works Department. Motion seconded by Councilmember Haws and carried with Councilmember Freedman voting NO.

PUBLIC HEARINGS

Ordinance No. 2470 - Adult Business Regulations - Community Development Director Shaw explained this ordinance text amendment proposed to delete out of date adult business regulations from the Redlands Municipal Code. Updated versions of these regulations have recently been adopted by the City Council as part of Ordinance No. 2455 which amended Section 8.76 of the Redlands Municipal Code. Ordinance No. 2470, an ordinance of the City of Redlands deleting Articles II, III, and IV of Chapter 18.156 of the Redlands Municipal Code relating to adult bookstores, adult entertainment facilities, and adult theaters, was read by title only by City Clerk Poyzer, and on motion of Councilmember Haws, seconded by Councilmember George, further reading of the ordinance text was unanimously waived, and Ordinance No. 2470 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for September 18, 2001.

PUBLIC COMMENTS

None forthcoming.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 8:10 P.M. The next regular meeting will be held on September 18, 2001.

City Clerk