

MINUTES

of a regular meeting of the City Council of the City of Redlands held in the Council Chambers, 212 Brookside Avenue, on June 21, 1994, at 3:00 P.M.

PRESENT

Swen Larson, Mayor
William E. Cunningham, Councilmember
Gilberto Gil, Councilmember
Pat Gilbreath, Councilmember

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

ABSENT

Jim Foster, Mayor Pro Tem

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

Mayor Larson welcomed students from Redlands High School who were present to observe the proceedings.

CONSENT CALENDAR

Minutes - Minutes of the adjourned regular meeting of June 7, 1994, the regular meeting of June 7, 1994, and the adjourned regular meeting of June 14, 1994, were approved as submitted.

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

Resolution No. 5103 - Traffic - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, Council adopted, by AYE votes of all present, Resolution No. 5103, a resolution of the City Council of the City of Redlands establishing the following traffic regulations pursuant to Title 10 of the Redlands Municipal Code: no parking will be permitted on the east side of Washington Street between Lugonia Avenue and the Redlands Unified School District driveway; two-hour parking, 9:00 A.M. to 6:00 P.M. except Sundays, shall be established on the portions of West State Street and West Citrus Avenue fronting 535 West State Street; and two parking spaces shall be designated for handicapped parking only on the south side of Vine Street, immediately east of Fourth Street.

Resolution No. 5105 - Traffic - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, Council adopted, by AYE votes of all present, Resolution No. 5105, a resolution of the City Council of the City of Redlands establishing the following traffic regulations pursuant to Title 10 of the Redlands Municipal Code: designate a school bus loading zone on the north side of West Cypress Avenue for Smiley Elementary School.

Agreement - Youth Sports Programs - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, Council approved, by AYE votes of all present, an agreement with the United Way of the East Valley to apply for funding for scholarships for the Recreation Division's youth sports programs.

Traffic Signal - Citrus Avenue and Ford Street - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, Council authorized, by AYE votes of all present, the implementation of a three-way traffic signal operation at the intersection of Citrus Avenue and Ford Street, as recommended by the Traffic Commission. This will allow a separate green phase for each direction on Citrus Avenue which will eliminate the conflict between left turning vehicles and those traveling through in the opposite direction.

Resolution No. 5106 - Santa Ana River Crossings - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, Council approved, by AYE votes of all present, Resolution No. 5106, a resolution of intent to adopt special covenants for the reimbursement of emergency relief funds for the demolition of the Orange Street Bridge; and installation of temporary emergency dip crossings at Orange and Alabama Streets.

COMMUNICATIONS

Appointment - Parks Commission - Mayor Larson moved to reappoint Marvin E. Duncan to another four-year term on the Parks Commission. Motion seconded by Councilmember Cunningham and carried by AYE votes of all present.

Appointments - Recreation Commission - Mayor Larson moved to reappoint Sylvia Alcantar, Susan Garcia, and Charles L. Baker to another four-year term on the Recreation Commission. Motion seconded by Councilmember Cunningham and carried by AYE votes of all present.

SB 1839 - Housing Element (Bergeson) - Councilmember Cunningham moved to support SB 1838 (Bergeson) - Housing Element Reform and directed that letters be sent to our state legislators. Motion seconded by Councilmember Gilbreath and carried unanimously.

PLANNING AND COMMUNITY DEVELOPMENT

Planning Commission Actions - On motion of Councilmember Cunningham, seconded by Councilmember Larson, the report of the Planning Commission meeting held on June 14, 1994, was acknowledged as received.

Minor Subdivision No. 230 - Myron and Harriet Talbert - The Planning Commission approved the application for the subdivision of approximately 3.92 acres of land into four lots for property located at 1355 Knoll Road in the R-A (Residential Estate) District. Councilmember Cunningham expressed concern about the Public Works-Street improvement requirements for the Romona Street spur and he did not feel these improvements would be in the best interests of all involved. Therefore, he moved to appeal these conditions and hold a public hearing. Motion seconded by Councilmember Larson and carried by AYE votes of all present.

