

MINUTES

of a regular meeting of the City Council of the City of Redlands held in the Council Chambers, 212 Brookside Avenue, on June 7, 1994, at 3:00 P.M.

PRESENT

Swen Larson, Mayor
Jim Foster, Mayor Pro Tem
William E. Cunningham, Councilmember
Gilberto Gil, Councilmember
Pat Gilbreath, Councilmember

Gary M. Luebbbers, City Manager
Daniel J. McHugh, City Attorney
Lorrie Poyzer, City Clerk
Ted Thomaidis, Redlands Daily Facts
Steven Church, The Sun

ABSENT

None

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

CONSENT CALENDAR

Minutes - Minutes of the adjourned regular meeting of May 17, 1994, the regular meeting of May 17, 1994, the adjourned regular meetings of May 18, 1994, May 25, 1994, and May 31, 1994, were approved as submitted.

Bills and Salaries - Bills and salaries were ordered paid as approved by the Finance Committee.

Employee Vacancies - On motion of Councilmember Foster, seconded by Councilmember Larson, Council unanimously authorized the following position be filled: Groundskeeper I (Parks Division).

Resolution No. 5100 - Wildland Fire Protection - On motion of Councilmember Foster, seconded by Councilmember Larson, Council unanimously adopted Resolution No. 5100, a resolution of the City Council of the City of Redlands, California, approving continued participation with the California Department of Forestry and Fire Protection for fire protection of wild lands within the incorporated City of Redlands and authorized the Mayor and City Clerk to sign the amendment on behalf of the City.

Resolution No. 5101 - Disability Retirement - On motion of Councilmember Foster, seconded by Councilmember Larson, Council unanimously adopted Resolution No. 5101, a resolution of the City Council of the City of Redlands authorizing the disability retirement of Police Lieutenant William R. Caronna.

Subordination Agreement - On motion of Councilmember Foster, seconded by Councilmember Larson, Council unanimously approved a subordination agreement action for property located at 124 East Olive Avenue, for both the construction loan and the SBA loan.

Work Release Program Contract - On motion of Councilmember Foster, seconded by Councilmember Larson, Council unanimously authorized the City Manager to enter into a contract with the County of San Bernardino enabling the City of Redlands to participate in the Work Release Program which assigns County prisoners to public agencies at no cost.

Asset Forfeiture Monies - On motion of Councilmember Foster, seconded by Councilmember Larson, Council unanimously authorized the purchase of three new unmarked police vehicles using asset forfeiture monies not to exceed \$60,000.00.

PLANNING AND COMMUNITY DEVELOPMENT

Planning Commission Actions - On motion of Councilmember Foster, seconded by Councilmember Larson, the report of the Planning Commission meeting held on May 24, 1994, was unanimously acknowledged as received.

Minor Subdivision No. 208 - Christopher Hardy - Final Approval - On motion of Councilmember Foster, seconded by Councilmember Larson, Council unanimously granted final approval for Minor Subdivision No. 208, a subdivision of 1.72 acres of land into two lots located on the north side of Knoll Road, approximately 1,000 feet east of Crescent Avenue.

COMMUNICATIONS

San Bernardino International Airport - Mayor Larson reported about United States President Bill Clinton's visit to the airport last month.

Appointment - Historic and Scenic Preservation Commission - Mayor Larson moved to appoint Kathleen Gura to fill an unexpired term on the Historic and Scenic Preservation Commission. Motion seconded by Councilmember Gilbreath and carried unanimously.

Appointments - Traffic Commission - Mayor Larson moved to appoint Scott A. Begg and Stanley Gerald Welch to the Traffic Commission. Motion seconded by Councilmember Gilbreath and carried unanimously.

Appointments - Board of Appeals - Mayor Larson moved to appoint James J. Gile, Robert Knudsen, Roger E. Cejalvo, and Stanley Gerald Welch to the Board of Appeals. Motion seconded by Councilmember Gilbreath and carried unanimously.

Appointment - Human Relations Commission - Mayor Larson moved to appoint Harry R. Devitt to the Human Relations Commission. Motion seconded by Councilmember Gil and carried unanimously.

