

MINUTES

of a regular meeting of the City Council of the City of Redlands held in the Council Chambers, Civic Center, 35 Cajon Street, on June 6, 2006, at 3:00 P.M.

PRESENT

Jon Harrison, Mayor  
Pat Gilbreath, Mayor Pro Tem  
Gilberto Gil, Councilmember  
Mick Gallagher, Councilmember  
Pete Aguilar, 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; Jim Drabinski, Fire Chief; Don Gee, Redevelopment Agency Director; Tina Kundig, Finance Director; Ronald C. Mutter, Public Works Director; Marjie Pettus, Administrative Services Director; Gary G. Phelps, Municipal Utilities Director; and Jeffrey L. Shaw, Community Development Director

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

PRESENTATIONS

Commendation to American Medical Response - Police Chief Bueermann presented a certification of commendation to American Medical Response employees who donated a used ambulance to the Redlands Police Department for use as a forensic vehicle. A representative from American Medical Response stated they were glad to help and hoped the vehicle would serve the Police Department's needs.

Tobacco Retailers Licensing - On behalf of the Tobacco-Free San Bernardino County group, Ann Davis-Schultz and Esther Jimenez presented information regarding possible licensing of tobacco retailers and provided a draft ordinance for the City Council's consideration. Ms. Davis-Schultz also asked the City Council to consider revisiting existing ordinances for updating to be in compliance with State law. Councilmembers concurred to refer this to staff for a report in 60 days and to share the draft ordinance with the Chamber of Commerce for their thoughts.

Fire Station No. 264 - Fire Chief Drabinski presented information regarding the feasibility of constructing a permanent facility for Fire Station No. 264.

## DEPARTMENTAL INFORMATION REPORT

Redevelopment Agency - Redevelopment Agency Director Gee presented a PowerPoint relating to the Redevelopment Agency's role to provide affordable housing.

## CONSENT CALENDAR

Minutes - On motion of Councilmember Gil, seconded by Councilmember Gilbreath, the minutes of the regular meeting of May 16, 2006, were approved as submitted.

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

Planning Commission Actions - On motion of Councilmember Gil, seconded by Councilmember Gilbreath, the report of the Planning Commission meeting held on May 23, 2006, was acknowledged as received.

Notice of Environmental Actions - Due to a potential conflict of interest, Councilmember Gilbreath retired from the Council Chambers and did not participate in this matter; a Public Disclosure of Potential Conflict of Interest form is on file in the City Clerk's Office. Mayor Harrison explained this report is provided to the City to advise them on information received regarding notices of pending projects and related environmental actions from surrounding jurisdictions. Community Development Director Shaw explained the County of San Bernardino has finally issued a Notice of Preparation of an Environmental Impact Report for the Hampton Heights Project. The application is for a General Plan amendment, a preliminary and final development plan on 465 acres, a master tentative tract map (15918) on 465 acres and an implementing tentative tract map (15923) on 159 acres located north of Interstate 10 between the cities of Yucaipa and Redlands. The County also included an Initial Study which identifies and lists those areas and topics which are to be addressed in detail in the Environmental Impact Report being prepared. Issues of particular interest to the City of Redlands will include, but are not necessarily limited to land use, traffic, hydrology (drainage), water and sewer services and public services including police and fire. Yucaipa resident Jerry Horne asked that the City of Redlands require a pre-annexation agreement before construction begins and require the project be constructed under City of Redlands' standards. On motion of Councilmember Gil, seconded by Councilmember Gallagher, the report on pending environmental actions received from surrounding jurisdictions was acknowledged as received with Councilmember Gilbreath having abstained.

Agreement - County Flood Control District - Following brief discussion regarding trail design standards, Councilmember Harrison moved to approve a

common use agreement with the San Bernardino County Flood Control District addressing responsibility for maintenance, operations and liability for trails constructed in Flood Control right-of-way. Motion seconded by Councilmember Gilbreath and carried unanimously.

Funds - Vehicle Purchases - On motion of Councilmember Gil, seconded by Councilmember Gilbreath, the City Council unanimously approved a request for an additional appropriation in the amount of \$35,000.00 for replacement vehicles for the Downtown Redlands Business Association and the Building and Safety Division.

