

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 16, 1997.

PRESENT

Swen Larson, Mayor
Pat Gilbreath, Mayor Pro Tem
William E. Cunningham, Councilmember
Gilberto Gil, Councilmember
Geni A. S. Banda, Councilmember

Gary M. Luebbers, City Manager
Daniel J. McHugh, City Attorney
Bruce Beach, Special Legal Counsel
(evening session)
Lorrie Poyzer, City Clerk
Beatrice Sanchez, Deputy City Clerk
(evening session)
Michael Reynolds, City Treasurer
Jeffrey L. Shaw, Community Development Director
Tina Kundig, Interim Finance Director
Mel Enslow, Fire Chief
Gary G. Phelps, Municipal Utilities Director
Lewis W. Nelson, Police Chief
Ronald C. Mutter, Public Works Director

Joshua Lowe, Redlands Daily Facts
Valeria Godines, Press Enterprise
Cerise Valenzuela, The Sun

ABSENT

None

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

INTRODUCTIONS

Candidates - Mayor Larson introduced City Councilmember candidates present at this session of the meeting: Robert Mollenauer, Dave Eason, Mayor Pro Tem Gilbreath, and Councilmember Gil.

CLOSED SESSION

September 16, 1997

The City Council meeting recessed at 3:01 P.M. to a closed session to hold a conference with its legal counsel described as follows: Existing litigation - Government Code § 54956.9(a):

1. City of Redlands v. County of San Bernardino (SVC 34737, SVC 33330, and SVC 39880)
2. City of Redlands v. Majestic Realty Company (SVC 38504)

The meeting reconvened at 3:14 P.M.

CONSENT CALENDAR

Minutes - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the minutes of the regular meeting of September 2, 1997, were unanimously approved as submitted.

Bills and Salaries - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, bills and salaries were unanimously ordered paid.

Planning Commission Actions - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the report of the Planning Commission meeting held on September 9, 1997, was unanimously acknowledged as received.

Ordinance No. 2354 - Lot Line Adjustments - Ordinance No. 2354, an ordinance of the City of Redlands adding Chapter 17.64 to the Redlands Municipal Code relating to lot line adjustments, was adopted on motion of Councilmember Gilbreath, seconded by Councilmember Gil, by the following vote:

AYES: Councilmembers Gilbreath, Cunningham, Gil, Banda;
Mayor Larson
NOES: None
ABSENT: None

Resolution No. 5411 - Conflict of Interest Code Amendment - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously adopted Resolution No. 5411, a resolution of the City Council of the City of Redlands adopting an amendment to the conflict of interest code pursuant to the Political Reform Act of 1974 and amending Resolution No. 3290 and rescinding Resolution No. 5336 to reflect the elimination of the Administrative Services Director and addition of the Community Services Division Manager.

Contract Award - Eureka Street Improvements - Due to a possible conflict of interest, Mayor Larson left the Council Chambers. Bids were opened and

publicly declared on August 21, 1997, by the City Clerk for construction of the Eureka Street Improvements, Phase 1B; 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 to the City was Sean Malek Engineering and Construction, Inc. in the amount of \$158,199.50, and it would be in the best interest of the City that this contract be awarded to said firm. On motion of Councilmember Cunningham, seconded by Councilmember Gil, this recommendation was approved with Councilmember Larson abstaining from the vote.

Resolution No. 5415 - Traffic - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously adopted Resolution No. 5415, 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: remove a no parking zone and permit parking fronting 631 West State Street; provide four diagonal parking spaces fronting 631 West State Street to match existing adjacent street parking.

Resolution No. 5416 - Traffic - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously adopted Resolution No. 5416, 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: remove forty feet of no parking zone on the west side of Cajon Street, north of Fern Avenue, beginning five feet south of the southerly doctor's emergency driveway and extending forty feet to the south.

Resolution No. 5417 - Traffic - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously adopted Resolution No. 5417, 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 no parking zones for fire lanes on Prospect Drive between Highland Avenue and the south end of Prospect Park, and on the north side of Prospect Drive from Cajon Street to the entrance of Prospect Park.