LAFCO Regulations - City Attorney McHugh summarized a new State law which provides that a City may provide new or extended services by contract or agreement outside its jurisdictional boundaries only if the city first requests and receives written approval from the Local Agency Formation Commission. Before an extension of services may occur, LAFCO requires a written request from the City (the developer or property owner does not have the ability to do so) to consider the proposed contract, the payment of the appropriate filing fees, and a completed application form. Mr. McHugh reported the Redlands' Water Policy Committee met with City staff on May 31, 1994, to discuss LAFCO's implementation policies and how they might affect the City. The Water Policy Committee recommended to the City Council that Redlands convey its position to LAFCO that certain changes should be made to LAFCO's implementing policies to better address some of the unique factors associated with Redlands' extension of utility services. Councilmember Foster moved to approve the Water Policy Committee's recommendation and oppose LAFCO's current process. Motion seconded by Councilmember Larson and carried with Councilmember Cunningham abstaining from the vote as he did not feel he had enough information to make a decision.

CLOSED SESSION

The City Council meeting recessed at 3:13 P.M. to a Redevelopment Agency meeting and reconvened at 3:26 P.M. to a closed session for the purpose of discussing the following:

1. Conference with legal counsel - Existing litigation
Case Name: Jackson v. City of Redlands et al
(San Bernardino Superior Court, Case No. 247804)
(Court of Appeal No. E014288)

2. Conference with legal counsel - Existing litigation
Case Name: McGee v City of Redlands
(San Bernardino Superior Court,
Case No. SCV 01624)
3. Conference with real property negotiator
Property: APN 292-192-19 (Park Avenue)
Negotiating Parties: City Manager Luebbers and Mr. Wallace
Under negotiation: Terms and Price
4. Conference with real property negotiator
Property: APN 292-041-06 and 167-391-03
(portion of City landfill)
Negotiating Parties: Utilities Director Gary Phelps and Donald and
Laura Tuenissen
Under negotiation: Terms and Price
5. Conference with real property negotiator
Properties: 168, 172 and 180 South Eureka, Redlands
Negotiating Parties: City Manager Luebbers and Redlands Conservancy
Under negotiation: Terms and Price
6. Conference with real property negotiator
Property: APN 175-271-01
Negotiating Parties: City Manager Luebbers and Lyse McGonigle
Under negotiation: Terms and Price

The City Council meeting reconvened at 7:00 P.M.

PRESENTATIONS

Retirement Recognition - Mayor Larson presented a City seal plaque to Police Corporal Frederick W. Farnam in honor of his retirement. Corporal Farnam started with the Redlands Police Department on September 5, 1975. During his tenure with the Police Department, he has served in a number of different areas of police work and received the Redlands Noon Kiwanis Officer of the Year award in 1979, Chief's Commendations in 1983 and 1988, the Attorney General's Certificate of Valor in 1988, and the Captain's Commendation in 1992.

Certificates of Appreciation - Mayor Larson presented plaques in appreciation to Ken L. Johnson, General Manager, and Ray Craine, Salvage Supervisor, of the K-Mart Distribution Center, Ontario, in recognition of their donations of dog food and for their generosity and support of the Redlands Animal Shelter.

CLOSED SESSION REPORT

City Attorney McHugh reported the City Council considered a proposal for the renovation and possible sale of the City-owned houses located at 168, 172, and 180 South Eureka Street, and unanimously directed staff to forward the proposal to the City's Housing Commission for consideration with all other possible proposals regarding those houses.

PUBLIC HEARING

Resolution No. 5084 - Underground Utility District No. 8 - Public hearing was advertised for this time and place to consider Resolution No. 5084, a resolution of the City Council of the City of Redlands establishing Underground Utility District No. 8 along Cypress Avenue between Center Street and Cajon Street. Assistant Public Works Director Peter A. Laaninen explained the process for this project. Mayor Larson declared the meeting open as a public hearing for any questions or comments. In response to John Magnes and Anne McMurphy's questions about the cost, Mr. Laaninen explained the actual connection will be the only expense to the homeowner. There being no further comments, the public hearing was declared closed. Councilmember Cunningham moved to adopt Resolution No. 5084. Motion seconded by Councilmember Gilbreath and carried unanimously.

