MINUTES of a regular meeting of the City Council of the City of Redlands held in the Council Chambers, Civic Center, 35 Cajon Street, Suite 2, on November 15, 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
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.

CONSENT CALENDAR

Minutes - Minutes of the special meeting of November 1, 1994, and the regular meeting of November 1, 1994, were approved as submitted.

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

Wal-Mart Parking Facility - On motion of Councilmember Gilbreath, seconded by Councilmember Foster, Council unanimously authorized the Mayor to execute the Second Amendment to the Lease Agreement relating to the $2,960,000.00 City of Redlands 1994 Taxable Certificates of Participation (City of Redlands/Wal-Mart Parking Facility). This amendment states that the term of the existing lease with Wal-Mart shall be extended and continued in full force and effect if any taxable certificates of participation are still outstanding after the proposed February 1, 2002, termination date.

Employee Positions - On motion of Councilmember Gilbreath, seconded by Councilmember Foster, Council unanimously authorized the following positions be filled: Senior Administrative Clerk (Municipal Utilities) and Senior Administrative Clerk (Planning).

Resolution No. 5124 - Traffic - On motion of Councilmember Cunningham, seconded by Councilmember Foster, Council unanimously adopted resolution No. 5124, 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: erect stop signs on Home Place at Eureka Street and Fourth Street.

Resolution No. 5125 - Traffic - On motion of Councilmember Gilbreath, seconded by Councilmember Foster, Council unanimously adopted Resolution No. 5125, 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 passenger loading zone on the east side of Grant Street for a distance of 25 feet, fronting 21 Grant Street, the Joslyn Senior Center.

Resolution No. 5126 - Traffic - On motion of Councilmember Gilbreath, seconded by Councilmember Foster, Council unanimously adopted Resolution No. 5126, 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 Cajon Street, south of Summit Avenue for a distance of 100 feet.

Resolution No. 5128 - Traffic - On motion of Councilmember Gilbreath, seconded by Councilmember Foster, Council unanimously adopted Resolution No. 5128, 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 west side of Terracina Boulevard, beginning at an existing no parking zone south of Fern Avenue for a distance of 86 feet to the south.

Airport Gate Cards - On motion of Councilmember Gilbreath, seconded by Councilmember Foster, Council unanimously approved that Redlands Aviation Corporation (RACOR) be authorized for the administration of gate cards at Redlands Municipal Airport at no cost to the City.

Resolution No. 5123 - Small Claims Court Representative - On motion of Councilmember Gilbreath, seconded by Councilmember Foster, Council unanimously adopted Resolution No. 5123, a resolution of the City Council of the City of Redlands appointing Michael Reynolds, the City Treasurer, and Susan Garcia, the City's Business License Inspector, as Small Claims Court representatives.

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 November 8, 1994, was unanimously acknowledged as received.

General Plan - Annual Report - Community Development Director Jeffrey L. Shaw reported that Section 65400(b) of the California Government Code requires that the City provide an annual report to the legislative body on the status of the General Plan and the Housing Element process and its implementation, including the City's progress in meeting its share of affordable housing. This report has been completed and has been reviewed and modified by the Planning Commission. Bob Roberts asked that the report be revised to include specific site identification. Mr. Shaw responded this information is detailed in the Housing Element. Councilmember Cunningham moved to acknowledge receipt of and ordered filed the 1994 Annual Report on the General Plan for the City of Redlands. Motion seconded by Councilmember Gilbreath and carried unanimously.

State Appellate Court Decision - Oceanside Ordinance - In a letter dated November 5, 1994, Mr. Frank L. Williams, Executive Officer of Building Industry Association, Baldy View Region, informed the City Council that the State Appellate Court recently invalidated a building limitation ordinance, known as Proposition A, in the City of Oceanside. The Court ruled that the measure was invalid due to conflicts between the measure, the City's General Plan at the time of passage, and State law designed to support affordable housing. In light of the Supreme Court refusing to hear this case, Mr. Williams has been instructed to open a line of communications with the City to determine how this decision effects the implementation of Proposition R and Measure N. Councilmember Foster moved to direct the City Attorney to prepare a comprehensive legal opinion on this decision. Motion seconded by Councilmember Gilbreath and carried with Councilmember Cunningham voting NO. At the end of the evening session under Public Comments, a letter from The Redlands Association was read by Tex Moore. This letter purported that Measure N was the law in Redlands; that by its terms, and according to State law, it can be modified only by a vote of the citizens. Mr. Moore further read they felt the City Council has the duty to support the desires of the citizens.