Fee Waiver - Redlands Bowl - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved the waiver of fees for use of the Redlands Bowl by the Girl Scouts of America for their annual Girl Scout Night Walk.

Agreement - Workers' Compensation - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved an agreement with Southern California Risk Management Associates (SCRMA) to

act as the third party administrator for the City of Redlands' workers' compensation claims.

Contract - Youth Ensemble of Strings - Police Chief Nelson recommended changing Section 11 of the contract between the City of Redlands and Karen Thurman for services as conductor for the Youth Ensemble of Strings to reflect that the contractor will be responsible for payments to any subcontractors. On motion of Councilmember Gilbreath, seconded by Councilmember Cunningham, the City Council unanimously approved this contract as amended and authorized the Mayor and City Clerk to execute the document on behalf of the City.

Agreement - Community Park Fields Upgrade - On motion of Councilmember Gilbreath, seconded by Councilmember Larson, the City Council unanimously approved an agreement between the City of Redlands and Inland Empire Stars Baseball Team to upgrade Community Park fields in lieu of paying user fees, and authorized the Mayor and City Clerk to execute the document on behalf of the City.

LATE BREAKING ITEM

Insurance Waiver - Boys and Girls Club - Mayor Larson announced the Boys and Girls Club of Redlands is hosting a fund raiser on October 5, 1997, at the Redlands Bowl and has requested the City Council to waive the insurance requirements. Noting that the need to take action was immediate, Councilmember Cunningham moved to add this request to the agenda which arose subsequent to the agenda being posted. Motion seconded by Councilmember Gil and carried unanimously. Councilmember Larson moved to waive the insurance requirements for the Boys and Girls Club of Redlands as requested. Motion seconded by Councilmember Cunningham and carried unanimously.

COMMUNICATIONS

Amendment - Santa Ana River Wash - Community Development Director Shaw explained the City of Redlands joined the City of Highland, County of San Bernardino, and the Water Conservation District by entering into a "Memorandum of Understanding Regarding Coordinated Planning Activities Pertaining to the Santa Ana River Wash" (MOU) in March of 1993. The MOU created a committee to coordinate the planning activities related to the Santa Ana River Wash Area. This committee met on July 22, 1997, to discuss the proposed Development Agreements and Draft Environmental Impact Reports filed recently by Sunwest Materials and Robertson's Ready Mix. The committee was also briefed on the activities of the ad hoc group that had been

meeting since January of 1997 to discuss the relationships between mineral extraction, habitat management, and water conservation. Based on activities of the ad hoc group, the committee concluded that the MOU should be revised to accommodate the following and request each of the participating agency's formal review and approval:

- The committee would be known as the "Wash Committee."
- The Bureau of Land Management (BLM) would become a Party to the MOU.
- The Parties to the MOU would have one primary and one alternate representative but each Party would have only one vote on the Wash Committee.
- The representative for the County of San Bernardino would be the Third District Supervisor who would represent both the County staff and the Flood Control District.
- The Wash Committee would have two levels of internal committees. The elected officials and BLM would constitute a Policy Action Committee (PAC) and staff level personnel from those and other agencies that are affected by or can affect activities in the Wash would constitute a Technical Advisory (TAC) which would be subordinate to the PAC.
- The Water Conservation District would permanently chair the PAC. The TAC would elect its own leadership. The Water Conservation District would provide staff support for the PAC and TAC.
- The ad hoc group would become the TAC.
- Other agencies, such as environmental activist groups, may be invited to attend the TAC meetings as "Associate" members.

Noting this committee is dealing with an important issue, Councilmember Cunningham moved to approve the First Amendment to the Memorandum of Understanding Regarding Coordinated Planning Activities Pertaining to the Santa Ana River Wash Area and authorized the Mayor and City Clerk to sign the agreement on behalf of the City. Motion seconded by Councilmember Banda and carried unanimously.

