

MINUTES

of a regular meeting of the City Council of the City of Redlands held in the Council Chambers, 212 Brookside Avenue, on July 19, 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. Luebbers, City Manager
Daniel J. McHugh, City Attorney
Lorrie Poyzer, City Clerk
Renee Groese, Redlands Daily Facts
(evening session only)
Steven Church, The Sun

ABSENT

None

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

Mayor Larson welcomed students present from the Redlands High School Government classes.

CONSENT CALENDAR

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

Contract Monitoring Reports - On motion of Councilmember Foster, seconded by Councilmember Gil, the monthly contract monitoring reports updated through July 12, 1994, for projects currently being administered by the Public Works Department were unanimously acknowledged as received.

Subordination Agreement - On motion of Councilmember Foster, seconded by Councilmember Gil, Council unanimously approved a subordination agreement for 1718 Smiley Ridge for Larry L. and Janette M. Curti.

Subordination Agreement - On motion of Councilmember Foster, seconded by Councilmember Gil, Council unanimously approved a subordination agreement for 1607 Smiley Ridge for Richard L. and Judy L. Sheldon.

Funds - Joslyn Senior Center - On motion of Councilmember Foster, seconded by Councilmember Gil, Council unanimously approved an additional appropriation of \$12,029.00 for the Joslyn Senior Center special program expenditures which will ensure donations received are returned to the seniors. These funds are to be appropriated into the 1994-95 budget as follows:

01-6610-2210	\$ 700.00	Postage not budgeted
01-6610-2270	700.00	Printing/binding actual expense
01-6610-2760	2,000.00	Programs
01-6610-3500	250.00	Furnishings for increase in staff
01-6610-3590	<u>2,732.00</u>	New security system
	\$ 6,382.00	Total Administration
01-6630-2760	\$ 3,547.00	Senior programs
01-6631-2760	2,000.00	Senior movies
01-6657-2255	<u>100.00</u>	Twinges mileage reimbursement
	\$ 5,647.00	Total Programs
	\$12,029.00	Total Additional Appropriation

Employee Vacancies - On motion of Councilmember Foster, seconded by Councilmember Gil, Council unanimously approved filling the following positions: Building Inspector II and Groundskeeper II.

Investment Advisor - Following brief discussion, on motion of Councilmember Gilbreath, seconded by Councilmember Cunningham, Council unanimously authorized Fund Services Associates, Inc. (FSA) to serve as investment advisor and to secure a competitive bid investment agreement for Redevelopment Agency's 1987 and 1994 bond debt service reserves.

PLANNING AND COMMUNITY DEVELOPMENT

Planning Commission Actions - On motion of Councilmember Foster, seconded by Councilmember Gil, the report of the Planning Commission meeting held on July 12, 1994, was unanimously acknowledged as received.

CLOSED SESSION

City Attorney McHugh reported a letter was received on Friday, July 15, 1994, from an attorney representing The Redlands Association regarding the General Plan. Noting that the need to take action was immediate, Councilmember Larson moved to add the following item to the agenda which arose subsequent to the agenda being posted:

Conference with legal counsel - Anticipated litigation

Significant exposure pursuant to Government Code Section 54956.9(b)

One (1) case

Motion seconded by Councilmember Foster and carried unanimously. Councilmember Foster then inquired if Councilmember Cunningham, as president of The Redlands Association, had a conflict of interest in this matter. Councilmember Cunningham responded there would be no financial benefit for him and, therefore, he would participate in the discussion. The City Council meeting recessed at 3:06 P.M. to a Redevelopment Agency meeting and reconvened at 3:07 P.M. to a closed session to discuss the following matters:

1. Conference with real property negotiator
Property: Northwest corner of Colton Avenue and Wabash Avenue
Negotiating parties: Gary M. Luebbers, City of Redlands, and George Glenn
Under negotiation: Terms and price
2. Existing litigation: O'Neil v. City of Redlands
(Superior Court Case No. SCU 08818)

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

PRESENTATIONS

Retirement Recognition - Mayor Larson presented a City seal plaque and gold watch in recognition of Thomas A. Boberick's retirement from the Fire Department. Mr. Boberick began his career with the City on July 16, 1967, and retired on June 26, 1994. Fire Chief Mel Enslow also gave Mr. Boberick his retirement badge.

CLOSED SESSION REPORT

There was no report following the closed session.

