

MINUTES

of a regular meeting of the City Council of the City of Redlands held in the Council Chambers, 212 Brookside Avenue, on September 20, 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
(arrived at 3:50 P.M.)
Gary G. Phelps, Acting 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 Councilmember Cunningham followed by the pledge of allegiance.

Mayor Larson extended congratulations to Councilmember Gil upon his being named Latino of the Year by the Northside Impact Committee this past weekend.

CONSENT CALENDAR

Minutes - Minutes of the regular meeting of September 6, 1994, were approved as submitted.

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

Employee Positions - On motion of Councilmember Gilbreath, seconded by Councilmember Foster, Council unanimously authorized the filling of the following vacancies: Account Clerk II (Utility Billing) and Water Meter Reader.

Resolution No. 5041 - Disability Retirement - On motion of Councilmember Gilbreath, seconded by Councilmember Foster, Council unanimously adopted Resolution No. 5041, a resolution of the City of Redlands determining that

Robert Brickley is incapacitated within the meaning of the Public Employees' Retirement Law for performance of his duties in the position of Police Chief.

Funds - Year-End Encumbrances - On motion of Councilmember Gilbreath, seconded by Councilmember Foster, Council unanimously approved an additional appropriation for all 1993-94 year-end encumbrances. These encumbrances represent commitments of future liabilities and are treated as a separate reserve of fund balance.

Unexpended Development Impact Fees - Government Code Section 66001 through 66006 requires that municipalities imposing impact fees provide an annual accounting of such fees. Councilmember Foster questioned the Open Space Fund and requested this matter be put on a future agenda for further information. He then moved to approve the Annual Report of Unexpended Development Impact Fees for the year ended June 30, 1994, and adopted the findings contained within this report as submitted by the Finance Director, in accordance with California Government Code Sections 66001 through 66006. Motion seconded by Councilmember Larson and carried unanimously.

Contract - Chambers Group - Following brief discussion, on motion of Councilmember Cunningham, seconded by Councilmember Larson, Council approved hiring Chambers Group, Inc. for review and verification of an Environmental Impact Report for the Concept Plan for Citrus Plaza Project for the sum of \$15,583.00 subject to approval of the contract by the City Attorney, with Councilmember Foster voting NO. The Citrus Plaza Project encompasses 124 acres of primarily undeveloped land that is bounded by Route 30 to the east, Lugonia Avenue to the south, Alabama Street to the west, and San Bernardino Avenue to the north. The project site is currently in an unincorporated section of San Bernardino County, but the project is proposed for annexation to the City of Redlands. The applicant will pay the cost to review this document plus \$3,117 which is the City's administrative fee.

Resolution No. 5113 - Cypress Avenue Speed Limit - A traffic engineering investigation has been conducted and Resolution No. 5113, establishing a 40 miles per hour speed limit on Cypress Avenue between Terracina Boulevard and Citrus Avenue, was presented for City Council consideration. Councilmember Cunningham expressed his displeasure with the erosion of speed limits on our streets and moved to maintain the current speed limits on Cypress Avenue (40 miles per hour from Terracina Boulevard to Cajon Street, and 35 miles per hour from Cajon Street to Citrus Avenue). Motion seconded by Councilmember Gilbreath and carried unanimously.

Resolution No. 5114 - Palm Avenue Speed Limits - A traffic engineering investigation has been conducted and Resolution No. 5114, establishing a 30 miles per hour speed limit on Palm Avenue between Serpentine Drive and San Mateo Street and 35 miles per hour speed limit on Palm Avenue between San Mateo Street and Ford Street, was presented for City Council consideration. Councilmember Cunningham expressed his displeasure with the erosion of speed limits on our streets and moved to maintain the current speed limits on Palm Avenue (25 miles per hour between Serpentine Drive and San Mateo Street, 30 miles per hour between San Mateo Street and Grove Street, and 25 miles per our between Grove Street and Ford Street). Motion seconded by Councilmember Gilbreath and carried unanimously.

Resolution No. 5115 - Fifth Avenue Speed Limits - A traffic engineering investigation has been conducted and Resolution No. 5115, establishing a 35 miles per hour speed limit on Fifth Avenue between Ford Street and Dearborn Street and 45 miles per hour on Fifth Avenue between Dearborn Street and Wabash Avenue, was presented for City Council consideration. Councilmember Cunningham expressed his displeasure with the erosion of speed limits on our streets and moved to maintain the current speed limits on Fifth Avenue (25 miles per hour between Ford Street and Dearborn Street, and 40 miles per hour between Dearborn Street and Wabash Avenue). Motion seconded by Councilmember Gilbreath and carried unanimously.

