

MINUTES

of a regular meeting of the City Council of the City of Redlands held in the Council Chambers, 212 Brookside Avenue, on July 5, 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 Mayor Larson followed by the pledge of allegiance.

Mayor Larson welcomed the students from the Redlands High School government classes present at this meeting.

CONSENT CALENDAR

Minutes - Minutes of the adjourned regular meeting of June 21, 1994, and the regular meeting of June 21, 1994, were approved as submitted.

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

Funds - Parking Authority Fund - On motion of Councilmember Foster, seconded by Councilmember Gilbreath, Council unanimously approved an appropriation in the amount of \$7,000.00 from the Parking Authority Fund for resurfacing and maintenance of various parking lots.

Spay/Neuter Project - Complimenting staff and the non-profit groups, such as Friends of the Redlands' Animal Shelter, BARC, and the Redlands District Humane Society, for their participation in a "public-private" partnership with the Redlands Animal Shelter to develop a spay/neuter program for dogs and cats adopted through the Shelter, Councilmember Cunningham moved to support this program and directed staff to prepare the necessary documents and

authorized the Mayor and City Clerk to execute said documents. Motion seconded by Councilmember Gilbreath and carried unanimously.

Resolution No. 5107 - State-Local Transportation Partnership Program - Following brief discussion, Councilmember Foster moved to adopt Resolution No. 5107, a resolution of the City Council of the City of Redlands, California, authorizing the Mayor of the City of Redlands to act for and on behalf of said City in the execution of Program Supplement No. 003 of the State-Local Entity Master Agreement under State Senate Bill SB300, to apply for reimbursement for a portion of the cost of the Fern Avenue Improvement Project. Motion seconded by Councilmember Gilbreath and carried unanimously.

Resolution No. 5108 - Measure I - On motion of Councilmember Foster, seconded by Councilmember Gilbreath, Council unanimously adopted Resolution No. 5108, a resolution of the City Council of the City of Redlands, State of California, adopting the five-year capital improvement program and twenty-year transportation plan for Measure I funds, the County-wide Transportation Sales Tax Program.

Maintenance Agreement - On motion of Councilmember Foster, seconded by Councilmember Gilbreath, Council unanimously approved a maintenance agreement between the City of Redlands and Charles Crane for minor maintenance at 168 and 172 South Eureka Street.

PLANNING AND COMMUNITY DEVELOPMENT

Planning Commission Actions - Following brief discussion regarding Tentative Tract No. 14790 (Mo Behzad, applicant) on motion of Councilmember Foster, seconded by Councilmember Gilbreath, the report of the Planning Commission meeting held on June 28, 1994, was unanimously acknowledged as received.

COMMUNICATIONS

San Bernardino International Airport - Mayor Larson announced the new officers for the San Bernardino International Airport Authority Board: Dennis Johnson, president; Tim Minor, vice-president; and Jerry Eaves, executive secretary.

Appointments - Mayor Larson moved to nominate Richard (Dick) Burkhart and Lawrence M. Cole to four-year terms on the Board of Appeals. Motion seconded by Councilmember Cunningham and carried unanimously.

Tobacco Task Force - Mayor Larson moved to add an item to the agenda which arose subsequent to the agenda being posted: "Appointments - Task Force to review Smoking Ordinance and Use of Vending Machines." Motion seconded by Councilmember Gilbreath and carried with Councilmember Foster voting NO. Mayor Larson moved to appoint Pat Gilbreath, Dr. Perry Dyke, Dr. Kim Clark, Ann Davis Schultz, Sandy Davies, Larry Weston, Carole Ely, Norm Lynd, and Gail Gerrard to a task force to review the Smoking Ordinance and use of vending machines. Councilmembers concurred with these appointments.

Fox Theater Project - Councilmember Gilbreath moved to add an informational item regarding the Fox Theater Project on the agenda which arose subsequent to the agenda being posted. Motion seconded by Councilmember Larson and carried unanimously. Wayne Scott, Lighthouse Productions which is a non-profit, live theater organization, indicated his organization is looking into purchasing and refurbishing the Fox Theater for their use. Councilmembers indicated their support of this project.

CLOSED SESSION

The City Council meeting recessed at 3:20 P.M. to a Redevelopment Agency meeting and reconvened at 3:21 P.M. to a closed session for the purpose of discussing the following matters:

- (a) Conference with real property negotiator
 - Property: 9.75 acres along the east side of San Bernardino Avenue, west of Wabash Avenue
 - Negotiating parties: Gary M. Luebbers, City Manager, and Mark Buoye
 - Under negotiation: Terms and price
- (b) Conference with labor negotiator
 - Agency negotiator: Gary M. Luebbers, City Manager
 - Employee organization: GEAR and RPOA

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

PRESENTATIONS

Retirements - Mayor Larson presented City Seal plaques and gold watches to Marshal Mead and James H. Smith. Fire Marshal Mead began his career with the Fire Department on October 16, 1967, and retired on June 27, 1994. Captain Smith began his career with the Police Department on August 1, 1969, and retired on June 20, 1994.