Redlands Unified School District High School - The request for a determination of consistency with the General Plan for the Redlands Unified School District's second high school in the Crafton/Mentone area was pulled from the agenda and no action was taken.

COMMUNICATIONS

Cultural Arts Commission - Sculpture Sales - Barbara Morse, a member of the City's Cultural Arts Commission, presented a recommendation unanimously approved by the Commission on November 7, 1994, that should the Commission facilitate the sale of one of the sculptures on display in the Outdoor Sculpture Garden, a 15 percent commission be collected and deposited into the Steele Foundation Grant Fund (04-1217) which would increase grant allocations for cultural activities for children in Redlands. The City Attorney has reviewed this recommendation and, if both parties agree, said there was no legal prohibition against the City making this request. Following brief discussion, Councilmember Cunningham moved to approve this recommendation of the Cultural Arts Commission. Motion seconded by Councilmember Gil and unanimously approved.

Appointments - Public Works Commission - Mayor Larson moved to reappoint Philip Arvizo, David Wallace, and J. Gary Stegemann to the Public Works Commission. Motion seconded by Councilmember Cunningham and carried unanimously.

Appointment - Recreation Commission - Charles L. Baker has resigned as a member of the Recreation Advisory Commission; therefore, an appointment is necessary to fill his unexpired term to June 30, 1998. Noting that he wanted to look into the report of attendance problems with some of the other Recreation Advisory Commissioners, Mayor Larson moved to continue this matter to December 6, 1994. Motion seconded by Councilmember Cunningham and carried unanimously.

Request for Utility Services - Tremont Ranch - The request from Tremont Ranch was continued to the 7:00 P.M. session. At this time, City Attorney McHugh reported a letter has been received relating to a request by Tremont Ranch that the City provide utility services to a project located in Riverside County. Tremont Ranch is a 475 acre subdivision consisting of approximately 40 lots located south of San Timoteo Canyon Road. The Municipal Utilities Department has briefly reviewed the request for service by Tremont Ranch and have made preliminary estimates of the types and costs of facilities necessary to be constructed to serve the project. An important legal issue associated with this request is that pursuant to recently enacted Government Code Section 56133, the City may provide service outside its jurisdictional boundaries only if it first requests and receives written approval from the Local Agency Formation Commission (LAFCO) for the affected county. It was noted the San Bernardino County LAFCO may also want to review this request. Municipal Utilities

Director Gary G. Phelps indicated that sewer service would cost an exorbitant amount, but that Redlands was the most logical entity to provide water to this project. Mr. Robert A Christman, an adjacent property owner, indicated his support for this project. Following discussion, Councilmember Foster moved to approve the request and with the understanding Council would receive an update after action is taken by the LAFCOs. Motion seconded by Councilmember Gil and carried unanimously.

Water Quality Monitoring Wells - Municipal Utilities Manager Michael Huffstutler reported the firm of CBPO of America has begun construction of the Seven Oaks Dam Project. Because of some of this firm's construction practices, there is a major concern on the part of several water agencies regarding the possibility of surface or groundwater contamination resulting from those practices. This issue has been discussed at the Santa Ana River/Mill Creek Cooperative Water Project meeting, and informally between staff members of the various public water agencies. There is a consensus among water agency staff members that the construction of water quality monitoring wells near the mouth of the Santa Ana Canyon would be most beneficial in documenting any change in water quality that might occur as a result of the dam construction, and which would also serve as an early warning mechanism to protect water production facilities downstream from the construction in the event of hazardous spills. In addition, wells in this area would also serve as a means to monitor and determine any change in the subsurface water flows from the Canyon that may result from the construction. Councilmember Foster moved to participate in the planning, construction, and operation of the Santa Ana Canyon monitoring wells. Motion seconded by Councilmember Gil and carried unanimously.