Sunwest Materials Agreement - Community Development Director Jeffrey L. Shaw presented a status report regarding Development Agreement No. 5 for Sunwest Materials in the Santa Ana Wash. Councilmember Cunningham felt there were three issues that needed to be addressed: Sunset, Robertson's, and the haul road for the Seven Oaks Dam, and he suggested inviting representatives from each entity to a study session. Councilmembers concurred and a study session will be scheduled.

CLOSED SESSION

The City Council meeting recessed at 3:15 P.M. to a Redevelopment Agency meeting and reconvened at 3:26 P.M. to a closed session for to discuss the following matters:

1. Conference with real property negotiator
Property: Southwest corner of California Street and I-10 Freeway
Negotiating parties: Gary M. Luebbers, City of Redlands, and Robert Best
Under negotiation: Terms and price

2. Conference with real property negotiator
Property: 9.75 acres along East San Bernardino Avenue,
west of Wabash Avenue
Negotiating parties: Gary M. Luebbers, City of Redlands, and
Mark Buoye
Under negotiation: Terms and Prices
3. Existing litigation:
 - (a) Joseph Holley v. City of Redlands (Administrative appeal pending before PERS)
 - (b) O'Neil v. City of Redlands (Superior Court Case No. SCU 08818)
 - (c) San Bernardino County Flood Control v. City of Redlands et al
 - (d) Tobe, et al v. City of Santa Ana (California Supreme Court No. 5-038530)

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

PRESENTATIONS

Citizen Volunteer Patrol - 365 Club - Mayor Larson, Police Captain Jim Bueermann, and Citizen Volunteer Patrolman Jim Stellar presented "365 Club" membership certificates for the years 1993 and 1994 to the following: Emmerson-Bartlett Mortuaries, Inc., Jim Glaze, Inc., Hatfield Buck and GMC Truck, Redlands Community Hospital, Redlands Federal Bank, Redlands Round Table, San Bernardino Golf Club, and Mr. and Mrs. James H. Stellar; for the year 1994: American Legion Post 650, Mr. Jack H. Brown, Citizen Volunteer Patrol, Coast Federal Bank, The Contemporary Club, Davis & Graeber Insurance, Lifecare Medical Transport, Mr. and Mrs. H. Harrison Lightfoot, Lions Club-Host, Redlands Centennial Bank, Redlands Country Club, Redlands Evening Lions Club, Redlands Footlighters, Southern California Edison Company, and Zonta Club of Redlands.

Retirement Recognition - Mayor Larson presented a City Seal plaque to Fire Captain Jacob Mantel for his service with the Fire Department from December 1, 1964, through June 21, 1994. Fire Chief Mel Enslow reviewed Mr. Mantel's career with the Redlands Fire Department and presented him a gold watch in recognition of his retirement.

PUBLIC COMMENTS

Tobacco Vending Machines - On behalf of ACTIONS (Adult, Child, Teen Initiatives Opposing Neighborhood & School Smoking), the following people requested that the City Council take action to help prevent the use of tobacco by children by adopting an ordinance to ban the sale of tobacco products in vending

machines and to establish a task force to review the current ordinance relating to smoking in public places: Ann Davis-Schultz, Lenny Mason, Dr. Kim Clark, Doug Everhart, Jon Opsahl, M.D., and Perry Dyke. On behalf of the American Cancer Society, John Coleman also urged approval of a tobacco control ordinance. Mayor Larson assured members of the audience the City Council would address their request and review the make up of a task force.

