

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 December 3, 2002.

PRESENT Karl N. (Kasey) Haws, Mayor
Susan Pepler, Mayor Pro Tem
Pat Gilbreath, Councilmember
Gary George, Councilmember
Jon Harrison, Councilmember

ABSENT None

STAFF John Davidson, City Manager; Daniel J. McHugh, City Attorney; Lorrie Poyzer, City Clerk; 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 (afternoon session); Douglas Headrick, Water Resources Chief (evening session); and Jeffrey L. Shaw, Community Development Director.

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

PRESENTATION

Introduction - Wayne Stair, President of the Redlands Chamber of Commerce introduced Ralph Megna, the new Economic Development Director. Mr. Megna expressed his honor and pleasure to be in Redlands as he really wanted this job and opportunity.

Mill Creek No. 1 Hydroelectric Plant - Southern California Edison Company's Region Manager Beverly Powell invited Councilmembers and residents to visit the permanent exhibit at the San Bernardino County Museum featuring the Mill Creek No. 1 Hydroelectric Plant, the oldest operating generating plant. Built in 1893, it was the first three-phase, alternating-current generation station in the world. A reception will be held today (December 3, 2002) at 6:00 P.M.

CONSENT CALENDAR

Minutes - On motion of Councilmember Gilbreath, seconded by Councilmember Pepler, the minutes of the regular meeting of November 19, 2002, were approved as submitted.

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

CFD-2001-1 Annual Report - On motion of Councilmember Gilbreath, seconded by Councilmember Peppler, the City Council unanimously accepted the annual report for Community Facilities District (CFD) 2001-1 as required by SB 165.

Fee Waiver - Showmobile - Councilmember Harrison asked the City Manager to write to the City of Highland asking them to show their use of Redlands businesses to offset the fees they are requesting be waived for the use of our Showmobile. He then moved to authorize a waiver of \$550.00 in fees for the City of Highland Historic and Cultural Preservation Board for the one day use of the Showmobile providing that certain other requirements noted in the rental contract are met for towing, set-up, a deposit, insurance coverage, and rental period. Motion seconded by Councilmember Peppler and carried unanimously.

Fee Waiver - The Compassionate Friends - On motion of Councilmember Gilbreath, seconded by Councilmember Peppler, the City Council unanimously approved the request by The Compassionate Friends for waiver of the \$25.00 reservation fee for use of Smiley Park for a memorial ceremony on December 8, 2002, with the following conditions: The \$200.00 cash clean-up deposit shall be posted as required by the Public Works Department; any use of candles where hot wax drips on the Lincoln Shrine walkways, steps, patios, etc., the wax shall be completely removed from all affected areas as required by the Library/Lincoln Shrine; and participants may hold the candles during the services if placed in the approved, stationary containers as required by the Fire Department.

Funds - Agreement - Property Appraisal - Redlands Municipal Airport - On motion of Councilmember Gilbreath, seconded by Councilmember Peppler, the City Council unanimously appropriated \$4,800.00 to the Special Aviation Operating Fund and approved an agreement with Parkcenter Consultants, Inc. dba Parkcenter Realty Advisors to conduct a property appraisal at the Redlands Municipal Airport, and authorized the Mayor and City Clerk to execute the document on behalf of the City.

Capital Items Purchase - On motion of Councilmember Gilbreath, seconded by Councilmember Peppler, the City Council unanimously approved the purchase of one new computer system and a new low-band radio repeater system as included in the approved FY 2002-03 Public Works and Municipal Utilities Departments' budgets.

Lien Agreement - On motion of Councilmember Gilbreath, seconded by Councilmember Peppler, the City Council unanimously authorized the release of the lien agreement dated April 27, 1988, for improvements fronting 1550-1594 North Orange Street and authorized the Mayor and City Clerk to execute the document on behalf of the City.

Ordinance No. 2526 - Water and Wastewater Service Fees and Charges - Ordinance No. 2526, an ordinance of the City of Redlands amending Chapters 3.42, 3.52, and 3.62 of the Redlands Municipal Code relating to water and wastewater service fees and charges, was unanimously adopted on motion of Councilmember Gilbreath, seconded by Councilmember Peppler.