CLOSED SESSION

The City Council meeting recessed at 3:25 P.M. to a Redevelopment Agency meeting and reconvened at 3:38 P.M. to a closed session to discuss the following matters:

(a) Conference with real property negotiator

- Property:	All that portion of Lots 1 and 2, Block 1, Brown's Subdivision, and Lots 1, 2, 3, and 4, Block 2, and Lots 1, 2, 4, 13, 14, 15, and 16, Henry G. Williams Tract
Negotiating parties:	Gary Phelps and Donald Teunissen
Under negotiation:	Terms and price
- Property:	Tract 12083-1 - Lots 14, 15, and remainder parcel APN 168-031-21 and 22, 168-041-45 and 46 (Rossmore Investments) for

APN 168-121-2, 3, and 4 (City of Redlands)
Negotiating parties: Ronald C. Mutter and Pat Meyer
Under negotiation: Terms and price

(b) Conference with labor negotiator
City negotiator: Gary Luebbers
Employee organization: General Employees Association of Redlands

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

PRESENTATION

Donation - On behalf of the Redlands Bicycle Classic Scott Reynolds presented two new TREK mountain bicycles fully equipped for the Police Department. Mr. Reynolds said when the Bicycle Classic has a good year, they like to give something back to the community. These bicycles are an expression of their appreciation for Police Department's support during the event. Police Chief Lewis W. Nelson thanked members of the Redlands Bicycle Classic for their donation. Mr. Reynolds also announced there will be a police mountain bike competition event at next year's Bicycle Classic.

Recognition - Mayor Larson read a commendation for the heroic efforts of Redlands Firefighter Fred Clark. On his way to Las Vegas, Mr. Clark came upon a serious accident; he stopped and offered his assistance. Mayor Larson told Mr. Clark that his action honored himself, his family, fellow employees, and members of the City Council.

Redlands 2000 - Mr. John Mirau read a report outlining a restructuring plan for the continued operation of the Redlands 2000. Councilmember Gilbreath moved to accept the report as presented with the understanding the City Council would ratify the proposed list of membership. Motion seconded by Councilmember Larson and carried unanimously.

CLOSED SESSION REPORT

There was no closed session report.

NEW BUSINESS

Contract Award - Bids were opened and publicly declared on October 27, 1994, by the City Clerk for a contract for the 1994-95 Paving Program (asphalt-rubber chip seal and slurry seal); a bid opening report is on file in the Office of the City Clerk. It was noted that the low bid received from California Pavement Maintenance Company, Inc. was not responsive; therefore, it was the recommendation of the Department of Public Works that the responsible bidder submitting the bid for said project which would result in the lowest cost to the City was Graham Contractors, Inc. in the amount of $374,900.00 and it was in the best interest of the City that this contract be awarded to said firm. On motion of Councilmember Larson, seconded by Councilmember Gilbreath, this recommendation was unanimously approved.

Industrial Wastewater Pretreatment Program - Councilmember Cunningham moved to authorize the Municipal Utilities Department to engage the firm of John Corollo Engineers to develop an industrial waste pretreatment program which complies with Federal and State regulations as recommended by staff. Motion seconded by Councilmember Gilbreath and carried unanimously.

Janitorial Contract - City Manager Luebbers reported Rogan Building Services has been handling the janitorial needs of the City for a period of two years. Rogan Building Services has submitted a proposal which contains additional square footage resulting from the last relocation at a cost that is four percent lower than the previous contract. Responding to Councilmembers' questions, the City Attorney said there was no State law requirement to go out to bid for this type of contract. Councilmember Foster moved to direct staff to initiate the bid process for a janitorial contract for the next fiscal year and authorized an extension of the contract with Rogan Building Services to June 30, 1995. Motion seconded by Councilmember Cunningham and carried unanimously.

Budget - Administrative Services Department - On October 3, 1994, a new department was created which includes a variety of programs. Administrative Services Director Marjie Pettus presented a proposed budget for this new department noting that individual program budget allocations remained unchanged but now appear under the heading of "Administrative Services Department." Councilmember Gilbreath moved to authorize the establishment of an Administrative Services Department budget and directed the Finance Director to take appropriate action to redistribute program and salary charges accordingly. Motion seconded by Councilmember Larson and carried with Councilmember Foster voting NO.