PUBLIC HEARINGS

Urban Reserve (Agriculture) Definition - Public hearing was set for this time and place in accordance with Section 16 of Initiative Measure N to modify the definition of Urban Reserve (Agriculture) as it relates to Measure N. Community Development Director Jeffrey L. Shaw explained that at the General Plan study session held on May 3, 1994, the City Council discussed land use issues associated with El Carmelo Retreat and areas north of Barton Road. An

issue had been raised as to the relationship of these parcels to Measure N, and the City Council indicated the definition of Urban Reserve (Agriculture) established by the City Council on June 7, 1988, appeared inappropriate and requested it be reconsidered with the new General Plan. Mayor Larson declared the meeting open as a public hearing for any questions or comments. Representing The Redlands Association, R. A. Moore urged the City Council not to change the definition established in 1988. Pat Meyer urged the City Council to modify the definition to allow properties such as the one on San Bernardino Avenue and Texas Street, owned by J. J. Ramirez, that is unusable under the current policy. There being no further comments, the public hearing was declared closed. Following discussion, Councilmember Foster moved to modify the definition of Urban Reserve (Agriculture) to include only areas designated Urban Reserve (Agriculture) on the General Plan as it existed on June 1, 1987. Motion seconded by Councilmember Gil and carried with the required 4/5 affirmative vote with Councilmember Cunningham voting NO as he felt this definition changed the character and violated the intent of Measure N.

Appeal - Minor Subdivision No. 230 - Public hearing was advertised for this time and place to consider an appeal to the Public Works Department street improvement requirements for the Ramona Street spur pertaining to 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 (Myron and Harriet Talbert, applicants). Community Development Director Jeffrey L. Shaw reported the Planning Commission voted unanimously on June 14, 1994, to approve Minor Subdivision No. 230 with the recommendation to the City Council that all conditions of approval pertaining to Ramona Drive be deleted. The Public Works Department submitted a memorandum indicating it has no objection to this recommendation for the waiver of requirement for the installation of street improvements for Ramona Drive. 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 approve the appeal of Minor Subdivision No. 230 and waive requirements for the installation of street improvements for Ramona Drive based on the following findings:

1. That the proposed map is consistent with the General Plan;
2. That the design or improvement of the proposed subdivision is consistent with the General Plan;
3. That the site is physically suitable for the proposed type and density of development;
4. That the design of the subdivision, or the proposed improvements, are not likely to cause substantial environmental damage, or substantially and avoidably injure fish or wildlife or their habitat;

5. That the design of the subdivision, or the type of improvements, are not likely to cause serious public health problems;
6. That the design of the subdivision, or the type of improvements, will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision; and
7. That substantial evidence exists in the record that the proposed project will be consistent with the existing General Plan.

Motion seconded by Councilmember Gilbreath and carried unanimously.

Resolution No. 5111 - Public Facilities Fees - Public hearing was set for this time and place to consider Resolution No. 5111, a resolution of the City Council of the City of Redlands establishing a schedule of public facility fees for Fire, Police, Library, City Hall, and City Yard facilities. The fees proposed to be imposed under this resolution are 50 percent less than the current fees in accordance with City Council direction and are anticipated to be in place for a period of 18 months. In accordance with State law, the fees will become effective 30 days after the date of adoption of this resolution. Mayor Larson declared the meeting open as a public hearing for any questions or comments. On behalf of The Redlands Association, R. A. Moore recited the history of the implementation of the fees which were to service the debt incurred. He felt if this reduction was approved, the City Council would jeopardize their utility users' tax "sunset" promise. There being no further comments, the public hearing was declared closed. Councilmember Foster moved to adopt Resolution No. 5111. Motion seconded by Councilmember Gilbreath and carried with Councilmember Cunningham voting NO.

Ordinance No. 2256 - General Plan Amendment No. 54 - Public hearing was continued to this time and place to continue discussion on 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. Mayor Larson declared the meeting open as a public hearing. On behalf of J. J. Ramirez, his daughter Laura Ramirez expressed appreciation for the earlier decision to modify the definition of Urban Reserve (Agriculture). Albert Kelley, Alliance for Survival, reminded Councilmembers he had submitted to the Planning Department a video tape and 10-page analysis pointing out the flaws in the proposed General Plan.