Ordinance No. 2527 - Sewer and Water Capital Improvement Charges - Ordinance No. 2527, an ordinance of the City of Redlands amending Chapters 3.44 and 3.48 of the Redlands Municipal Code relating to sewer and water capital improvement charges, was unanimously adopted on motion of Councilmember Gilbreath, seconded by Councilmember Peppler.

Agreement - California Street Landfill - On motion of Councilmember Gilbreath, seconded by Councilmember Peppler, the City Council unanimously approved an agreement with Vector Engineering, Inc. to furnish engineering services for the expansion and operational support of the California Street Landfill.

Contract - Recycled Water Project - On motion of Councilmember Gilbreath, seconded by Councilmember Peppler, the City Council unanimously approved a Southern California Integrated Watershed Program Grant Funding Contract Amendment No. 1 with the Santa Ana Watershed Project Authority and authorized the Mayor and City Clerk to execute the document on behalf of the City. This grant provides \$5 million in funding for the Recycled Water Project.

Ordinance No. 2528 - Airport Security - Ordinance No. 2528, an ordinance of the City of Redlands amending Chapter 12.56 of the Redlands Municipal Code to establish policies and procedures regarding security at the Redlands Municipal Airport, was unanimously adopted on motion of Councilmember Gilbreath, seconded by Councilmember Peppler.

Lease Agreement - Trinity Community Foundation - The request for approval of a lease agreement with Trinity Community Foundation for property located at 1006 Oxford Street for an after-school program was continued until later in the meeting to allow time to bring a copy of the document into the meeting for Councilmember Harrison to review. Following his review, Councilmember Haws moved to approve the lease agreement and authorized the Mayor and City Clerk to execute the document on behalf of the City. Motion seconded by Councilmember Peppler and carried unanimously.

Contract Award - Texonia Park Renovation Project - Bids were opened and publicly declared on October 31, 2002, by the City Clerk for the Texonia Park Renovation Project; a bid opening report is on file in the Office of the City Clerk. It was the recommendation of the Recreation Division of the Police Department and approved by the San Bernardino County Department of Economic and Community Development for the CDBG project that the

responsible bidder submitting the bid for said project which will result in the lowest cost for the City was Cora Constructors in the amount of \$115,000.00, and it would be in the best interest of the City that this contract be awarded to said firm. On motion of Councilmember Gilbreath, seconded by Councilmember Peppler, the City Council unanimously approved this recommendation.

PLANNING AND COMMUNITY DEVELOPMENT

CUP 716 - Time Extension - Community Development Director Shaw presented a request continued from November 19, 2002, for a one year time extension for Conditional Use Permit No. 716 to construct a 39,025 square foot three-story hotel containing 61 rooms on 3.25 acres located along the south side of the Interstate 10 Freeway, west of Tennessee Street, in the General Commercial District of the East Valley Corridor Specific Plan (Megan B. Patel, applicant). Community Development Director Shaw reviewed the proposed project and addressed concerns which have been raised over the potential impact this project could have upon development of a hotel within the downtown. On behalf of the applicant, Hitesh Bhakia addressed the City Council and answered their questions at length. Jeff Rubin, Choice Hotels, and Chuck Marsh, developer of Tri-City Center, also addressed the City Council. Following a lengthy discussion, Councilmembers asked the applicant if they would be willing to continue this request for another two weeks to allow Economic Development Director Ralph Megna the opportunity to bring in his thoughts. As this was acceptable, Councilmember Haws moved to continue this request for two weeks (December 17, 2002). Motion seconded by Councilmember George and carried unanimously.

COMMUNICATIONS

Planning Code - Councilmember Harrison proposed the formation of a sub-committee of the City Council and the Planning Commission (i.e., two persons from each body) to work with the Community Development Department and the City Attorney to assess the underlying issue of the outdated provisions of Zoning Code (Title 18 of the Redlands Municipal Code) and recommend priorities for code modifications or other actions to resolve recent questions regarding permitted land use, development regulations, and land use policies for different locations throughout the City. These recommendations would then be brought before the Planning Commission and City Council for consideration and formal action. Councilmember Harrison volunteered to serve on this sub-committee. By consensus, Councilmember Harrison was authorized to move forward with this proposal and formalize the sub-committee after its membership has been determined.