Proclamation - Childhood Cancer Awareness Week - On motion of Councilmember Gil, seconded by Councilmember Gilbreath, the City Council unanimously authorized issuance of a proclamation declaring June 26-July 2, 2006, as Childhood Cancer Awareness Week.

Proclamation - Honoring Father Thomas J. Burdick - On motion of Councilmember Gil, seconded by Councilmember Gilbreath, the City Council unanimously authorized issuance of a proclamation honoring Father Thomas J. Burdick and wishing him continued success in his new parish, Blessed Teresa of Calcutta.

Resolution No. 6511 - Oppose AB 2987 - On motion of Councilmember Gil, seconded by Councilmember Gilbreath, the City Council unanimously adopted Resolution No. 6511, a resolution of the City Council of the City of Redlands regarding telecommunications services and vital City interests and opposing Assembly Bill 2987 (Nunez/Levine), legislation that would establish a statewide franchise for new entrants into the telecommunications market.

Release of Obligations - Subdivision Improvement Agreement - On motion of Councilmember Gil, seconded by Councilmember Gilbreath, the City Council unanimously released and discharged the requirements and obligations of a subdivision improvement agreement for Parcel Map No. 15911, Minor Subdivision No. 261, and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Contract Amendment - Neighborhood Initiative Program - On motion of Councilmember Gil, seconded by Councilmember Gilbreath, the City Council unanimously approved Amendment No. 1 to the Cooperative/Delegate Agency Agreement with the County of San Bernardino for the use of Neighborhood Initiative Program (NIP) funds and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Agreement - Kangaroo Rat Baseline Trappings - Redlands Sports Park - On motion of Councilmember Gil, seconded by Councilmember Gilbreath, the City Council unanimously approved a consultant services agreement with Davenport

Biological Services to provide baseline trapping of the San Bernardino Kangaroo Rat, a vegetative analysis and conservation area monitoring in accordance with the requirements of the U. S. Fish and Wildlife Service Biological Opinion for the Redlands Sports Park Project and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Payment - Redlands Sports Park - On motion of Councilmember Gil, seconded by Councilmember Gilbreath, the City Council unanimously authorized payment in the amount of \$20,000.00 to Michael Brandman Associates for additional work conducted above the contract amount as required by the U. S. Fish and Wildlife Service to ensure compliance with the conditions of the Biological Opinion for the Redlands Sports Park Project and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Contract Change Order - Sports Park Tree Removal - On motion of Councilmember Gil, seconded by Councilmember Gilbreath, the City Council unanimously approved a contract change order in the amount of \$30,000.00 with Mowbray's Tree Services, Inc. for the removal of dead citrus trees and underbrush at the Redlands Sports Park site.

Payment - Redlands Sports Park - On motion of Councilmember Gil, seconded by Councilmember Gilbreath, the City Council unanimously authorized payment to MAPCO in the amount of \$2,595.12 for engineering services for the soccer portion of the Redlands Sports Park.

Agreement - Credit/Debit Card Processing Services - On motion of Councilmember Gil, seconded by Councilmember Gilbreath, the City Council unanimously approved a master services agreement with Western Union Speedpay for the purpose of providing third party credit/debit card processing services for the Municipal Utilities Department and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Vehicle Purchase - Municipal Utilities Department - On motion of Councilmember Gil, seconded by Councilmember Gilbreath, the City Council unanimously authorized the purchase of a 2006 Chevrolet 1500 Silverado regular cab pick-up truck with lift-gate in the amount of \$17,685.14 from Crest Chevrolet.

OSC 06-29 - Tentative Tract Map 17060 - On motion of Councilmember Gil, seconded by Councilmember Gilbreath, the City Council unanimously determined that Outside City Case (OSC) 06-29, Tentative Tract Map 17060, APN 298-221-05, 09, and 43 are consistent with the City of Redlands General Plan, and that the public health, safety, and welfare, and the best interest of the

citizens of Redlands, are served by the City's continued processing of the application.