PUBLIC HEARINGS

Resolution No. 5061 - Landscape Maintenance District - Annexation - Public hearing was advertised for this time and place to consider Resolution No. 5061, a resolution of the City Council of the City of Redlands ordering the work in connection with Annexation No. 10 to Landscape Maintenance District No. 1. Public Works Director Ronald C. Mutter explained that 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. On April 19, 1994, the City Council approved Resolution No. 5058 which appointed the Engineer of Work and ordered preparation of the Engineer's Report; Resolution No. 5059 which gave preliminary approval of the Engineer's Report; and Resolution No. 5060 which declared the City Council's intention to order an annexation to Landscape Maintenance District No. 1, specified boundaries of the District, and set times as required by State Law for a public meeting which was held on June 7, 1994, and the public hearing. Mayor Larson declared the meeting open as a public hearing for any questions or comments. A letter of objection was received from Robert C. Newman II, Ph.D. for Parcel No. 017120233. There being no comments from the audience, the public hearing was declared closed. Councilmember Cunningham moved to adopt Resolution No. 5061; motion seconded by Councilmember Gilbreath and carried by AYE votes of all present.

Resolution No. 5065 - Street Lighting District - Annexation - Public hearing was advertised for this time and place to consider Resolution No. 5065, a resolution of the City Council of the City of Redlands ordering the work in connection with Annexation No. 7 to Street Lighting District No. 1. Public Works Director Ronald C. Mutter explained that 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 the increase the number of street lighting facilities to be maintained by the City. On April 19, 1994, the City Council adopted Resolution No. 5062 which appointed the Engineer of Work and ordered the preparation of the Engineer's Report; Resolution No. 5063 which gave preliminary approval of the Engineer's

Report; and Resolution No. 5064 which declared the City Council's intention to order an annexation to Street Lighting District No. 1, specified the boundaries of the district, and set times as required by State Law for a public meeting which was held on June 7, 1994, and the public hearing. Mayor Larson declared the meeting open as a public hearing for any questions or comments. A letter of objection was received from Robert C. Newman II, Ph.D. for Parcel No. 017120233. There being no comments from the audience, the public hearing was declared closed. Councilmember Cunningham moved to adopt Resolution No. 5065; motion seconded by Councilmember Gilbreath and carried by AYE votes of all present.

Resolution No. 5078 - Landscape Maintenance District - Annual Report - Public hearing was advertised for this time and place to consider Resolution No. 5078, a resolution of the City Council of the City of Redlands ordering the maintenance of improvements in Landscape Maintenance District No. 1, giving final approval of the Engineer's Report, and confirming the assessment for the 1994-95 fiscal year. Public Works Director Ronald C. Mutter explained that the City Council ordered the formation of a Landscape Maintenance Assessment District on July 7, 1987. Each year the city is required to file an Engineer's Report to update and continue the assessments. On April 19, 1994, the City Council adopted Resolution No. 5076 which granted preliminary approval of the Engineer's report for fiscal year 1994-95 for Landscape Maintenance District No. 1, declared the work to be of more local than ordinary public benefit, specified the exterior boundaries of the areas within the Landscape Maintenance District No. 1 to be assessed cost and expense thereof, designated said district as Landscape Maintenance District No. 1, determined that these proceedings shall be taken pursuant to the Landscaping Lighting Act of 1972, and offered a time and place for hearing objections hereto. In accordance with State Law, a public meeting was held on this matter on June 7, 1994. Mayor Larson declared the meeting open as a public hearing for any questions or comments. Mr. Mutter responded to Mrs. Shelly Bodnar regarding landscaping on a parcel on Reservoir Road (L10-G, CUP 541). There being no further comments, the public hearing was declared closed. Councilmember Larson moved to adopt Resolution No. 5078; motion seconded by Councilmember Cunningham and carried by AYE votes of all present.

Resolution No. 5082 - Street Lighting District - Annual Report - Public hearing was advertised for this time and place to consider Resolution No. 5082, a resolution of the City Council of the City of Redlands ordering the continued operation of Street Lighting District No. 1 and confirming the Engineer's Report and assessment for the 1994-95 fiscal year. Public Works Director Ronald C. Mutter explained the City Council ordered the formation of a Street Lighting Assessment District on September 19, 1989. Each year, the City is required to