Resolution No. 5088 - Underground Utility District No. 9 - Public hearing was advertised for this time and place to consider Resolution No. 5088, a resolution of the City Council of the City of Redlands establishing Underground Utility District No. 9 along Highland Avenue between Serpentine Drive and Crown Street and along Serpentine Drive between Highland Avenue and Crescent Avenue. Assistant Public Works Director Peter A. Laaninen explained the process for this project. Mayor Larson declared the meeting open as a public hearing for any questions or comments. Nick Guia asked about the right-of-way between Crescent and Highland and was assured those lines were included in the district. There being no further comments, the public hearing was declared closed. Councilmember Cunningham moved to adopt Resolution No. 5088. Motion seconded by Councilmember Gilbreath and carried unanimously.

Ordinance No. 2185 - Downtown Redlands Specific Plan No. 45 - Mayor Larson left the Council Chambers and did not participate in this matter due to a possible conflict of interest. Public hearing was advertised for this time and place to consider Ordinance No. 2185, an ordinance of the City Council of the City of Redlands adopting a specific plan of development for the downtown area bounded by Pearl Street on the north, Church Street on the east, Redlands Boulevard/Oriental Avenue on the south, and Texas Street on the west.

Management Assistant Marjie Pettus reviewed the revised specific plan which incorporated changes to resolve the issues presented by business and property owners. The plan objectives remain in tact, City processing becomes less cumbersome, and the downtown area is assured of quality development. Mayor Pro Tem Foster 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 Ordinance No. 2185 based on the finding that the project will not have a significant effect on the environment and directed staff to file and post a Notice of Determination in accordance with the City's guidelines and to acknowledge that it has been determined 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. Motion seconded by Councilmember Cunningham and carried by AYE votes of all present. Ordinance No. 2185 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 waived by AYE votes of all present. Ordinance No. 2185 was introduced and laid over under the rules with second reading scheduled for June 21, 1994, on motion of Councilmember Gilbreath, seconded by Councilmember Cunningham, by AYE votes of all present.

Ordinance No. 2250 - Amendment No. 2 - Specific Plan No. 23 - Public hearing was advertised for this time and place to consider Ordinance No. 2250, an ordinance of the City Council of the City of Redlands adopting Amendment No. 2 to Specific Plan No. 23 to allow similar uses as specified in Chapter 18.82, A-P-C, Administrative-Professional-Commercial, District to the existing A-P, Administrative and Professional, District (Mozafar Behzad, applicant). Community Development Director Jeffrey L. Shaw review the proposed ordinance. Referring to a letter dated June 1, 1994, from Wm. C. Buster, Jr. asking for the same consideration for his property on the west side of Ford Street, Mr. Shaw explained this amendment also applies to Mr. Buster's parcel. Mayor Larson declared the meeting open as a public hearing for any questions or comments. None being forthcoming, the public hearing was declared closed. Ordinance No. 2250 was read by title only by City Clerk Poyzer, and on motion of Councilmember Foster, seconded by Councilmember Gilbreath, further reading of the ordinance text was unanimously waived. Ordinance No. 2250 was introduced with unanimous Council approval and laid over under the rules with second reading scheduled for June 21, 1994, on motion of Councilmember Foster, seconded by Councilmember Gilbreath.

Ordinance No. 2251 - Freestanding Signs - Public hearing was advertised for this time and place to consider Ordinance No. 2251, an ordinance of the City

Council of the City of Redlands amending the Redlands Municipal Code pertaining to freestanding signs in a unified complex for individual tenants over 50,000 square feet in floor area. Community Development Director Jeffrey L. Shaw reviewed the proposed ordinance. Mayor Larson declared the meeting open as a public hearing for any questions or comments. None being forthcoming, the public hearing was declared closed. Ordinance No. 2251 was read by title only by City Clerk Poyzer, and on motion of Councilmember Gilbreath, seconded by Councilmember Foster, further reading of the ordinance text was unanimously waived. Ordinance No. 2251 was introduced and laid over under the rules with second reading scheduled for June 21, 1994, on motion of Councilmember Gilbreath, seconded by Councilmember Foster, with Councilmember Cunningham voting NO.