Water Stock Lease - On motion of Councilmember Gil, seconded by Councilmember Gilbreath, the City Council unanimously approved the lease of 60 shares of Crafton Water Company stock to R. Craig Wesson, 10 shares of Crafton Water Company stock to Wayne Mishak, five shares of Crafton Water Company stock to Peter Buoye, 10 shares of Crafton Water Company stock to Mike Micallef, seven shares of Crafton Water Company stock to Willis Bruns, 10 shares of Crafton Water Company stock to Pete Marcum and five shares of Crafton Water Company stock to Debbie Prutsman.

Mutual Water Company Stock Purchase - On motion of Councilmember Gil, seconded by Councilmember Gilbreath, the City Council unanimously approved the purchase of one (1) share of Lugonia Water Company stock from G. Richard Rees for a total price of \$1,276.00.

Sewer Pipeline Replacement Project - The request for rejection of bids received for the Capital Improvement Program Sewer Pipeline Replacement Project was removed from the agenda.

Agreement - Hinckley Water Treatment Plant - On motion of Councilmember Gil, seconded by Councilmember Gilbreath, the City Council unanimously approved an agreement to perform engineering services for operational assistance and troubleshooting for the Hinckley Water Treatment Plant with Carollo Engineers in the amount of \$36,008.00 and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

Lease Agreement - Construction Trailer - On motion of Councilmember Gil, seconded by Councilmember Gilbreath, the City Council unanimously determined that a lease agreement with R. P. Wages, Inc. has been determined to be exempt from the provisions of the California Environmental Quality Act under Section 15061b(3) (General Rule) as it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. On motion of Councilmember Gil, seconded by Councilmember Gilbreath, the City Council unanimously approved a lease agreement with R. P. Wages, Inc. for use of a small portion of City property to house a trailer at 1425 Park Avenue during construction and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City.

## COMMUNICATIONS

Meeting Attendance - In accordance with Government Code Sections 53232.2 and 53232.3, Aguilar reported on his attendance at the League of California Cities Legislative Action Days.

Appointment - Citrus Preservation Commission - Mayor Harrison moved to appoint Andrew Irvin to serve a four-year term ending April 16, 2010, on the Citrus Preservation Commission. Motion seconded by Councilmember Gilbreath and carried unanimously.

Appointment - Housing Commission - Mayor Harrison moved to appoint Daniel F. Kaiser to serve the remainder of the unexpired term ending January 18, 2007, on the Housing Commission. Motion seconded by Councilmember Gallagher and carried unanimously.

Appointments - Relocation Appeals Board - Mayor Harrison moved to appoint George Bartch, Lawrence Anderson and Bruce Adams to four-year terms on the Relocations Appeals Board. Motion seconded by Councilmember Gilbreath and carried unanimously. Mayor Harrison announced staff will continue to seek additional applicants until a full membership of the Board can be achieved. In the meantime, a quorum of the Board will be accomplished with these three appointments.

Appointments - 2006 Utilities Advisory Committee - Mayor Harrison moved to appoint George D. Bartch, Donald Holzhauser, Marvin Shaw, David V. Garcia, Michael L. Huffstutler, Montgomery Dill, Ken Jeske, Kevin Morningstar, Tom Slemmer, Theresa Dale, Annorr Gowdy, Jeremy Stephen, Dr. John Acquaye and Steve Stockton to comprise the 2006 Utilities Advisory Committee to support the water and wastewater rates and charges study. Motion seconded by Councilmember Gilbreath and carried unanimously.

2006-2007 Budget Study Session - Councilmember Gilbreath moved to adjourn today's meeting to Tuesday, June 13, 2006, from 9:00 A.M. to noon for a budget study session to review the proposed 2006-07 budget. Motion seconded by Councilmember Gallagher and carried unanimously.

## NEW BUSINESS

Agreement - Highline Water Transmission Main Relocation Project - Chief of Water Resources Headrick presented a PowerPoint explaining the need to relocate the Highline Water Transmission Main which delivers high elevation water from the Henry Tate Water Treatment Plant southerly to the Fifth Avenue Reservoir and the Country Club Reservoir. The Highline is approximately seven miles long and was constructed in the 1930's. The original pipe material was unlined steel pipe, which tends to lose its structural integrity relatively quickly compared to other pipe materials. In recognition of this potential deficiency, a project to line the steel pipe with mortar was completed in the late 1950's in an effort to extend the life of the pipeline. After 80 years of service, the Highline has reached the end of its reliable, useful life and has been identified for replacement. Councilmember Gilbreath moved to approve an

agreement to furnish design engineering services for the Highline Water Transmission Main Relocation Project with Dudek & Associates, Inc. in the amount of \$204,115.00 and authorized the Mayor to execute, and the City Clerk to attest to, the document on behalf of the City. Motion seconded by Councilmember Gallagher and carried unanimously.