Senior Nutrition and Multipurpose Center Plaque - On motion of Councilmember Gilbreath, seconded by Councilmember Foster, Council unanimously approved the copy as recommended by staff for the plaque being prepared for the Senior Nutrition and Multipurpose Center.

Funds - Centennial Gift Catalogue Receipts - On motion of Councilmember Gilbreath, seconded by Councilmember Foster, Council unanimously approved additional appropriations as follows to cover unexpended Centennial Gift Catalogue receipts as of August 31, 1994:

Cemetery	\$ 100.00-Other Betterments/Improvements (62-7010-4150)
Parks	1,495.00-Agricultural & Horticultural (01-6510-3310)
Recreation	5,558.00-Other Betterments/Improvements (01-6710-4150)
Community Center	1,478.00-Special Departmental Supplies (10-7720-3590)

Funds - Optimist Club Donation - On motion of Councilmember Gilbreath, seconded by Councilmember Foster, Council unanimously approved the appropriation of \$500.00 to the Parks Maintenance budget for the donation received from the Redlands Noon Optimist Club at the last City Council meeting. This donation was presented to offset the cost for repairs to damaged parks facilities due to their antique car show held the weekend of July 16, 1994.

Redlands Morning Kiwanis - Annual Haunted House - On motion of Councilmember Gilbreath, seconded by Councilmember Foster, Council unanimously approved the request by the Redlands Morning Kiwanis Club to utilize the City-owned house at 180 South Eureka Street for their 1994 haunted house fund raising event. The event will begin on October 26, 1994, and conclude on Halloween night, October 31, 1994, and will be open from 6:00 P.M. until 9:30 P.M. each evening.

Median - Redlands Boulevard - Assistant Public Works Director Peter A. Laaninen explained that in April of 1991, the management and tenants of Nevada Properties on the southwest corner of Redlands Boulevard and Nevada Street petitioned for the partial removal of the median island on Redlands Boulevard in order to allow for left turns into their complex. The Traffic Commission considered the matter and voted to recommend to the City Council the installation of a left turn-in only access through the median on Redlands Boulevard. The City Council denied the request at their September 17, 1991, meeting, following the report from staff that the request was contrary to the East Valley Corridor Specific Plan requirements for Redlands Boulevard, and that it would have a negative impact on traffic on Redlands Boulevard. On October 1, 1991, the City Council reconsidered the matter and heard testimony from numerous tenants at the complex. The Council approved the installation of the left turn access provided the property owner/developer would enter into an agreement with the City prior to construction that if the traffic control land turns out to be unsafe, the City would require the property owner/developer to restore the median at his cost. The property owner was to submit an engineering plan for the median opening and submit the same to the City. Subsequent to this action, no activity took place on the part of the applicant to pursue the actual installation of the left turn opening until recently when Michael Atencio, representing Nevada Properties, requested verbally that steps be taken to implement the request. In the intervening time, construction of the traffic signals at Redlands Boulevard and Nevada Street has commenced, with completion scheduled within a month. Traffic continues to increase on Redlands Boulevard with over 2,000 average daily traffic at New Jersey Street. The East Valley Corridor Specific Plan calls for a median island to remain on Redlands Boulevard with driveways where existing median breaks occur. The new traffic signal will provide a left turn phase from Redlands Boulevard to Nevada Street and will facilitate a safe, protected left turn for traffic traveling to the complex. It is staff's recommendation to deny any median opening at this time in order to allow time to evaluate the traffic flow after the traffic signals at Nevada Street and New Jersey Street are placed into operation. Mr. Atencio was present at this meeting and urged the City Council to allow the installation of the left turn in-only access. Councilmember Foster moved to reiterate the

City Council approval granted on October 1, 1991, approving the left turn pocket from west bound Redlands Boulevard to Nevada Properties. Motion seconded by Councilmember Gil and carried unanimously with Councilmember Cunningham conditioning his vote with the understanding that this matter will be revisited if problems occur.

California Work Study Program - Following an explanation from Police Chief Lewis W. Nelson, Council unanimously authorized the Police Department to participate in the California Work Study Program with the University of Redlands, on motion of Councilmember Cunningham, seconded by Councilmember Foster. Under this program, the Police Department will utilize University of Redlands work study students to answer the non-emergency telephone lines and assist at the front counter and thereby alleviate some of the non-emergency work currently being completed by the Public Safety Dispatchers and Records personnel.