Funds - Colton and Wabash Intersection Improvements - Public Works Director Mutter reported his staff submitted, on behalf of the City, an application for funding in the amount of \$562,000.00 for the construction of improvements at the intersection of Wabash Avenue and Colton Avenue. The funding source is the Surface Transportation Program as established by the Intermodal Surface Transportation Efficient Act. The application was submitted to San Bernardino Associated Governments which is administering the program. Word has been received that the project was approved for funding thanks to Mayor Larson's lobbying efforts. According to program requirements, the project must be contracted for construction within one year of the grant being approved. The

total cost of the project is estimated to be \$1,032,000.00 including contingencies and design costs. The total grant amount of \$562,000.00. The local match totals \$470,000.00 consisting of \$80,000.00 in design cost from the City of Redlands; \$90,000.00 committed from the County of San Bernardino; and \$300,000.00 committed from the Redlands Unified School District. The City of Redlands will be the lead agency for the project. Public Works staff will provide all coordination with Caltrans in administering the project and will also provide contract administration and inspection during the project. Councilmember Larson moved to approve the Colton and Wabash Avenues Intersection Improvement Project, to appropriate \$80,000.00 in local Measure "I" funds for the design of the improvement, and to authorize staff to begin the process for selection of a consulting engineer to design the project. Motion seconded by Councilmember Banda and carried unanimously.

Redlands East Valley High School Annexation - City Manager Luebbers reported to the City Council that this issue of the Redlands East Valley High School annexation has been dormant while awaiting the outcome of the funding for the Colton and Wabash Avenues intersection. Assisted by Community Development Director Shaw, the boundaries of the proposed annexation were described. Councilmembers agreed the Redlands Unified School District should take the lead to re-open annexation discussions and concurred to schedule this for the October 7, 1997, Council meeting, and directed staff to notify the School District personnel of our meeting and their need to work with adjacent property owners to address their concerns.

Majestic Realty - Brook Morris, Executive Vice President of Majestic Realty, addressed the City Council indicating their willingness to once again try to meet with the City and have their project be a part of the City. He indicated they were prepared to pay developer fees according to the March 1996 schedule; willing to pay up to \$300,000.00 in legal fees; willing to be annexed to the City; and agreed not to initiate any new lawsuits against the City. He felt their project was fully consistent with the East Valley Specific Plan and the Redlands General Plan except for signage which he thought was negotiable. He urged the City Council to proceed with the preparation of the development agreement and annexation proceedings. John Mirau, attorney for Majestic, explained that there are three lawsuits still pending and that they will need to file responses to meet deadlines. He asked the City Council to direct staff to provide them, in writing, the comparisons to comply with Redlands' standards; to address the EIR, and explain the effect of Measure "U" (the initiative on the November 1997 ballot which will establish principles of managed development). He also reiterated their understanding there would be no increase in fees from prior negotiations, and urged the City to proceed with the development agreement and staff analysis. Councilmembers concurred to direct staff to begin the process.

Gun Bounty Program - Police Chief Nelson reviewed the Monrovia Police Department program entitled "Stop Gun Violence Bounty Program" and a similar program "Crime Stoppers" which was begun in 1976 by an Albuquerque, New Mexico police detective. Crime Stoppers has grown to be an internationally used system which provides a City with an operating structure than can be modified to meet the individual needs of a participating community. Police Chief Nelson recommended that if the City should decide to commit resources to the development of a program which solicits confidential information and which, upon request, can result in a monetary reward of private funds to the informant, that the program be modeled on the Crime Stoppers system. This recommendation is based on the Crime Stoppers broader approach to soliciting criminal information, greater community commitment and participation, and the potential for a larger return on a similar operating cost. Councilmembers were enthusiastic about the Crime Stoppers program and asked Police Chief Nelson to keep them posted on its progress.

Funds - Texonia and Community Parks - Public Works Director Mutter reported the results of staff's study of the restroom facilities at several parks to determine the needs and the cost to rehabilitate these facilities to current standards using heavy-duty stainless steel type fixtures. He also reported on the estimated costs of replacing the ballfield lighting on Field No. 1 (the large baseball field) in Community Park. It was noted that Flemington Electric had previously submitted a bid to replace the field lighting which included some donated services (such as design and labor). Councilmember Cunningham moved to direct staff to more thoroughly review the estimated costs for the restrooms and field lighting at Community Park and inquire about the possibility of donated materials and labor; to move forward to complete restroom repairs and rehabilitation at Texonia Park; and to approve an additional appropriation up to \$10,000.00 from the General Fund to cover these improvements. Motion seconded by Councilmember Larson and carried unanimously.