Water Pipeline Master Plan and Replacement Project - The request to award a contract for the Water Pipeline Master Plan and Replacement Project was pulled from the agenda.

Water Stock Leases - Due to a potential conflict of interest, Councilmember Gilbreath retired from the Council Chambers and did not participate in this matter; a Public Disclosure of Potential Conflict of Interest form is on file in the City Clerk's Office. Councilmember Gil moved to approve a lease of 1,000 shares of Bear Valley Mutual Water Company stock from David Knight and 98 shares of stock from Crafton Heights Pipeline Company to Bear Valley Mutual Water Company for the 2006-07 water delivery season. Motion seconded by Councilmember Gallagher and carried with Councilmember Gilbreath having abstained.

Donation of Land - Chief of Water Resources Headrick explained that Bixby Land Company processed a Commission Review and Approval (CRA 781) to allow the development of a 683,406 square foot warehouse distribution center. The City Council approved this project in conjunction with a Concept Plan Amendment on September 7, 2004. A condition of approval required final landscape plans to be approved the Planning Commission. On February 22, 2005, the Planning Commission approved a final landscape plan which included citrus on that portion of the property under the Edison easement from San Bernardino Avenue to Almond Avenue. Staff has allowed temporary occupancy of the building (to Ashley Furniture) but is holding up final occupancy pending the installation of the citrus trees so as to comply with the approved landscape plans. Mr. Pat Meyer, representing Bixby Land Company, approached the Citrus Preservation Commission on January 31, 2006, with an offer to donate approximately 14 acres of industrial-zoned land in Redlands between Lugonia Avenue and San Bernardino Avenue (APN 167-511-05) for citrus preservation. Approximately 6.5 acres of the property offered is included in the CRA 781 landscaping plan approved. On April 11, 2006, the Citrus Preservation Commission recommended against accepting the offered land based on the location's propensity for frost damage to citrus crops during winter months, the lack of an economical source of water for irrigation, the reduction in density of trees due to the Edison easements and the potential of future, adjacent development interfering with frost control measures. However, if the City Council desires to promote citrus preservation in this area of Redlands by accepting the grove donation, staff has assembled a proposal that would minimize the potentially adverse farming conditions identified by the Citrus Preservation Commission. In concurrence with the City of Redlands' Citrus

Policy dated May 15, 2001, staff recommends that the City Council require Bixby Land Company to meeting the following conditions prior to the City Council accepting the land and cultural care obligations of this grove:

1. Make provisions for frost damage control, specifically by installing wind machines or other frost protection measure to be specified by the Citrus Preservation Commission and approved by Southern California Edison that holds an easement for power transmission lines on the property.
2. Provide a sustainable, economical source of water for irrigation.
3. Provide cultural care and all financial costs of sustaining the proposed grove for a period of five years prior to transferring fee title of the land to the City.
4. In order to minimize potential frost damage, the Citrus Preservation Commission shall have authority over which species of citrus will be planted.

On behalf of Bixby Land Company, Mr. Meyer stated they will comply with these requirements and noted this citrus grove will provide a linkage to the Emerald Necklace concept. Bill Cunningham encouraged the City Council to accept this generous gift. Councilmember Gilbreath moved to accept the offered land (approximately 14 acres between Lugonia Avenue and San Bernardino Avenue in Redlands, Assessor's Parcel No. 167-511-095) as a proposed citrus grove provided Bixby Land Company provides frost protection; establishes a sustainable, economic source of water; plants a citrus tree species approved by the Citrus Preservation Commission; and provides cultural care for a period of five years. Motion seconded by Councilmember Mayor Harrison and carried unanimously. Councilmembers expressed their appreciation to Bixby Land Company and the Citrus Preservation Commission.