Property Hazard Abatement Fund - Following an explanation from Fire Division Chief John Habant and Police Chief Lewis W. Nelson, Council unanimously approved the establishment of a Property Hazard Abatement Fund and an additional appropriation in the amount of \$6,000.00 for the boarding, cleaning and otherwise securing of property deemed unsafe due to fire or health hazards.

PLANNING AND COMMUNITY DEVELOPMENT

Planning Commission Actions - On motion of Councilmember Gilbreath, seconded by Councilmember Foster, the report of the Planning Commission meeting held on September 13, 1994, was unanimously acknowledged as received.

Residential Uses in Commercial Zone - Community Development Director Jeffrey L. Shaw reported on August 2, 1994, Councilmember Foster expressed concern about the lack of a zoning classification that provides for a mix of residential units in existing commercial buildings in the downtown and recently annexed areas. Staff indicated the Code does have provisions for residential uses in commercial zones; however, the provisions could be expanded. Mr. Shaw summarized the A-P (Administrative and Professional Office) District, APC (Administrative-Professional-Commercial) District, MF (Medical Facility) District, C-3 (General Commercial) District, C-4 (Highway Commercial) District, Downtown Redlands Specific Plan No. 45, and the East Valley Corridor Specific Plan, and their current provisions for residential uses noting there appears to be considerable flexibility in our zoning code allowing for residential uses in the commercially zoned areas. There is a need to clarify a conflict of provisions in the C-4 zone, and the City Council may wish to

consider evaluating the commercial designations in the East Valley Corridor which currently prohibit residential uses. Councilmember Foster moved to continue this matter to October 18, 1994, for further study. Motion seconded by Councilmember Gil and carried unanimously.

Sphere of Influence - Greenspot and Sunrise Ranch Areas - Community Development Director Jeffrey L. Shaw reported that in 1989, the City identified the Greenspot and Sunrise Ranch areas as reasonable and logical for inclusion into the City of Redlands General Plan Planning Area. An application for a Sphere of Influence change was submitted for LAFCO consideration. However, due to a lack of interest on the part of the property owner at that time, the request was never acted upon. The City has received an indication of new interest by property owners in these areas for being included in the Redlands Sphere of Influence area. The City currently provides limited utility service to the area (water) and is probably best situated to serve the area with all basic municipal services in the future. A service plan is currently being prepared by staff to be submitted with the LAFCO application. Councilmember Cunningham moved to direct staff to prepare and submit the necessary application and fees to LAFCO for amending the City of Redlands Sphere of Influence to include the Greenspot and Sunrise Ranch areas. Motion seconded by Councilmember Gilbreath and carried unanimously.

Robertson Ready Mix Project - Community Development Director Jeffrey L. Shaw presented a Memorandum of Understanding between Highland and Redlands on the preparation of an Environmental Impact Report for Robertson Ready Mix for a development agreement pertaining to mining activities in the Santa Ana Wash. The agreement provides that Highland will serve as the CEQA Lead Agency, that an independent consultant reviewing the EIR shall be selected jointly by Highland and Redlands, and that Redlands will be involved in the review and comment of preliminary screenchecks of the document. Staff has requested information on the scope of the project to include anticipated mining activity proposed by the development agreement that would occur in the respective jurisdictions. Currently much of the area identified as being in Highland in the development agreement application is presently in the County of San Bernardino. While staff understands the applicant proposes to annex the area into Highland, it is an area currently not in their jurisdiction. It would appear that many of the potential impacts may have a more direct impact on Redlands rather than Highland. Until additional mining activity information is provided, staff is unable to make a recommendation relative to the CEQA Lead Agency MOU. Councilmember Foster moved to continue this matter to a workshop study session on October 18, 1994, at 9:00 A.M. Motion seconded by Councilmember Cunningham and carried unanimously.

General Plan Amendment and Zone Change Request - Dehdashti - Community Development Director Jeffrey L. Shaw reviewed the background on the request submitted by Michael Atencio on behalf of the property owner Moshen Dehdashti for property located west of Orange Street and approximately 1,500 feet north of Pioneer Avenue (Assessor's Parcel Nos. 291-171-7 and 12). Given the limited staff available and the number of projects currently being processed through the Planning Department at this time, staff recommended that the request for a General Plan amendment for the Dehdashti property be done with the General Plan Update currently in process and that this property be one of the first to be rezoned after adoption of the General Plan. On behalf of the applicant, Michael Atencio urged the City Council to honor their promise to initiate a General Plan amendment and zone change as the applicant wants to divorce himself from the General Plan Update. Following discussion, Councilmember Gilbreath moved to direct staff to initiate the environmental impact assessment, General Plan amendment, and zone change as soon as possible. Motion seconded by Councilmember Gil and carried unanimously.