Resolution No. 5127 - Outdoor Dining Facilities Permit Fee - Public Works Director Ronald C. Mutter reported a number of local restaurants have begun to set up tables and chairs in public right-of-way fronting their business. In accordance with the Redlands Municipal Code, Chapter 12.16, an encroachment permit is required; however, currently there is no prescribed form for the issuance of such permit. Resolution No. 5127, resolution of the City Council of the City of Redlands establishing a schedule of fees for the application and issuance of an encroachment permit for the placement of outdoor dining facilities in public right-of-way, was prepared in accordance with the Redlands Municipal Code. Administrative Services Director Marjie Pettus reported staff has not received any negative comments from the downtown merchants and DRBA Board of Directors regarding this proposal; in fact, one merchant is highly in favor of establishing a procedure for outdoor dining facilities. Councilmember Gilbreath moved to adopt Resolution No. 5127. Motion seconded by Councilmember Cunningham and carried unanimously.

Funds - COPS AHEAD Program - Police Chief Lewis W. Nelson reported the Violent Crime Control and Law Enforcement Act of 1994, signed into law by President Clinton on September 13, 1994, created a federal-local law enforcement partnership and the opportunity to hire new officers under the "Cops on the Beat" program. If the City's application is approved, funding will begin once the new officers have been sworn. Grants will be made for up to 75 percent of the total salary and benefits of each officer over three years with the remainder to be paid by the City. Chief Nelson proposed to fund the City's portion through salary and benefit savings from unfilled vacancies due to retirements, resignations, and normal turnover. Councilmember Cunningham moved to authorize two new police officer positions with the City of Redlands, subject to receipt of the grant funds and supplementing the funds not provided under the conditions of the grant. Motion seconded by Councilmember Gilbreath and carried with Councilmember Foster voting NO while expressing concerns about future funding of additional personnel.

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. Mayor Larson declared the meeting open as a public hearing.

General Plan Consultant - Community Development Director Shaw reported the City Council established an ad-hoc committee on November 1, 1994, to evaluate the workload and timetable for completing the General Plan. The committee met on November 1, 1994, to give guidance to staff. Based on the committee's direction, consultants were interviewed to explore ways to complete the General Plan Update in a timely manner and prepare a document that is legally defensible. At this time, Mr. Shaw recommended hiring Richard Smith of Smith, Peroni & Fox. Councilmember Foster moved to approve this recommendation; authorize the Mayor and City Clerk to sign the letter of intent dated November 15, 1994, and approve the necessary funds. Motion seconded by Councilmember Gilbreath and carried with Councilmember Cunningham voting NO indicating he had a problem with the process, not the firm.

Organization - Mr. Shaw reviewed the updated pages provided in the legislative format.

Circulation Element - Mr. Shaw recommended continuing this chapter until the Congestion Management Plan is completed; Councilmembers concurred.

Housing Element - Updated pages were not available at this meeting; therefore, discussion abruptly ended.

Public Comments - On behalf of The Redlands Association, Tex Moore read a letter dated November 15, 1994, which requested the City Council reconsider plans to rush completion of the general plan amendment and its associated environmental impact report by hiring a number of consultants at a cost of a quarter million dollars or more.

Following his presentation, Councilmember Foster moved to continue the public hearing to November 22, 1994, at 6:00 P.M. Motion seconded by Councilmember Gilbreath and carried unanimously. (Note: A quorum was not present at the November 22, 1994, meeting; therefore, the City Clerk continued the public hearing to December 6, 1994.)

PUBLIC COMMENTS

The Redlands Association - A letter was read by Tex Moore from The Redlands Association regarding the matter discussed under "Planning and Community Development" during the afternoon session. This letter regarded the Oceanside decision regarding a local building cap. Said letter is filed with the meeting packet under Item 7(b).

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 8:48 P.M. to an adjourned regular meeting to be held on November 22, 1994, at 6:00 P.M., in the Council Chambers, Civic Center, 35 Cajon Street, Suite 2, Redlands, California.

City Clerk