Fee Waiver Request - Citrone Restaurant - Michael C. Phillips, Citrone Restaurant & Bar, has requested the City Council to consider waiving

development fees and contributing additional funds to the redevelopment of the property located at One East State Street. Noting this building was the "gateway" to State Street and Mr. Phillips has proven to be an asset to the community in his past endeavors, the City Council, by consensus, referred this request to staff for study and a report to the Redevelopment Agency's Board of Directors.

Street Tree Trimming Projects - Mayor Pro Tem Peppler reported the City Attorney has written a letter and notified Southern California Edison (SCE) of our existing regulations regarding street tree trimming permits and informed them they are required to comply with our Code; no response has been received to date. City Attorney McHugh informed Councilmembers an attorney for SCE has the letter and response is expected. Public Works Director Mutter said the new City Forester will be on board December 16, 2002, and will be assigned the duty of clarifying our procedures. Councilmember George suggested we ask SCE to assist in working with the State Public Utilities Commission to allow use of the undergrounding funds for other more economic solutions such as alley arms.

JOINT MEETING - CITY COUNCIL AND REDEVELOPMENT AGENCY

Resolution No. 6108 - First Time Home Buyer Program - Councilmember George moved to adopt Resolution No. 6108, 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 Peppler and carried unanimously. (Also see Redevelopment Agency minutes for December 3, 2002.)

CLOSED SESSION

The City Council meeting recessed at 4:44 P.M. to continue the Redevelopment Agency meeting and reconvened at 4:45 P.M. to a closed session held in accordance with Government Code Section 54956.8 to hold a conference with its real property negotiator further described as follows:

Property: APN Nos. 292-172-03, 292-172-05 and 292-166-09
Negotiating parties: John Davidson and Theron and Geneil Vines
Under negotiation: Terms and price

The meeting reconvened at 7:00 P.M.

ANNOUNCEMENTS/REPORTS

Councilmembers reported on their activities and attendance at meetings during the past two weeks.

LAND USE AND PUBLIC HEARINGS

Buoye Properties - Consideration of a draft mitigated negative declaration and public hearings for Socio-Economic Analysis and Cost/Benefit Study was continued to this meeting for: Variance No. 640, a variance from Section 18.168.220A of the Redlands Municipal Code to reduce the required 25-foot landscaped setback from the freeway right-of-way to seven feet on the south side of Colton Avenue, west of Eureka Street (APN 169-142-07) in the C-4 (Highway Commercial) District; Planning Commission Review and Approval No. 743 for the construction of two auto repair buildings with a floor area of 5,741 square feet each located on two lots with areas of 20,567 and 20,703 square feet respectively on the south side of Colton Avenue, west of Eureka Street (APN 169-142-07) in the C-4 (Highway Commercial) District; Minor Subdivision No. 262, the subdivision of 1.56 acres into three commercial lots on the south side of Colton Avenue, west of Eureka Street (APN 169-142-07) in the C-4 (Highway Commercial) District. Community Development Director Shaw reported this project was continued from the October 15, 2002, and November 19, 2002, City Council meetings for the applicant to consider different land uses for the property. At the November 19th meeting, the applicant reported he had met with members of the City Council and members of the north side. As a result of those discussions, he revised the architectural elevations. The architectural elevations were reviewed and found acceptable by the north side representatives and were presented at the City Council meeting. Mr. Buoye also stated he would work hard to find non-automotive tenants for the building. In response to some of the Councilmembers' discussion on their ability to regulate the use of the property, Community Development Director Shaw said that if they wished to modify the types of uses allowed in a particular area, it would be required to change the underlying zone. Many years ago, a prior City Council had concerns about the types of land uses on Colton Avenue and directed staff to develop an alternative zone for this area. Staff, in concert with the neighborhood, created the APC zone which allows office uses and certain limited retail commercial uses (a hybrid of Office and Neighborhood Commercial). This zone change was never adopted by the City Council as a result of concerns raised by the property owners that the new zone was too restrictive. At the last City Council meeting, Councilmember Harrison included both sides of Colton Avenue within the boundaries to be evaluated as apart of the Revised Downtown Specific Plan. The outcome of the planning study for the Revised Downtown Specific Plan may result in a new zone district for this area. The new zone district could prohibit or conditionally permit automotive uses.