#### CLOSED SESSION

The City Council meeting recessed at 4:38 P.M. to a closed session to discuss the following:

1. Conference with legal counsel: anticipated litigation - Government Code Section 54956.9(c) - One case
2. Conference with legal counsel: anticipated litigation - Government Code Section 54956.9(b) - Facts and circumstances: Consideration of claim of Lisa and Eric Carlisle

The meeting reconvened at 7:00 P.M.

PRESENT

Jon Harrison, Mayor  
Pat Gilbreath, Mayor Pro Tem  
Gilberto Gil, Councilmember  
Mick Gallagher, Councilmember  
Pete Aguilar, Councilmember

ABSENT

None

STAFF

John Davidson, City Manager; Daniel J. McHugh, City Attorney; Lorrie Poyzer, City Clerk; Teresa Ballinger, Assistant City Clerk; Michael Reynolds, City Treasurer; Jim Drabinski, Fire Chief; Don Gee, Redevelopment Agency Director; Tina Kundig, Finance Director; Ronald C. Mutter, Public Works Director; Marjie Pettus, Administrative Services Director; Gary G. Phelps, Municipal Utilities Director; and Jeffrey L. Shaw, Community Development Director

CLOSED SESSION REPORT

None forthcoming.

LAND USE AND PUBLIC HEARINGS

Medical Real Estate Development Company - Public notice was advertised for this time and place to consider a Draft Mitigated Negative Declaration as well as a public hearing for a Socio-Economic Analysis and Cost/Benefit Study and to consider Commission Review and Approval No. 810, a Commission Review and Approval to develop a 31,647 square foot, two-story medical office building on a two (2) acre parcel located at the northeast corner of Barton Road and Iowa Street within the EV/AP (East Valley Corridor Specific Plan Administrative Professional) District; public hearing to consider Resolution No. 6494, Street Vacation No. 135, the vacation of a portion of the east side of Iowa Street approximately ten (10) feet in width and four hundred twenty eight (428) feet in length located immediately north of Barton Road and eight hundred (800) feet south of Orange Avenue; and public hearing to consider Resolution No. 6495, Street Vacation No. 136, the vacation of a portion of the north side of Barton Road approximately eight (8) feet in width and two hundred four (204) feet in length and located immediately east of Iowa Street at the intersection of Barton Road and Iowa Street. Mayor Harrison declared the meeting open as a public hearing. Having been continued from the May 16, 2006, meeting, Community Development Director Shaw briefly reviewed the proposed project. Representing the applicant, Ken Spear thanked the City Council for allowing them the additional time to explore options regarding the financing of the traffic signal at Orange Avenue and Alabama Street. There have been positive results, and, at this time, the applicant will accept all conditions and requirements recommended by staff. There being no further comments, the public hearing was declared closed.

Mitigated Negative Declaration - Councilmember Gilbreath moved to approve the Environmental Review Committee's mitigated negative declaration for Street Vacation No. 135, Street Vacation No. 136 and Commission Review and Approval No. 810 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 Street Vacation No. 135, Street Vacation No. 136 and Commission Review and Approval No. 810 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.

Resolution No. 6494 - Street Vacation No. 135 - Resolution No. 6494, a resolution of the City Council of the City of Redlands finding that a portion of Iowa Street is unnecessary for present or prospective street purposes and ordering the vacation, was unanimously adopted on motion of Councilmember Gilbreath, seconded by Councilmember Harrison.

Resolution No. 6495 - Street Vacation No. 136 - Resolution No. 6495, a resolution of the City Council of the City of Redlands finding that a portion of Barton Road is unnecessary for present or prospective street purposes and ordering the vacation, was unanimously adopted on motion of Councilmember Gilbreath, seconded by Councilmember Harrison.

Commission Review and Approval No. 810 - Councilmember Gilbreath moved to approve Commission Review and Approval No. 810 subject to the findings and conditions of approval as contained in the staff report. Motion seconded by Councilmember Harrison and carried unanimously.