On behalf of his mother, Vada F. Fletcher, Louis Fletcher requested an Industrial designation for the southerly portion of a parcel (APN 169-252-10) fronting on the north side of Park Avenue extending to Redlands Boulevard. Councilmember Foster moved to approve this request. Motion seconded by Councilmember Larson and carried unanimously.

Chairman of the Board of the Redlands Christian Home, Don Mydam requested that Item No. 28, Exhibit A of the Redlands Planning Commission Resolution No. 826, be amended to allow non-agricultural uses in the Rural Living and Agricultural Land Use designation. Councilmember Foster moved to delete the 150 foot requirement and amend Item No. 28 to read as follows: "Add policies to the Rural Living and Agricultural Land Use designations providing that non-agricultural uses are not permitted unless adjacent to or in proximity to existing urban development. Motion seconded Councilmember Gilbreath and carried with Councilmember Cunningham voting NO.

Elizabeth Voss asked questions regarding the creek, buffer zone, and trail system in San Timoteo Canyon. James A. Hammond felt alternatives should be included in the Solid Waste section of the proposed General Plan. Jon Harrison, Tom Gross, and Molly Burgess requested the area generally bounded by Fern Avenue, Fourth Street, Alvarado Street, Center Street, and Brookside Avenue (Old Town) be designated medium density rather than high density.

Representing The Redlands Association, R. A. Moore questioned the validity of the EIR and protested the lack of time available for public review. Councilmember Foster moved to continue this public hearing to both meetings in September (September 6 and 20, 1994) which would allow time to address the revisions and revise the EIR as necessary. Motion seconded by Councilmember Larson and carried unanimously. Pat Meyer commended the City Council for continuing the public hearing for a month.

At this time, Community Development Director Shaw directed the City Council's attention to issues raised on July 5, 1994:

Site Identification No. 11 - 13 lots located east of Texas Street and south of State Street and north of San Gorgonio Drive. The proposed General Plan shows Commercial; staff and the Planning Commission recommended that the residential portion of these lots (facing San Gorgonio Drive) be shown as Low Density Residential. Councilmember Foster moved to approve this recommendation; motion seconded by Councilmember Gil and carried unanimously.

Site Identification No. 13 - property located north of Olive Avenue and west of Norwood Street, as known also "Smith Property." The proposed General Plan is Agriculture; staff and the Planning Commission recommended maintaining the Agriculture designation and the City grove to be designated as a City Grove (CG). Councilmember Foster moved to approve this recommendation; motion seconded by Councilmember Gilbreath and carried unanimously.

East Valley Corridor Specific Plan - Medium Density Residential. Policies 4.401 and 4.62k reference consideration of medium density residential land use being incorporated into the East Valley Corridor Specific Plan. This consideration is very limited based upon the current definition of Urban Reserve (Agriculture); however, if a new definition is adopted by the City Council, additional sites in the East Valley Corridor Specific Plan could be considered for Medium Density Residential. Councilmembers concurred to continue this matter to September 6, 1994.

Sunrise Ranch - The General Plan shows the Greenspot/Sunrise Ranch area to have four primary land use designations: Very Low Density Residential, Rural Living, Resource Conservation, and Parks (golf course). Councilmember Foster moved to reduce the designation to at least Rural Living. Motion seconded by Councilmember Larson and carried unanimously.

UNFINISHED BUSINESS

Ordinance No. 2254 - Utility Capital Improvement Charges - Ordinance No. 2254, an ordinance of the City of Redlands amending Chapters 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, was given its second reading of the title 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 adopted on motion of Councilmember Foster, seconded by Councilmember Gil, by the following vote:

AYES: Councilmembers Foster, Gil, Gilbreath; Mayor Larson

NOES: Councilmember Cunningham

ABSENT: None

Ordinance No. 2255 - Water and Solid Waste Rates - Ordinance No. 2255, an ordinance of the City of Redlands amending Chapters 3.52 and 3.66 of the Redlands Municipal Code relating to water and solid waste rates and reflecting a four percent reduction, was given its second reading of the title by City Clerk Poyzer, and on motion of Councilmember Larson, seconded by Councilmember Gilbreath, further reading of the ordinance text was unanimously waived. Ordinance No. 2255 was adopted on motion of Councilmember Larson, seconded by Councilmember Foster, by the following vote:

AYES: Councilmembers Foster, Gil, Cunningham, Gilbreath;

Mayor Larson

NOES: None

ABSENT: None

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 8:48 P.M. The next regular meeting will be held on August 2, 1994.

City Clerk