Resolution No. 5116 - East Valley Corridor Specific Plan - Community Development Director Jeffrey L. Shaw reported the City Attorney has raised issued in a memorandum dated August 25, 1994, relative to development procedures for the East Valley Corridor Specific Plan. The memorandum points out that it is not clear in the EVCSP whether a concept plan is a legislative act requiring City Council approval or a quasi-judicial act requiring only Planning Commission final approval. It is recommended the City Council determine that a Concept Plan is a legislative act, similar to a zone change, and be subject to the review and approval of the City Council. Councilmember Cunningham moved to adopt Resolution No. 5116, a resolution of the City Council of the City of Redlands establishing regulations for the processing of planned development applications pursuant to the City's East Valley Corridor Specific Plan. Motion seconded by Councilmember Foster and carried unanimously. Councilmember Foster moved to direct staff to prepare the necessary ordinance amendments to allow concurrent processing for all projects within the City. Motion seconded by Councilmember Larson and carried unanimously.

Santa Ana Wash Surface Mining Operations - Community Development Director Jeffrey L. Shaw submitted a report to inform the City Council of the status of proposed development agreements applied for by surface mining operators in the Santa Ana Wash. Councilmember Foster moved to continue this matter to a workshop study session on October 18, 1994, at 9:00 A.M. Motion seconded by Councilmember Cunningham and carried unanimously.

COMMUNICATIONS

Workers' Compensation - Personnel Analyst Karen Blakely presented Workers' Compensation Analysis for calendar years 1991, 1992, and 1993. Safety Manager Olga Diamond explained about safety programs instituted, especially the requirement of the use of a back belt. These programs are proving worthwhile and resulting in less Workers' Compensation claims. Ellyn Brisbois, Crawford and Company, was present to answer questions about Worker's Compensation.

PUBLIC COMMENTS

Speed Laws - A resident from Fifth Avenue asked the City Council for assistance in enforcement of the speed laws on Fifth Avenue. He was referred to the Traffic Commission.

CLOSED SESSION

The City Council meeting recessed at 4:21 P.M. to a Redevelopment Agency meeting and reconvened at 4:22 P.M. to a closed session to discuss the following matters:

- (a) Conference with legal counsel: Existing litigation - Government Code Section 54956.9
 - Stokes v. City of Redlands
 - McGee v. City of Redlands
 - Holden v. City of Redlands
 - Garrett v. City of Redlands
 - Gonzales v. City of Redlands
- (b) Conference with legal counsel: Anticipated litigation
 - Initiation of litigation pursuant to Subdivision (C) of § 54956.9 of the Government Code: Longs Drug Store and All Claims Construction

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

PRESENTATIONS

Proclamation - Mayor Larson presented a proclamation to Linda Rotondo, Tri-County Dental Hygienists, declaring the month of October, 1994, as National Dental Hygiene Month in Redlands and urged all citizens to recognize dental hygienists for the many valued services they provide.

PUBLIC HEARING

Ordinance No. 2256 - General Plan Amendment No. 54 - Public hearing was continued to this time and place to consider General Plan Amendment No. 54 and its associated Environmental Impact Report, findings and statement of overriding considerations regarding environmental impacts and mitigation monitoring plan. Community Development Director Jeffrey L. Shaw said the City Council has held three public hearings on the General Plan. Staff has provided the City Council with an overview of the General Plan describing the development of the Plan and public input, purpose of the Plan, an overview of themes, the Housing Element, environmental impact report and master environmental assessment, and the Planning Commission recommendation. The City Council has given specific direction on several issues and if that direction changed the policy or land use recommendation from the basis document, it has been reflected in Exhibit "A" of proposed Ordinance No. 2256. There were no specific issues to be brought back by staff at this meeting as the City Council had indicated they would like to review the document chapter by chapter. Mayor Larson declared the meeting open as a public hearing. Speaking from the audience on various issues were: R. A. (Tex) Moore, Louis Fletcher, and Bob Roberts. The following changes were made:

Organization, Page 1 - On motion of Councilmember Foster, seconded by Councilmember Gilbreath, the following sentence was unanimously deleted from Section 1.20: "~~The Plan was effectively amended by Measure N (1987) which reduced densities for residential expansion.~~" Page 3 - The fifth paragraph was changed to read: "The General Plan is implemented by the biweekly decisions of the Planning Commission and City Council and by the zoning and subdivision ordinances, specific plans, redevelopment plans and the City's capital-improvement program." The sixth paragraph was changed to read: "The zoning ordinance includes detailed use classifications and standards. The zoning map must be consistent with the General Plan map, but it will not be identical to it, particularly in areas where changes in use are anticipated during the 20-year time period of the General Plan. Specific Plans also must be consistent with the General Plan." The last sentence of the seventh paragraph was changed to read: "Adopted policy statements are printed in roman type; explanatory material appears in italics ~~and is not adopted.~~" Page 4 - The fourth paragraph, reading: "Amendments to Specific Plans will be required where necessary to bring them into conformity with the General Plan," was deleted. Page 9 - The second paragraph, reading "The entire Plan should be reviewed and updated at least every five years. State law requires the Housing Element to be updated on a five-year schedule, and specifies 1990 and 1995 as revision years," was deleted. Page 10 - The paragraphs headed "Norton Air Force Base" and "City of Yucaipa" were ordered updated. Page 11-12 - The reference to "...a downtown scaled to three stories maximum ..." will be verified. Page 12 - The second sentence under "Quality in North and South." was changed to read:

"The General Plan's insures goal is to evenly distribute amenities are properly distributed evenly throughout the City."

Growth Management Element, Page 1 - On motion of Councilmember Cunningham, seconded by Councilmember Gilbreath, with Councilmember Foster voting NO, the last sentence under "Density Limitation," reading: "Density may be transferred within a site or from an adjacent site, provided that overall density is not increased," was deleted. Page 2 - Paragraph 2d was changed to read: "Establish Encourage programs that will enable concurrent provision of necessary urban services prior to approval of development projects requiring services." The italics in Paragraph 2e were corrected as follows: "*This incorporates Section 13.d. of Measure N.*" It was directed that Paragraph 2g be rewritten to spell out the County policies rather than reference their identifying numbers.

The public hearing was continued to October 4, 1994.

UNFINISHED BUSINESS

Ordinance No. 2257 - Tobacco Vending Machines - Ordinance No. 2257, an ordinance of the City of Redlands amending Chapter 8.54 of the Redlands Municipal Code relative to tobacco vending machines, was given its second reading of the title by City Clerk Poyzer, and on motion of Councilmember Gilbreath, seconded by Councilmember Cunningham, further reading of the ordinance text was unanimously waived. Ordinance No. 2257 was adopted on motion of Councilmember Gilbreath, seconded by Councilmember Cunningham, by the following vote:

AYES: Councilmembers Foster, Gil, Cunningham, Gilbreath;
Mayor Larson
NOES: None
ABSENT: None

NEW BUSINESS

Ordinance No. 2263 - Measure O Expenditure Limitations - As part of the City Council's recent action to purchase certain property with the proceeds of Measure O funds, the City Council requested that Ordinance No. 2010 be revised to adjust the amount of Measure O monies allocated between various categories of land acquisition. Public Works Director Ronald C. Mutter has reviewed the present funding limitations and recommended an adjustment to the percentage of funds as follows: Citrus Preservation should be reduced from 25 percent to 22.5 percent; Expanded Park Recreation should be increased from 23 percent to 27.3 percent; and Natural Areas Preservation should be decreased

from 17 percent to 15.2 percent. Ordinance No. 2263, an ordinance of the City of Redlands establishing the recommended expenditure limitations for Measure O - Open Space and Park Land Acquisition Fund - and repealing Ordinance No. 2010, 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. 2263 was introduced and laid over under the rules with second reading scheduled for October 4, 1994, on motion of Councilmember Foster, seconded by Councilmember Gil, with Councilmember Cunningham voting NO as he felt this change in the formula was a breach of faith.

PUBLIC COMMENTS

Redlands Baseball for Youth - Steve Chapman informed Councilmembers that Redlands Baseball for Youth is conducting fund raisers for \$70,000 for the Will Costello Field (located in Community Field on Church Street and Lugonia Avenue) Lighting Project, and any assistance from the City would be appreciated.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 8:13 P.M. The next regular meeting will be held on October 4, 1994, in the new City Council Chambers located in the Civic Center, 35 Cajon Street, Suite 2, Redlands, California.

City Clerk