Rick Del Carlo - SCP Redlands, LLC - Public hearing was advertised for this time and place to consider introduction and first reading of Ordinance No. 2643, Specific Plan No. 33 (Amendment No. 2), an amendment to Section 3(A)(2) of Specific Plan No. 33 (Permitted Uses) to include the Permitted Uses allowed under the EV/CG (General Commercial) District of the East Valley Corridor Specific Plan. Mayor Harrison declared the meeting open as a public hearing. Community Development Director Shaw explained that Specific Plan No. 33 encompasses an area of approximately 18 acres and is generally located at the southwest corner of Alabama Street and Lugonia Avenue. This amendment is being sought by the developers of the Orange Tree Market Place which is near completion. The center contains a number of buildings including two anchor tenants and several pad buildings which could accommodate multiple tenants. Although Specific Plan No. 33 allows for a fair broad mix of uses including

business and professional office and assorted retail uses, it does not allow for all the uses that are typically found in commercial centers. For example, service uses such as hair and nail salons, suntan parlors and movie rentals are not listed as permitted uses. In staff's opinion the inclusion of the uses allowed under the EV/CG is appropriate because the center is essentially the same type of development as would be allowed in the EV/CG. The inclusion of the uses in the EV/CG simplifies the amendment by not requiring the applicant to propose all conceivable uses for the center. Additionally, it limits the uses to those that would ordinarily be located in this type of commercial setting. There being no public comments on this item, the public hearing was declared closed.

Ordinance No. 2643 - Specific Plan No. 33 (Amendment No. 2) - Ordinance No. 2643, an ordinance of the City of Redlands amending Ordinance No. 1850 (Specific Plan No. 33) relating to permitted land uses allowed within the Specific Plan, was read by title only by City Clerk Poyzer, and on motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, further reading of the ordinance text was unanimously waived, and Ordinance No. 2643 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for June 20, 2006.

Hermelinda Ruiz - Public hearing was advertised for this time and place to consider Resolution No. 6509, Street Vacation No. 137, the vacation of a triangular shaped portion of property on the west side of Tribune Street consisting of approximately 536 square feet, varying between 16 feet and five feet in width and approximately 51 feet in length, located immediate south of Courier Avenue. Mayor Harrison declared the meeting open as a public hearing. Community Development Director Shaw explained this proposed vacation of an area of 536 square feet is a triangular shape located on the western side of Tribune Street, immediately north of the intersection between Tribune Street and Courier Avenue. The request is based on the curvilinear path that Tribune Street follows as it travels toward Lugonia Avenue. The vacation of this portion will ensure that the roadway width meets General Plan standards and would align the roadway section at this location. It would also eliminate the 16-foot offset in the roadway between parcels in the immediate vicinity. There being no public comments on this item, the public hearing was declared closed.

Resolution No. 6509 - Street Vacation No. 137 - Councilmember Gilbreath moved to determine that Street Vacation No. 137 is exempt from the California Environmental Quality Act under Section 15301, Class 1(c), Existing Facilities, as the project involves the permitting of a minor alteration to the existing street that involves no expansion of use beyond that existing at the time of the City's determination. Motion seconded by Gallagher and carried unanimously. Resolution No. 6509, a resolution of the City Council of the City of Redlands finding that a portion of Tribune Street is unnecessary for present or prospective street purposes and ordering

the vacation, was unanimously adopted on motion of Councilmember Gilbreath, seconded by Councilmember Gallagher.

General Plan Amendment Nos. 2006-I-A and C - City of Redlands - Public hearings were advertised for this time and place to consider Resolution No. 6501, General Plan Amendment No. 2006-1-A (File No. 109), a General Plan amendment to change the land use designation from Railway Corridor to Public Institutional on approximately 8.82 acres (APN: 0298-047-17) located on the northwest corner of Mentone Boulevard and Opal Avenue and General Plan Amendment No. 2006-1-C (File No. 111), a General Plan amendment to modify the text of Section 4.61 (Downtown) of the Land Use Element by establishing that mixed-use projects combining residential and commercial uses are allowed in areas of the downtown that are in the "Commercial" land use designation; and adding new Guiding Policy 4.61(e) to establish a policy that encourages mixed-use projects which integrate retail, restaurant and/or office uses along with urban housing at a density up to the High-Density Residential standard (0 to 27 dwelling units per acre); and the introduction and first reading of the title of Ordinance No. 2642, Ordinance Text Amendment No. 311, consideration of an amendment to Section 18.92 C-3 (General Commercial) District of the Redlands Municipal Code by establishing the permitted residential density in a mixed-use R-3 (Multiple-Family Residential) District. Mayor Harrison declared the meeting open as a public hearing. Community Development Director Shaw reviewed the proposed General Plan Amendments and Ordinance No. 2641 and responded to Councilmember Gil's question that the General Plan Amendment for the property in the Mentone area was necessary to provide utility connections. Mayor Harrison expressed appreciation to the staff for the General Plan amendment which will establish the maximum residential density for the downtown in mixed use projects. There being no public comments, the public hearings were closed.