Mayor Haws declared the meeting open as a public hearing. Mark Buoye reported he had met with the new Economic Development Director and the northside groups again. Rosa Gómez read a letter from Ediberto Flores, Northside Impact Committee. Representing the Northside Advisory

Committee, Ms. Gómez commended Messrs. Buoye and Brandstetter for their efforts and indicated they will be holding monthly meetings to assist in finding a viable tenant for the building. Mr. Flores and Ms. Gómez also shared their thoughts and vision for the future along Colton Avenue. Mr. Buoye indicated he was willing to include a condition addressing the concerns about an automotive repair or retail use. There being no further comments, the public hearing was closed.

Mitigated Negative Declaration - Councilmember Gilbreath moved to approve the Environmental Review Committee's mitigated negative declaration for Minor Subdivision No. 262, Planning Commission Review and Approval No. 743, and Variance No. 640 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 Harrison and carried unanimously.

Socio-Economic Analysis and Cost/Benefit Study - Councilmember Gilbreath moved to approve the Socio-Economic Analysis and Cost/Benefit Study for Minor Subdivision No. 262, Planning Commission Review and Approval No. 743, and Variance No. 640 as it has been determined that this project will not create unmitigable physical blight or overburden public services in the community and no additional information or evaluation is needed. Motion seconded by Councilmember Harrison and carried unanimously.

Minor Subdivision No. 262 - Councilmember Gilbreath moved to approve Minor Subdivision No. 262 subject to the findings and conditions of approval and department recommendations contained in the staff report. Motion seconded by Councilmember Harrison and carried unanimously.

Variance No. 640 - Councilmember Gilbreath moved to approve Variance No. 640 subject to the findings contained in the staff report. Motion seconded by Councilmember Harrison and carried unanimously.

CR&A No. 743 - Councilmember Gilbreath moved to approve Planning Commission Review and Approval No. 743 subject to the findings contained in the staff report and modifying Planning Division conditions as follows: Revise Condition No. 13 to provide "Architectural elevations are approved as substantially revised and presented to the City Council on November 19, 2002;" delete Conditions Nos. 24 and 25; and add a new Condition No. 24 to read "All uses permitted in the C-4 Zone, except automotive repair and automotive retail sales, are permitted uses for this site." Motion seconded by Councilmember Harrison and carried unanimously.

Simon Shum Construction and Development, Inc. - (Due to a potential conflict of interest, Councilmember Gilbreath did not participate in this discussion. A public disclosure potential conflict of interest form is on file in the City Clerk's

Office.) Public hearing was continued to this meeting for: Conditional Use Permit No. 757, a conditional use permit for a Planned Residential Development on 2.03 acres for six residential lots and three common lots in the R-S (Suburban Residential) District located north of North Place between Buena Vista Street and Center Street; and Tentative Tract No. 16288, a subdivision of 2.03 acres into six residential lots and three common lots in the R-S (Suburban Residential) District located north of North Place between Buena Vista Street and Center Street. Community Development Director Shaw reported that on September 10, 2002, the Planning Commission voted 4-3 to recommend denial of Tentative Tract No. 16288 and Conditional Use Permit No. 757. On November 12, 2002, the Planning Commission reviewed the same project again after the City Council on October 15, 2002, had continued the project at the request of the applicant. One Planning Commissioner that voted against the project was not present at the November 12, 2002, meeting; the six Planning Commissioners that were present did not change their original vote and no further action was taken. Thus, the original 4-3 vote to recommend denial is again carried forward to the City Council. Community Development Director Shaw reported the City Council adopted a mitigated negative declaration and the Socio-Economic Analysis and Cost/Benefit Study on October 15, 2002, for this project and continued the public hearing for the tentative tract map and conditional use permit to this meeting. The City Council opted to give the applicant another chance with the Planning Commission at the request of the applicant. Community Development Director Shaw also explained the need to take action on this project at this meeting as there are no other statutes under CEQA or the State Planning and Zoning laws to legally delay a final decision on this project.

Mayor Haws declared the meeting open as a public hearing. An attorney for the applicant addressed the City Council regarding the sewer and architectural issues at length. Mr. Shum, the applicant, also addressed the City Council about the gravity-feed sewer problem noting that if they could use sewer pump pads, the lots would not have to be elevated. Opposing the project as proposed were neighbors Tom Westerfield and Roger A. Whitman. There being no further comments, the public hearing was closed.