file an Engineer's Report to update and continue the assessments. On April 19, 1994, the City Council adopted Resolution No. 5080 which granted approval of the Engineer's Report for fiscal year 1994-95 for Street Lighting District No. 1; and Resolution No. 5081 which declared the City Council's intention to levy and collect assessments for fiscal year 1994-95 in Street Lighting District No. 1, declared the work to be of more local than ordinary public benefit, specified the exterior boundaries of the areas within Street Lighting District No. 1 to be assessed cost and expense thereof, designated said district as Street Lighting District No. 1; determined that these proceedings shall be taken pursuant to the Landscaping and Lighting Act of 1972; and offered a time and place for hearing objections hereto. In accordance with State Law, a public meeting was held on this matter on June 7, 1994. Mayor Larson declared the meeting open as a public hearing for any questions or comments. None being forthcoming, the public hearing was declared closed. Councilmember Gilbreath moved to adopt Resolution No. 5082; motion seconded by Councilmember Gil and carried by AYE votes of all present.

Resolution No. 5096 - Parking and Business Improvement Area - Public hearing was advertised for this time and place to consider Resolution No. 5096, a resolution of the City Council of the City of Redlands ordering the continued operation of Parking and Business Improvement Area B and confirming the annual report and assessment for fiscal year 1994-95. Management Assistant Marjie Pettus reported the Advisory Board for Parking and Business Improvement Area B recommended approval of this resolution. Mayor Larson declared the meeting open as a public hearing for any questions or comments. None being forthcoming, the public hearing was declared closed. Councilmember Cunningham moved to adopt Resolution No. 5096; motion seconded by Councilmember Gilbreath and carried by AYE votes of all present.

Resolution No. 5098 - Agricultural Preserve Removal No. 88 and Resolution No. 5099 - Williamson Act Cancellation No. 5 - Public hearings were advertised for this time and place to consider Resolution No. 5098, a resolution of the City Council of the City of Redlands amending Agricultural Preserve Boundaries previously established by Resolution No. 4950 and approving Agricultural Preserve Removal No. 88, the removal from the Agricultural Preserve of 85.82 acres of land located north of Lugonia Avenue, west of Wabash Avenue, and south of San Bernardino Avenue, and Resolution No. 5099, a resolution of the City Council of the City of Redlands approving tentative cancellation of Land Conservation Contract No. 74-R014 for 16.7 acres of land located north of Lugonia Avenue, west of Wabash Avenue, and south of San Bernardino Avenue (Metro-California Business Enterprises, applicant). Community Development Director Shaw reported a letter had been received from the State requesting additional information regarding these

applications, and that the applicant has expressed his willingness to continue this hearing for two week. Mayor Larson declared the meeting open as a public hearing for any questions or comments. Clive Hinckley expressed his opposition to approval of these application. There being no further comments, the public hearing was continued to July 5, 1994, on motion of Councilmember Cunningham, seconded by Councilmember Gilbreath, by AYE votes of all present.

UNFINISHED BUSINESS

Ordinance No. 2185 - Downtown Redlands Specific Plan No. 45 - Citing a possible conflict of interest, Mayor Larson turned the gavel over to Councilmember Cunningham and left the Council Chambers. Ordinance No. 2185, an ordinance of the City Council of the City of Redlands adopting Specific Plan No. 45 (Downtown Redlands Specific Plan) was given its second reading of the title by City Clerk Poyzer, and on motion of Councilmember Gilbreath, seconded by Councilmember Gil, further reading of the ordinance text was waived. Ordinance No. 2185 was adopted on motion of Councilmember Gilbreath, seconded by Councilmember Gil, by the following vote:

AYES: Councilmembers Cunningham, Gilbreath, Gil

NOES: None

ABSTAIN: Councilmember Larson

ABSENT: Councilmember Foster

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 given its second reading of the title by City Clerk Poyzer, and on motion of Councilmember Cunningham, seconded by Councilmember Gilbreath, further reading of the ordinance text was waived. Ordinance No. 2249 was adopted on motion of Councilmember Gilbreath, seconded by Councilmember Cunningham, by the following vote:

AYES: Councilmembers Cunningham, Gilbreath, Gil; Mayor Larson

NOES: None

ABSENT: Councilmember Foster

Ordinance No. 2250 - Amendment No. 2 to Specific Plan No. 23 - Ordinance No. 2250, an ordinance of the City Council of the City of Redlands adopting Amendment No. 2 to Specific Plan No. 23 which will 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), was given its second reading of the title by City Clerk Poyzer, and on motion of Councilmember Cunningham, seconded by