Negative Declaration - Councilmember Gilbreath moved to approve the Environmental Review Committee's negative declaration for General Plan Amendment No. 2006-I 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 Gallagher and carried unanimously.

Resolution No. 6501 - General Plan Amendment Nos. 2006-I-A and C - Councilmember Gilbreath moved to adopt Resolution No. 6501, a resolution of the City Council of the City of Redlands approving General Plan Amendment Nos. 2006-I-A and 2006-I-C. Motion seconded by Councilmember Gallagher and carried unanimously.

Ordinance No. 2642 - OTA No. 311 - Ordinance No. 2642, an ordinance of the City of Redlands amending Chapter 18.92 of the Redlands Municipal Code relating to the permitted residential density in a mixed-use

development combining residential and commercial uses in the C-3 (General Commercial) District, was read by title only by City Clerk Poyzer, and on motion of Councilmember Gilbreath, seconded by Councilmember Gallagher, further reading of the ordinance text was unanimously waived, and Ordinance No. 2642 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for June 20, 2006.

General Plan Amendment No. 2006-I-B - City of Redlands - Public hearing was advertised for this time and place to consider Resolution No. 6508, General Plan Amendment No. 2006-1-B (File No. 110), a General Plan amendment to the circulation element of the General Plan changing the street designation for the segment of New York Street between Redlands Boulevard and Colton Avenue from a "Collector" street to a "Local" street. Due to a potential conflict of interest, Councilmember Harrison retired from the Council Chambers and did not participate in this matter; a Public Disclosure of Potential Conflict of Interest form is on file in the City Clerk's Office. Mayor Pro Tem Gilbreath declared the meeting open as a public hearing. Community Development Director Shaw reviewed the proposed General Plan amendment which will assist in future consideration of changes to New York Street, north of Redlands Boulevard, to eliminate the railroad crossings and Redlands Boulevard intersections of New York Street and Stuart Avenue as they possess hazardous designs. The amendment begins the process of eliminating these intersections. Ultimately, the City plans to realign New York Street to connect to Stuart Street. Councilmember Gil asked who owned the property on New York Street, north of Redlands Boulevard, and would benefit from this street vacation. Community Development Director Shaw was unable to answer his question during the meeting. There being no public comments, the public hearing was declared closed.

Negative Declaration - Councilmember Gallagher moved to approve the Environmental Review Committee's negative declaration for General Plan Amendment No. 2006-I-B (File No. 110) 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 Aguilar and carried with Councilmember Gil voting NO as he had concerns about the benefit for one property owner and with Councilmember Harrison having abstained.

Resolution No. 6508 - General Plan Amendment No. 2006-I-B - Councilmember Gallagher moved to adopt Resolution No. 6508, a resolution of the City Council of the City of Redlands approving General Plan Amendment No. 2006-I-B. Motion seconded by Councilmember Aguilar and carried with Councilmember Gil voting NO as he had concerns about the benefit for one property owner and with Councilmember Harrison having abstained.