Conditional Use Permit No. 757 - Councilmember Peppler moved to deny Conditional Use Permit No. 757 based on the findings of fact contained in the staff report. Motion seconded by Councilmember George and carried by AYE votes of all present with Councilmember Gilbreath abstaining.

Tentative Tract No. 16288 - Councilmember Peppler moved to deny Tentative Tract No. 16288 based on the findings of fact contained in the staff report. Motion seconded by Councilmember George and carried by AYE votes of all present with Councilmember Gilbreath abstaining.

CRR Associates, L.P. - Public notice was advertised for this time and place to consider a Draft Mitigated Negative Declaration as well as public hearings for a Socio-Economic Analysis and Cost/Benefit Study for: Resolution No. 6102,

General Plan Amendment No. 83, a General Plan amendment to change the land use designation from Agriculture to Low-Density Residential on approximately 29.2 acres located on the north side of Pioneer Avenue, approximately 1,280 feet east of Church Street; Ordinance No. 2523, Zone Change No. 383, a change of zone from A-1 (Agricultural) District to PRD/R-E (Planned Residential Development/Residential Estate) District on 29.2 acres located on the north side of Pioneer Avenue, approximately 1,280 feet east of Church Street; Resolution No. 6103, Agricultural Preserve Removal No. 99, a removal from the Agricultural Preserve of 29.2 acres in the A-1 (Agricultural) District (proposed to be changed to PRD/R-E District) located on the north side of Pioneer Avenue, approximately 1,280 feet east of Church Street; Tentative Tract No. 16174, the subdivision of 29.2 acres into 69 residential lots and two lettered lots in the A-1 (Agricultural) District located on the north side of Pioneer Avenue, approximately 1,280 feet east of Church Street (proposed to be changed to PRD/R-E District); Conditional Use Permit No. 758, a conditional use permit for a PRD (Planned Residential Development) on 29.2 acres containing 69 residential lots and two lettered lots in the A-1 (Agricultural) District (proposed to be changed to PRD/R-E District) located on the north side of Pioneer Avenue, approximately 1,280 feet east of Church Street; and Variance No. 641, a variance from Section 18.36.090 of the Redlands Municipal Code to allow a front yard setback less than the required 25-foot setback for corner lots 1, 12, 33, 38, 42, 46, 47, 57, 58 and 68 of Tentative Tract Map No. 16174 located on the north side of Pioneer Avenue, approximately 1,280 feet east of Church Street. Community Development Director Shaw described this complex project in detail. Mayor Haws declared the meeting open as a public hearing. A representative from Thatcher Engineering addressed the City Council stating they concurred with the recommendations of the Planning Commission with a few minor changes. These changes were acceptable to staff and incorporated in the following motions of approval. There being no further comments, the public hearing was closed.

Mitigated Negative Declaration - Councilmember George moved to approve the Environmental Review Committee's mitigated negative declaration for Zone Change No. 383 and Tentative Tract No. 16174 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 Peppler and carried unanimously.

Resolution No. 6102 - Councilmember Peppler moved to adopt Resolution No. 6102, a resolution of the City Council of the City of Redlands adopting Amendment No. 83 to the General Plan which changes the land use designation from Agriculture to Low-Density Residential on approximately 29.2 acres located on the north side of Pioneer Avenue, approximately 1,280 feet east of Church Street. Motion seconded by Councilmember George and carried unanimously.

Ordinance No. 2523 - Ordinance No. 2523, an ordinance of the City of Redlands amending Title 18 of the Redlands Municipal Code by adopting a revised land use zoning plan as part of the Official Land Use Zoning Map and effecting Zone Change No. 383, a change of zone from A-1 (Agricultural) District to PRD/R-E (Planned Residential Development/Residential Estate) District on 29.2 acres located on the north side of Pioneer Avenue, approximately 1,280 feet east of Church Street, was read by title only by City Clerk Poyzer, and on motion of Councilmember George, seconded by Councilmember Peppler, was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for December 17, 2002.

Socio-Economic Analysis and Cost/Benefit Study - Councilmember George moved to approve the Socio-Economic Analysis and Cost/Benefit Study for Tentative Tract No. 16174 as it has been determined that this project will not create unmitigable physical blight or overburden public services in the community and no additional information or evaluation is needed. Motion seconded by Councilmember Peppler and carried unanimously.