CLOSED SESSION

Late Breaking Item - City Attorney McHugh announced he and the City Manager had just received information from the City's special legal counsel relating to negotiations for acquisition of properties along Eureka Street. Councilmember Cunningham moved to add a closed session item to the agenda as a "late breaking" item as information was received from the City's legal counsel after the posting of the City Council agenda and that the need to take action was immediate; said item related to negotiation with property owners Schuler, Richards et al and Crain for acquisition of property along Eureka Street for the Eureka Street Widening Project. Motion seconded by Councilmember Gilbreath and carried with Councilmember Larson abstaining due to a possible conflict of interest.

The City Council meeting recessed at 4:09 P.M. to a Redevelopment Agency meeting and reconvened at 4:10 P.M. to a closed session to discuss the following:

1. Conference with labor negotiator - Government Code §54967.6
Agency negotiator: Gary Luebbers
Employee organization: Redlands Association of Safety Management Employees
2. Conference with real property negotiator:
 - Property: APN 292-192-23 located at the southeast corner of Park Avenue and Kansas Street
 - Negotiating parties: Gary Luebbers and Larry Woolace
 - Under negotiation: Terms and price

The meeting reconvened at 7:00 P.M.

INTRODUCTIONS

Candidates - Mayor Larson introduced City Councilmember candidates present at this session of the meeting: Tim Johnson, Robert Mollenauer, Gary George, Mayor Pro Tem Gilbreath, and Councilmember Gil.

PUBLIC HEARINGS

Ordinance No. 2358 - Construction Fees - Councilmember Gilbreath moved to continue this public hearing to October 7, 1997, as recommended by staff. Motion seconded by Councilmember Gil and carried unanimously.

Resolution No. 5413 - Certificates of Participation - ABHOW - Public hearing was advertised for this time and place to consider approval of the issuance of certificates of participation for American Baptist Homes of the West (ABHOW) to assist in the refinancing of the acquisition, construction and development of a continuing care retirement facility, one of which is commonly known as Plymouth Village located at 900 Salem Drive. Interim Finance Director Kundig explained that the certificates of participation will be executed and delivered by the Association of Bay Area Governments Finance Authority (ABAG) for Nonprofit Corporation, not the City, the Internal Revenue Code of 1986 requires that "applicable elected representatives" with respect to the project hold a public hearing and adopt an approving resolution. Since the Plymouth Village facility is within the jurisdiction of the City, the City Council of the City of Redlands would be considered the "applicable elected representatives" but this would not create any debts, liabilities, or obligations of the City. Mayor Larson declared the meeting open as a public hearing for any questions or comments. Julie Michaels, Executive Director of Plymouth Village, urged approval of this

matter. There being no further comments, the public hearing was declared closed. Councilmember Gilbreath moved to adopt Resolution No. 5413, a resolution of the City Council of the City of Redlands, California, approving the financing of a continuing care retirement facility by the ABAG Finance Authority for Nonprofit Corporations. Motion seconded by Councilmember Cunningham and carried unanimously.

Ordinance No. 2361 - Skateboard Park - Public hearing was advertised for this time and place to consider Ordinance No. 2361, an ordinance of the City of Redlands adopting Amendment No. 3 to Specific Plan No. 45 and amending Ordinance Nos. 2185 and 2269, to allow "Skateboard Parks" as a permitted use in the Town Center Historic District of Specific Plan No. 45 subject to approval of a Conditional Use Permit. Community Development Director Shaw explained this amendment as recommended by the Planning Commission. Mayor Larson declared the meeting open as a public hearing for any questions or comments. Victoria Hargrave urged the City Council to approve their application to begin the process of building a skateboard park on their property which is currently a nursery. There being no further comments, the public hearing was declared closed. Councilmember Larson moved to approve the Environmental Review Committee's Negative Declaration for Ordinance No. 2361 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. Noting the children of Redlands were very lucky to have people like Mrs. Hargrave working for them, Councilmember Banda seconded the motion which carried unanimously. Ordinance No. 2361 was read by title only by City Clerk Poyzer, and on motion of Councilmember Larson, seconded by Councilmember Cunningham, further reading of the ordinance text was unanimously waived, and Ordinance No. 2361 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for October 7, 1997.