PUBLIC HEARINGS

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 approving Agricultural Preserve Removal No. 88: 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 Williamson Act Cancellation No. 5: 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 Jeffrey L. Shaw reviewed these applications and informed Council the State of California, Office of Land Conservation, has indicated that the findings as presented were inadequate to support City Council approval of the requested contract cancellation. Mayor Larson declared the meeting open as a public hearing for any questions or comments. On behalf of the applicant, Pat Meyer told Council he has done the prior four cancellations, and we have never heard from the State. He said this was the next logical step in the process, and indicated he and his client would indemnify the City. There being no further comments, the public hearing was declared closed. Councilmember Foster moved to approve the Negative Declaration for Agricultural Preserve Removal No. 88 and Williamson Act Cancellation No. 5 and directed staff to file and post a Notice of Determination in accordance with City guidelines, noting it has been determined this project will not individually or cumulatively effect wildlife resources as defined in Section 711.2 of the California Fish and Game Code. Motion seconded by Councilmember Gilbreath and carried with Councilmember Cunningham voting NO. Councilmember Foster moved to adopt Resolution No. 5098, approving Agricultural Preserve Removal No. 88, and Resolution No. 5099, approving Williamson Act Cancellation No. 5 and approving tentative cancellation of a Land Conservation Contract for 16.7 acres of land subject to the applicant entering into an agreement with the City to defend indemnity and hold the City harmless against any future legal challenges pertaining to this action. Motion seconded by Councilmember Gilbreath and carried with Councilmember Cunningham voting NO.

Resolution No. 5104 - Appropriations Limit for Fiscal Year 1994-95 - Public hearing was advertised for this time and place to consider Resolution No. 5104, a resolution of the City Council of the City of Redlands establishing an appropriations limit for the fiscal year 1994-95 pursuant to Article XIII B of the California Constitution. 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. 5104. Motion seconded by Councilmember Foster and carried unanimously.

Ordinance No. 2254 - Utility Capital Improvement Charges - Public hearing was advertised for this time and place to consider Ordinance No. 2254, an ordinance of the City Council of the City of Redlands amending Chapter 3.44, 3.48, 3.70 and 13.40 of the Redlands Municipal Code relating to Utility Capital Improvement Charges and reflecting a 50 percent reduction as directed by the City Council at their June 7, 1994, meeting. Mayor Larson declared the meeting open as a public hearing for any questions or comments. None being forthcoming, the public hearing was continued to July 19, 1994, to consider Public Facilities Development Impact Fees. Ordinance No. 2254, 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. 2254 was introduced and laid over under the rules with second reading scheduled for July 19, 1994, on motion of Councilmember Foster, seconded by Councilmember Gil, with Councilmember Cunningham voting NO.

Ordinance No. 2255 - Water and Solid Waste Rates - Public hearing was advertised for this time and place to consider Ordinance No. 2255, an ordinance of the City of Redlands amending Chapter 3.52 and 3.66 of the Redlands Municipal Code relating to water and solid waste rates and reducing said rates by four percent as directed by the Council 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 closed. Ordinance No. 2255 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. 2255 was introduced with unanimous Council approval and laid over under the rules with second reading scheduled for July 19, 1994, on motion of Councilmember Gilbreath, seconded by Councilmember Foster.

General Plan - Public hearing was advertised for this time and place to consider General Plan Amendment No. 54 and its associated Environmental Impact Report and findings and statement of overriding considerations regarding environmental impacts and mitigation monitoring plan. Community Development Director Jeffrey L. Shaw reported that on June 14, 1994, the Planning Commission voted unanimously to adopt Redlands Planning Commission Resolution No. 826 recommending to the City Council approval of the General Plan Update, Housing Element, and related documents. Mr. Shaw felt this document as prepared meets State requirements and complies with Measure N. Mayor Larson declared the meeting open as a public hearing. R. A.

Moore said that public participation is noted in the document but he felt the public was having very little influence on this document. Pat Meyer stated he did not have a document he could support or oppose and suggested incorporating all information into one document. G. Louis Fletcher submitted a letter on behalf of his mother Vada F. Fletcher regarding Assessor's Parcel No. 169-252-10. Jon Harrison expressed concern about the high density application indicating the historic areas needed the protection of a mixed use of single family and multi-family. Community Development Director Shaw indicated the document will be available in text form for the next City Council meeting and that a public hearing will be noticed to address the definition of Urban Reserve (Agriculture) as it relates to Measure N. There being no further comments at this time, the public hearing was unanimously continued to July 19, 1994, on motion of Councilmember Foster, seconded by Councilmember Gilbreath.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 8:12 P.M. The next regular meeting will be held on July 19, 1994.

City Clerk