Resolution No. 6103 - Councilmember George moved to adopt Resolution No. 6103, a resolution of the City Council of the City of Redlands removing property from the City's Agricultural Preserve and amending Resolution No. 6024 by approving Agricultural Preserve Removal No. 99, a removal from the Agricultural Preserve of 29.2 acres in the A-1 (Agricultural) District (proposed to be changed to PRD/R-E District) located on the north side of Pioneer Avenue, approximately 1,280 feet east of Church Street, based on the findings contained in the staff report. Motion seconded by Councilmember Peppler and carried unanimously.

Tentative Tract No. 16174 - Councilmember George moved to approve Tentative Tract No. 16174 subject to the findings, conditions of approval, and all department recommendations contained in the staff report with the following changes:

- Planning Division Condition No. 11 to read: "This approval is for 69 single family lots designed in the PRD concept plus 6.01 net acres of common open space planted in citrus grove and 4.04 net acres in the form of a Linear Park per the requirements of the General Plan. (last sentence deleted)."
- Planning Division Condition No. 16 to read: "To mitigate the potential impacts identified in Section IV.a of the Environmental Checklist, the application shall be required to obtain a Streambed Alteration Agreement from the California Department of Fish and Game, a 404 Permit from the United States Corp of Engineers, and a 401 Certification from the State Regional Water Quality Board prior to issuance of a grading or building permit if applicable. This will ensure that proper encroachment procedures are taken to preserve the critical habitat/environment for the SBKR, the Santa Ana River Woollystar and the Slender-Horned Sping Flower. (Mitigation Measure No. 3)"

- Planning Division Condition No. 25, Item 3 to read: "Roof to be shingle or tile over sheathing, fiberglass insulation, drywall, vented;" and Item 5 to read: "Add STC 26 glazing to all two story homes."

Motion seconded by Councilmember Pepler and carried unanimously.

Variance No. 641 - Councilmember George moved to approve Variance No. 641 based on the findings contained in the staff report. Motion seconded by Councilmember Pepler and carried unanimously.

CUP No. 758 - Councilmember George moved to approve Conditional Use Permit No. 758 subject to the findings, conditions of approval, and all department recommendations contained in the staff report with the changes included in the approval motion for Tentative Tract No. 16174. Motion seconded by Councilmember Pepler and carried unanimously.

Resolution No. 6101 - General Plan Amendment No. 75 - Trails - Public notice was advertised for this time and place to consider a Draft Mitigated Negative Declaration as well a public hearing for an amendment to the General Plan Trails Map to: (a) add 25 new multi-use off-road trails throughout the San Timoteo Canyon and Live Oak Canyon areas; (b) add a new multi-use on-road and off-road trail located south of the Redlands Municipal Airport between Judson Street and Wabash Avenue; (c) add a new multi-use on-road trail along San Timoteo Canyon Road from the San Timoteo Creek crossing to Alessandro Road; (d) relocate a segment of the East Valley Corridor Multi-Purpose Trail from the Southern California Edison easement to the east side of Mountain View Avenue between the Mission Zanja Creek and San Bernardino Avenue; and (e) relocate a segment of the East Valley Corridor Bikeway from Palmetto Avenue/Domestic Avenue to Pioneer Avenue between California Street and Texas Street. Community Development Director Shaw explained this General Plan amendment is a City-initiated request that proposes changes to the existing Trails Map contained in the Open Space and Conservation Element (Figure 7.1) of the General Plan. This amendment established the framework to plan for a more comprehensive trails system within the City but does not entail construction with this approval. Implementation of a trail segment that traverses on a property affected by this amendment would be triggered when new development or improvements are proposed on the property. Conversely, the amendment does not require an affected property owner to construct a trail segment where the property is already developed and no development occurs that would trigger implementation. The off-road trails proposed in this amendment are meant to be used by hikers, joggers, equestrians, and bicyclists and are not intended to serve motorized vehicles or motorcycles. It is forecast that completion of the off-road trails will take many years to realize and generally accomplished one trail segment at a time. Public Works Director Mutter answered questions on behalf of the Trails Committee and the Parks Commission.