Ordinance No. 2252 - Freeway Oriented Signs - Public hearing was advertised for this time and place to consider Ordinance No. 2252, an ordinance of the City Council of the City of Redlands amending Diagram 15.36.040(22) (Freeway Oriented Signs) of the Redlands Municipal Code by adopting Zoning Ordinance Text Amendment No. 232 to include properties within a 400 foot radius from the east bound off ramp of the I-10 Freeway and Ford Street within said diagram. Community Development Director Jeffrey L. Shaw reviewed the proposed ordinance. Mayor Larson declared the meeting open as a public hearing for any questions or comments. None being forthcoming, the public hearing was declared closed. Ordinance No. 2252 was read by title only by City Clerk Poyzer, and on motion of Councilmember Foster, seconded by Councilmember Gil, further reading of the ordinance text was unanimously waived. Ordinance No. 2252 was introduced with unanimous Council approval and laid over under the rules with second reading scheduled for June 21, 1994, on motion of Councilmember Foster, seconded by Councilmember Gil.

NEW BUSINESS

Resolution No. 5061 - Landscape Maintenance District Amendment - Public Works Director Ronald C. Mutter reported the City Council ordered the formation of a landscape maintenance district on July 7, 1987. As a condition of development, projects are required to annex into Landscape Maintenance District No. 1 if they increase the number of street trees or landscaped facilities to be maintained by the City. This annexation adds eight sites to the existing landscape district. The public hearing was scheduled for June 21, 1994. It is required by State law that a public meeting regarding the annexation be held prior to the public hearing which is scheduled for June 21, 1994. Mr. Mutter responded to questions from Shelly Bodner and Mike Lee. Council directed the Parks Commission to review the parcel near Reservoir Road (L10-G, CUP 541) and make a recommendation for more cost-effective landscaping.

Resolution No. 5065 - Street Lighting District Amendment - Public Works Director Ronald C. Mutter reported the City Council ordered the formation of a street lighting district on September 19, 1989. As a condition of development, projects are required to annex into Street Lighting District No. 1 if they increase the number of street lighting facilities to be maintained by the City. It is required by State law that a public meeting regarding the annexation be held prior to the public hearing which is scheduled for June 21, 1994.

Resolution No. 5078 - Landscape Maintenance District - Annual Report - Public Works Director Ronald C. Mutter presented the annual engineer's report for Landscape Maintenance District No. 1 and reported the Council ordered the formation of this assessment district on July 7, 1987. Each year the City is required to file an engineer's report to update and continue the assessments. New State law requires that a public meeting be held prior to the public hearing which is scheduled for June 21, 1994. There were no questions or comments from the audience and the matter was continued to the scheduled public hearing.

Resolution No. 5082 - Street Lighting District - Annual Report - Public Works presented the annual engineer's report for Street Lighting District No. 1 and reported the Council ordered the formation of this assessment district on September 19, 1989. Each year the City is required to file an engineer's report to update and continue the assessments. New State law requires that a public meeting be held prior to the public hearing which is scheduled for June 21, 1994. There were no questions or comments from the audience and the matter was continued to the scheduled public hearing.

Ordinance No. 2249 - Noisy Animals - Ordinance No. 2249, an ordinance of the City of Redlands amending Chapter 6.24 of the Redlands Municipal Code relating to noisy animals, was read by title only by City Clerk Poyzer, and on motion of Councilmember Foster, seconded by Councilmember Gil, further reading of the ordinance text was unanimously waived. Following brief discussion regarding animals in the agricultural zone, Ordinance No. 2249 was introduced with unanimous Council approval and laid over under the rules with second reading scheduled for June 21, 1994, on motion of Councilmember Foster, seconded by Councilmember Gil.

PUBLIC COMMENTS

Olive Dell Ranch - On behalf of the Olive Dell Ranch, a family naturalist nudist resort, which was recently annexed into the City, Mr. Ralph Kilborn extended an invitation to Members of the City Council to attend the Western Sunbathing

Association's Summer Festival to be held on June 11-12, 1994, to witness their life style.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 8:21 P.M. to an adjourned regular meeting to be held on June 14, 1994, at 9:00 A.M. in the City Council Chambers, 212 Brookside Avenue, Redlands, California.

City Clerk