## UNFINISHED BUSINESS

Transient Occupancy Tax - Mayor Harrison brought this item forward for further discussion after having received additional information from staff regarding heritage and culture tourism, the results of a recent survey of the results of other agencies' elections to increase their hotel taxes listings of TOT rates from our surrounding communities and other major destinations and the past ten-year revenue history for Redlands. Councilmember Gallagher thought we could demand this increase. Councilmember Aguilar expressed concerns about competition in the "Donut Hole" where the tax would be less and felt the 2/3 threshold would be difficult to realize. Councilmember Gilbreath expressed concern about the expense stating a great deal of effort would be needed to sell this ballot measure and that the first six months additional revenue would only cover the cost of a special election. Councilmember Gil noted the bed tax is never a concern when his organization books hotel rooms; that location is more important. Mayor Harrison continued to promote the idea. Vice President of the Chamber of Commerce Gary McCormick asked to be allowed to study this proposal further as they did not want their members to have the competition of a high bed tax. Shirli Leonard, Project Manager for the Redlands Conservancy, urged proceeding with this ballot measure. Following an informal poll of Councilmembers, Mayor Harrison moved to continue this matter to June 20, 2006, for further study by the Chamber of Commerce and staff. Motion seconded by Councilmember Gallagher and carried with Councilmembers Gilbreath and Aguilar voting NO.

## JOINT MEETING - CITY COUNCIL AND REDEVELOPMENT AGENCY

California Welcome Center - Steve Henthorn, President and CEO of the San Bernardino Convention and Visitors Bureau, presented additional information as requested by the City Council at their meeting held on May 16, 2006. Mayor Harrison posed a question from Rosemary Rendell-Baker who submitted a letter on June 4, 2006, and felt the visitors center should be located in Redlands. Mr. Henthorn emphasized the need for a central location for all of the Inland Valley cities noting collectively they could make an impact. Councilmember Gilbreath moved to approve the commitment of \$5,000.00 per year for the next five years from the Downtown Redlands Business Association fund for the development of a California Welcome Center to promote Redlands as a destination and gain exposure of the downtown to the public and encourage commitments of other partners to submit funds to the program. Motion seconded by Councilmember Gallagher and carried unanimously. (Also see Redevelopment Agency minutes dated June 6, 2006.)

Exclusive Negotiation Agreement - Investment Group, LLC - Redevelopment Agency Director Gee explained Investwest Group, LLC has proposed to the Redevelopment Agency that it enter into an Exclusive Negotiation Agreement

to determine the feasibility of their development proposal to add to their current project development and to develop a new office, retail and residential mixed-use project in the downtown area bounded by Eureka Street, Pearl Avenue, Third Street and Stuart Street. The proposal includes a commitment by Investwest to work with all parties, particularly residential property owners and including property owned by the City of Redlands, to arrive at a negotiated fair market transaction and to work with and solicit the participation of other Redlands business owners and property owners to develop a project in accordance with the Redevelopment Plan. On behalf of Investwest Group, Joseph L. Donati was present to answer questions. Councilmember Gilbreath moved to authorize the inclusion of the City of Redlands Assessor's Parcel Nos. 169-156-19 and 20 within the proposed Exclusive Negotiation Agreement with Investwest Group, LLC and the Redevelopment Agency of the City of Redlands. Motion seconded by Councilmember Gil and carried unanimously. (Also see Redevelopment Agency minutes dated June 6, 2006.)

#### LATE BREAKING ITEM

Closed Session - Noting the need to take action was immediate, Councilmember Gilbreath moved to add the following closed session item to the agenda which arose subsequent to the agenda being posted: "Conference with legal counsel: Anticipated Litigation - Government Code Section 54956.9(b)." Motion seconded by Councilmember Gil and carried unanimously.

#### PUBLIC COMMENTS

Market Night Curfew - Brooks Minchin asked the City Council to re-evaluate the curfew time established for Market Night. Police Chief Bueermann talked with Mr. Minchin following the meeting.

Redlands Tourism - Nelda Stuck, member of a group called Supporters of Redlands Tourism thanked the City Council for their support earlier in the evening with their action taken for the California Welcome Center.

#### CLOSED SESSION

The City Council meeting recessed at 8:45 P.M. to a closed session to discuss the following:

1. Anticipated Litigation - Government Code Section 54956.9(b).

There was no report following the closed session which ended at 9:09 P.M.

ADJOURNMENT

There being no further business, the City Council meeting adjourned to an adjourned regular meeting to be held on June 13, 2006, at 9:00 A.M. in the City Council Chambers, 35 Cajon Street, Redlands, California.

The next regular meeting will be held on June 20, 2006.