At 8:55 P.M., Mayor Haws declared the meeting open as a public hearing. Speaking in support of this proposal were: Dan Rodriguez, Tim Krantz, Harold

W. Willis, Mike Kelly, Frank Sissons, Jim TenBrink, David Matuszak (who also submitted a letter prior to the meeting on behalf of the Friends of Live Oak Canyon), Carolyn D. Laymon, Tim Green, Keith Suchow, Jane Block, Ralph C. Kilborn, Gary Strickland, Lisa Pierce, Greg Ballmer, Teddy Banta, Ed Krick, Roger Bell, Susan Taylor, Rick Lindgren, and Anne Taylor. Opposing the map as presented were: Manuel Cortez, Mimi Dupper, Leroy Hansberger, Terrance Emmershay (also submitted a letter), and Bob Roberts. City Clerk Poyzer reported written comments opposing the General Plan Amendment were received from the following property owners representing approximately 855 acres: Leroy Hansberger, LiveOak Investments; Arthur Gregory, President, Lower Yucaipa Water Company; Art Gregory, Jr.; The Brown Family Partnership; Frank V. Bianchini, Metro California Business Enterprise; Jesus Nolasco, Ranch Eben Ezer; Louis Curti; Larry Curti; Mimi Dupper; Edwin H. Krick, Sr. and Beverly H. Krick; Gilbert and Mimi Dupper; Gayle and Gail Wickerd; Dan J. Harkey, Agent for Owners, Point Center Financial, Inc.; and Michael C. Suman, Nolie S. Howard, and Mary S. Agle. The public hearing was closed at 10:53 P.M.

Mayor Haws felt the proposed map crossed from "connectivity" to "frolic" and was imposing on landowners, and he wanted to give this additional thought. Councilmember Peppler strongly supposed private property rights and expressed concern about lawsuits. Councilmember Gilbreath thought a trail system was an important element but did not want to see it "set in stone." Councilmember Harrison felt more trails were needed especially bike trails in the middle of town which were woefully inadequate. In response to this comment, Public Works Director Mutter noted there is an approved Bikeway Master Plan which is not included on this map. Councilmember George was very discouraged to see this stalling as trails not identified would be trails lost. Mayor Haws said he was willing to walk each trail and asked Mr. Hansberger and Mrs. Dupper to work with him as a sub-committee. He also invited Councilmember George to walk with him and Councilmember George accepted. Mayor Haws then moved to continue this discussion to the first meeting in January (January 7, 2003). Motion seconded by Councilmember Peppler and carried with Councilmembers Harrison and George voting NO.

The City Council meeting briefly recessed at 11:25 P.M. and reconvened at 11:35 P.M.

PUBLIC HEARINGS

Resolution No. 6090 - Underground Utility District No. 11 - Public hearing was advertised and noticed for this time and place to consider Resolution No. 6090, a resolution of the City Council of the City of Redlands establishing

Underground Utility District No. 11 along San Bernardino Avenue between Dearborn Street and Wabash Avenue. Public Works Director Mutter reported the City Council adopted Resolution No. 6089 on November 5, 2002, setting a public hearing for this proposed underground district which provides that the distribution system, including related overhead wires and associated overhead structures shall be removed and underground installation made in the district along the course of the reconstruction and widening of San Bernardino Avenue. Costs associated with the undergrounding of facilities are paid by the various utility companies involved through the Rule 20A program. Mayor Haws declared the meeting open for any questions or comments. None being forthcoming, the public hearing was declared closed. Councilmember Harrison moved to adopt Resolution No. 6090. Motion seconded by Councilmember Peppler and carried unanimously.

Resolution No. 6092 - Underground Utility District No. 12 - Public hearing was advertised and noticed for this time and place to consider Resolution No. 6092, a resolution of the City Council of the City of Redlands establishing Underground Utility District No. 12 along Terracina Boulevard between Brookside Avenue and Olive Avenue. Public Works Director Mutter reported the City Council adopted Resolution No. 6091 on November 5, 2002, setting a public hearing for this proposed underground district which provides that the distribution system, including related overhead wires and associated overhead structures shall be removed and underground installation made in the district to provide for the preservation of palms along Terracina Boulevard. Costs associated with the undergrounding of facilities are paid by the various utility companies involved through the Rule 20A program. Mayor Haws declared the meeting open for any questions or comments. None being forthcoming, the public hearing was declared closed. Councilmember Peppler moved to adopt Resolution No. 6092. Motion seconded by Councilmember Harrison and carried unanimously.