California Street Landfill Borrow Site - Public hearings were advertised for this time and place to consider the following:

- (1) Resolution No. 5410, a resolution of the City Council of the City of Redlands adopting Amending No. 64 to the General Plan of the City of Redlands, to change the General Plan map from O (Open Space) to PI (Public Institution) designation for the entire California Street Landfill Borrow Site; and
- (2) Ordinance No. 2364, an ordinance of the City of Redlands amending Section EV3.1213 of Specific Plan No. 40 (East Valley Corridor Specific Plan) by adopting a revised land use district map as part of the Official Land Use Map and effecting amendment No. 9 to Specific Plan No. 40 to

change the mapping for the East Valley Corridor Specific Plan use from EV/OS (Open Space) district to EV/PI (Public Institutional) District and to change the list of conditionally permitted uses in the EV/PI (Public Institutional) District to include borrow/mining operating and loan consolidation.

Community Development Director Shaw and Solid Waste Manager Shatynski explained that Conditional Use Permit No. 599 is for a vertical expansion of the landfill to 1,238 feet above sea level and a revision to the Solid Waste Facilities permit. Conditional Use Permit No. 592 is for a fifteen acre horizontal expansion of the borrow site and use of the borrow site area which will include the storage of imported soil and the potential placement of a load consolidation facility. This request is consistent with the remainder of the City property in the area. The landfill and the wastewater treatment plant also have the same General Plan designation as is being requested for the borrow area. Both parcels are also adjacent to other Public Institutional properties so the end result will be contiguous land area designated PI (Public Institutional). The request for the change to the General Plan is appropriate and consistent with the proposed and surrounding land uses. Mayor Larson 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 approve the Environmental Review Committee's Negative Declaration for Resolution No. 5410 and Ordinance No. 2364 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 Cunningham and carried unanimously. Councilmember Gilbreath moved to adopt Resolution No. 5410 for approval of General Plan Amendment No. 64. Motion seconded by Councilmember Cunningham and carried unanimously. Ordinance No. 2364 for approval of Amendment No. 9 to Specific Plan No. 40 was read by title only by City Clerk Poyzer, and on motion of Councilmember Gilbreath, seconded by Councilmember Cunningham, further reading of the ordinance text was unanimously waived, and Ordinance No. 2364 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for October 7, 1997.

UNFINISHED BUSINESS

Ordinance No. 2362 - Ephedrine Purchases - Ordinance No. 2362, an ordinance of the City Council of the City of Redlands adding Chapter 9.34 to the Redlands Municipal Code relating to the regulation of ephedrine purchases, was presented at the September 2, 1997, Council meeting. Police Chief Nelson reported that since that meeting, the proposed ordinance has been revised to restrict the sale

or purchase of pseudoephedrine based products to four packages with a total count not exceeding 100. The recommended total count was amended to coincide with the proposed County of San Bernardino ordinance and to be consistent with recent changes in packaging. These limits are agreeable with industry representatives and will promote a standardization for local ordinances. Ordinance No. 2362 was read by title only by City Clerk Poyzer. Councilmember Cunningham moved to amend Section 9.34.030 to indicate that the total count would coincide with State and Federal law, and moved to waive further reading of the of the ordinance text, re-introduce Ordinance No. 2362, and to lay over under the rules with adoption scheduled for October 7, 1997. Motion seconded by Councilmember Gil and carried unanimously.

Outside Utility Connections - Tentative Tract No. 13768 - An outside the City utility connection (OSC 97-30) request was continued from the August 5, 1997, Council meeting. Municipal Utilities Director Phelps explained in detail processing of an application for water and sewer connections for property outside the city limits. Outside City Case (OSC) No. 97-30 is an application for Tentative Tract No. 13768, a 36 lot subdivision on 8.5 acres with 7,200 square foot minimum lot sizes. The project is located in the Mentone area on the northwest corner of Agate Avenue and Nice Avenue, 3/4 of a mile east of the city limits along Wabash Avenue. The property on the south side of Nice Avenue has been proposed by the Redlands Unified School District to be annexed to the City of Redlands along with the new Redlands East Valley School District which would make the project described in this application contiguous to a City of Redlands city limit line and consequently subject to annexation. Noting the set backs and size of lots are not in conformance with the Redlands' General Plan, Councilmember Cunningham moved to find that Tentative Tract No. 13768 is not consistent with the Redlands' zoning standards, directed staff not to prepare a pre-annexation agreement with the development, and to determine that the public health, safety, and welfare and the best interests of the citizens of Redlands are not served by the City's continued processing of this application. Motion seconded by Councilmember Larson and carried unanimously.