Councilmember Gilbreath, further reading of the ordinance text was waived. Ordinance No. 2250 was adopted on motion of Councilmember Gilbreath, seconded by Councilmember Cunningham, by the following vote:

AYES: Councilmembers Cunningham, Gilbreath, Gil; Mayor Larson

NOES: None

ABSENT: Councilmember Foster

Ordinance No. 2251 - Freestanding Signs at a Unified Center - Ordinance No. 2251, an ordinance of the City of Redlands amending the Redlands Municipal Code pertaining to freestanding signs (Ordinance Text Amendment No. 231) which will allow additional freestanding signs in a unified complex for individual tenants over 50,000 square feet in floor area, was given its second reading of the title by City Clerk Poyzer, and on motion of Councilmember Larson, seconded by Councilmember Cunningham, further reading of the ordinance text was waived. Ordinance No. 2251 was adopted on motion of Councilmember Larson, seconded by Councilmember Gil, by the following vote:

AYES: Councilmembers Gilbreath, Gil; Mayor Larson

NOES: Councilmember Cunningham

ABSENT: Councilmember Foster

Ordinance No. 2252 - Freeway Oriented Signs - Ordinance No. 2252, an ordinance of the City of Redlands amending Diagram 15.36.040(22) of the Redlands Municipal Code by adopting Zoning Ordinance Text Amendment No. 232 relating to freeway oriented signs which will include properties within a 400 feet radius from the east bound off ramp of the I-10 Freeway and Ford Street in said diagram, was given its second reading of the title by City Clerk Poyzer, and on motion of Councilmember Gilbreath, seconded by Councilmember Gil, further reading of the ordinance text was waived. Ordinance No. 2252 was adopted on motion of Councilmember Gilbreath, seconded by Councilmember Gil, by the following vote:

AYES: Councilmembers Cunningham, Gilbreath, Gil; Mayor Larson

NOES: None

ABSENT: Councilmember Foster

1994-95 Budget - Finance Director Steven M. Chapman presented the 1994-95 budget in summary form which reflects the Council's recommendations heard during the budget study sessions. Councilmembers expressed their appreciation to staff for their many hours working with them during the preparation of this budget. City Manager Luebbers also expressed his appreciation to the department heads for their unwavering support especially Mr. Chapman and his assistant Tina Kundig. Councilmember Gilbreath moved to eliminate the Operating, Capital, Landfill, and Equipment Replacement Reserves on Page 7, Solid Waste Service, and to adopt the adjusted budget. Motion seconded by Councilmember Larson and carried with Councilmember Cunningham voting NO.

Resolution No. 5102 - Salary - Resolution No. 5102, a resolution of the City Council of the City of Redlands establishing a salary schedule and compensation plan for City employees and implementing the changes approved through the 1994-95 budget process, was adopted on motion of Councilmember Gilbreath, seconded by Councilmember Larson.

NEW BUSINESS

Sunset Drive Street Vacation No. 106 - On behalf of James O'Neil, applicant for Street Vacation No. 106 (Sunset Drive), his attorney, Paula Forthun, presented, at length, alternatives which she felt were aesthetically and view sensitive which she said would preserve the trees and area functioning as a view point. She further explained that her client is only asking for a vacation of a steep slope which they felt was not usable by the City and urged the City Council to approve this street vacation application. Mary Briccetti reminded Councilmembers this application has been denied twice and that Mr. O'Neil has now filed a lawsuit on this matter. The precedents the applicant is citing are predated by the resolution designated Sunset Drive as a scenic drive, and she was vehemently opposed to vacating this land for the benefit of one person and felt he could build on another section is his property. Noting this matter was under litigation, Mayor Larson said the City Council would discuss this matter on July 5, 1994, in a closed session.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 8:26 P.M. The next regular meeting will be held on July 5, 1994.

City Clerk