UNFINISHED BUSINESS

Ordinance No. 2530 - Water and Wastewater Rates and Charges Review - On November 5, 2002, the Utilities Advisory Committee made a presentation to the City Council regarding water and wastewater rates and charges. In addition to the rates and charges recommendations made by this committee, other recommendations including a bi-annual rate review process and business practices. At this time, Water Resources Chief Headrick presented Ordinance No. 2530, an ordinance of the City of Redlands adding Chapter 3.41 of Title 3 of the Redlands Municipal Code relating to water and wastewater rates and charges review. This proposed ordinance established procedures for a bi-annual rate review process based on the committee's recommendation and the City Council's direction. Municipal Utilities Director Phelps also reported staff continues to work with the committee to determine how best to implement their other business practices recommendations. Ordinance No. 2530 was read by

title only by City Clerk Poyzer, and on motion of Councilmember Harrison, seconded by Councilmember Haws, further reading of the ordinance text was unanimously waived, and Ordinance No. 2530 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for December 17, 2002.

NEW BUSINESS

Purchase and Sale Agreement - Barton House - City Attorney McHugh reported that on November 19, 2002, in closed session, the City Council gave instructions to its property negotiator regarding the proposed terms and price for sale of real property owned by the City (known as the Barton House) to Theron L. Vines, Jr. and Geneil Vines. Since that time, the Vines have requested additional concessions from the City in connection with the sale. Specifically, that all City fees be "waived" in connection with the rehabilitation of the buildings on the property; that the City "waive" all street improvements on Nevada Street and that the City be responsible for the construction of those improvements; and that the City process a zone change for the property to APC. These new details of the transaction are contained in the proposed revised purchase and sale agreement, note and easements relating to the City's proposed sale of the Barton House. Public Works Director Mutter reviewed the rehabilitation needs of the Barton House and said Dr. and Mrs. Vines have been successful in the preservation of other projects. Dr. Vines described their plans for the renovation project. Councilmember Harrison expressed appreciation to the Vines. Bill Cunningham addressed the City Council expressing his dismay that the property was not offered to the San Bernardino County Museum and stated the City should try to recoup as much as possible in the purchase price. Councilmember Haws moved to approve the purchase and sale agreement, promissory note, building conservation easement and farming conservation easement with Theron L. Vines, Jr. and Geneil Vines which relate to the sale of the Barton House (Assessor's Parcel Nos. 292-172-03, 292-172-05, and 292-166-09) and authorized the Mayor and City Clerk to execute the documents on behalf of the City. Motion seconded by Councilmember Peppler and carried unanimously.

Zone Change and General Plan Amendment - Barton House - In compliance with the above action regarding the sale of the Barton House (Assessor's Parcel Nos. 292-172-03, 292-172-05, and 292-166-09), Mayor Haws moved to initiate a change of zone to APC and a General Plan amendment. Motion seconded by Councilmember Peppler and carried unanimously.

Ordinance No. 2520 - Signs - City Attorney McHugh presented proposed Ordinance No. 2520, an ordinance of the City of Redlands adding Chapter 12.56 of the Redlands Municipal Code establishing policies for the placement of signs on public property. This ordinance was prepared in connection with the ongoing comprehensive update of the City's Sign Code. Bill Cunningham

addressed the City Council expressing concerns about this proposed ordinance and indicated he would have their (The Redlands Association) attorney look at it. Ordinance No. 2520 was read by title only by City Clerk Poyzer, and on motion of Councilmember Haws, seconded by Councilmember Peppler, further reading of the ordinance text was unanimously waived, and Ordinance No. 2520 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for December 17, 2002.

PUBLIC COMMENTS

Pedestrian Safety Device - Dominick Beckman told Councilmembers the intersection at State Street and Redlands Boulevard was dangerous for pedestrians and vehicles crossing Redlands Boulevard and asked them to install pedestrian safety devices.

ADJOURNMENT

There being no further business, the City Council meeting adjourned on December 4, 2002, at 12:01 A.M. The next regular meeting will be held on December 17, 2002.

City Clerk