NEW BUSINESS

Fee Waiver - YWCA - On behalf of the Board of Directors o the YWCA, Executive Director Nancy Arias requested the City Council to consider a waiver of the \$360.00 application fee for a minor exception permit from the Fence Committee to replace the existing four-foot fence with a six-foot chain link fence along Cajon Street for their child care program's playground. It was announced that the Redlands Police Officers Association will donate the funding for the fence installation. Councilmember Larson moved to approve

this request for waiver of the application fee. Motion seconded by Councilmember Cunningham and approved unanimously.

Memorandum of Understanding - Safety Management Employees - City Manager Luebbers presented the Memorandum of Understanding for Safety Management Employees which was discussed during the closed session earlier today. Councilmember Larson moved to approve the agreement with the Redlands Association of Safety Management Employees. Motion seconded by Councilmember Gil and carried unanimously.

Due to a possible conflict of interest, Mayor Larson left the City Council Chambers; Mayor Pro Tem Gilbreath conducted the remainder of the meeting.

Eureka Street Widening Project - The Public Works Department has been in the process of designing a proposed project for the widening of Eureka Street. The proposed project will require the acquisition of certain properties from private owners fronting on Eureka Street. Accordingly, offer letters have been sent out to persons owning property along Eureka Street and several property owners have expressed interest in selling their property to the City. However, other property owners have indicated their intention to decline the City's offer. Thus, the only way the City may otherwise acquire the necessary property for the proposed project is through eminent domain proceedings. A hearing was noticed for this time and place to consider the following resolutions of necessity:

- (1) Resolution No. 5418 - Assessor's Parcel No. 169-158-19
Robert H. and Hoberley C. Schuller
- (2) Resolution No. 5419 - Assessor's Parcel Nos. 169-156-20 and 21
Lorelei H. Richards Trust, Kent Richards, Karen Gary and Lorelei H. Richards, trustees
- (3) Resolution No. 5420 - Assessor's Parcel No. 169-156-22
David P. And Kathleen A. Crain

City Attorney McHugh explained the nature and scope of the hearing and explained how the offers required by Section 7267.2 of the California Government Code have been made. City Clerk Poyzer stated that notices of this hearing were sent on August 14, 1997, by U. S. Mail to all property owners affected by this proposed project. Public Works Director Mutter reported how the real properties proposed to be acquired relates to the City's purposes and the proposed project and on how the public interest and necessity is required by the proposed project; that the proposed project is planned or located in the manner that will be the most compatible with the greatest public good and with the least private injury; and that these properties are necessary for the proposed project. Eureka Street between Redlands Boulevard and the I-10 Freeway currently exists as a 40 foot wide, two-lane roadway. There are no significant

improvements such as sidewalks, street lights, or landscaping along this route, other than the work just completed fronting the Krikorian Theatre project. The only offramp for eastbound traffic on the I-10 Freeway through Redlands accessing the downtown area is at Eureka Street. At the bottom of the offramp, traffic normally proceeds across Eureka Street to Orange Street. However, Eureka Street is becoming a major entry point to businesses between Texas Street and Orange Street and the Redlands central business district. Plans are currently being developed to bring Metrolink to Redlands. The main Metrolink platform or station will be located at the old Santa Fe Station between Eureka Street and Orange Street. Access and parking for this station will be via both Eureka Street and Orange Street. In order to promote a "friendly" and aesthetic route to the central business district and the proposed Metrolink station, improvements to Eureka Street are necessary. It is proposed to widen Eureka Street to a 64 foot wide four-lane roadway with a ten foot landscaped median island. Approximately 27 feet of right-of-way width will be required. It is proposed to acquire this right-of-way entirely from the easterly side of the street.

City Clerk Poyzer noted that one request to be heard has been received from Brunick, Alvarez & Battersby, attorneys acting on behalf of the Schullers and Crains. Mayor Pro Tem Gilbreath called upon all persons with an interest in the property who wished to be heard. Representing the Schullers and Craines, Attorney Leland McElhaney informed Councilmembers they did not challenge the necessity of the public works project, but did want to make sure there was no suggestion of any waiver of any claims to just compensation either for the property interest taken or affected by this project, including claims for relocation assistance and any damages that may have resulted from the pre-condemnation activity. Mayor Pro Tem Gilbreath then called upon all other persons who wished to be heard on the proposed project. None being forthcoming, the hearing was closed.

Resolutions Nos. 5418-5420 - Eminent Domain - Councilmember Cunningham moved to adopt Resolution No. 5418, a resolution of the City Council of the City of Redlands declaring that the acquisition of the fee interest in certain real property by eminent domain is necessary for the construction of the City of Redlands' proposed Eureka Street Widening Project (Assessor's Parcel No. 169-156-19, owned in fee by Robert H. Schuler and Hoberley C. Schuler). Motion seconded by Councilmember Gil and carried with Councilmember Larson abstaining due to a possible conflict of interest. Councilmember Cunningham moved to adopt Resolution No. 5419, a resolution of the City Council of the City of Redlands declaring that the acquisition of the fee interest in certain real property by eminent domain is necessary for the construction of the City of Redlands' proposed Eureka Street Widening Project (Assessor's Parcel Nos. 169-156-20 and 21, owned in fee Lorelei H. Richards Trust, Kent

Richards, Karen Gary, and Lorelei H. Richards, trustees). Motion seconded by Councilmember Gil and carried with Councilmember Larson abstaining due to a possible conflict of interest. Bruce Beach, special legal counsel, recommended that Section 7 of Resolution No. 5420, a resolution of the City Council of the City of Redlands declaring that the acquisition of the fee interest in certain real property by eminent domain is necessary for the construction of the City of Redlands' proposed Eureka Street Widening Project (Assessor's Parcel No. 169-156-22, owned in fee by David P. Crain and Kathleen A. Crain), be amended changing the period of "1 year" to read "six months." Councilmember Cunningham moved to adopt Resolution No. 5420 as amended. Motion seconded by Councilmember Gil and carried with Councilmember Larson abstaining due to a possible conflict of interest.

Eureka Street Parking - On behalf of ten landowners and tenants on the west side of the 50 block of North Eureka Street, Mr. William L. Conley requested the City modify its street improvement plan, known as Eureka Street Phase 2, to retain existing parking on the west side of Eureka Street between Pearl and Stuart Streets. He urged the City Council to continue this matter and return the package to the Planning Commission for further discussion. Also urging retention of the street parking were: Edward Rivera, on behalf of Napa Auto Parts, Marion Conley, Gay Richards, and Michelle Faraj. Public Works Director Mutter explained that Eureka Street is envisioned to become a major arterial route from the freeway to the westerly end of downtown. It is a major access to the Redlands Mall, the new theater complex, the proposed Metrolink station, and other future development along this area. The focus for this street is to carry a significant volume of traffic and relieve traffic congestion on Orange Street. The plan for Eureka Street was developed utilizing appropriate guidelines established in the downtown specific plan. The majority of the properties along Eureka Street were either vacant or non-conforming type uses that would be redeveloped in the future. Therefore, a plan was developed similar to the existing plan for Sixth Street between Redlands Boulevard and Pearl Avenue. Eureka Street would be reconstructed and widened to a four-lane roadway with a ten foot wide landscaped and illuminated median. Parking for the area would be best served by off-street facilities and no street parking would be provided. Mr. Mutter reviewed the status of the Eureka Street Widening Project and the effect of Mr. Conley's proposal. The City Council did not take any action on this matter.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 8:10 P.M. The next regular meeting will be held on October 7, 1997.

Mayor of the City of Redlands

ATTEST:

City Clerk



September 16, 1997