

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 December 6, 1994, at 3:00 P.M.

PRESENT

Swen Larson, Mayor  
Jim Foster, Mayor Pro Tem  
(evening session only)  
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.

#### CONSENT CALENDAR

Minutes - Minutes of the adjourned regular meeting of November 15, 1994, the regular meeting of November 15, 1994, and the adjourned regular meeting of November 22, 1994, were approved as submitted.

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

Contract Monitoring Reports - Public Works Director Ronald C. Mutter presented the monthly contract monitoring reports updated through November 22, 1994, for projects administered by the Public Works Department.

Employee Positions - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, Council authorized by AYE votes of all present, the filling of the following vacancies: Account Clerk II (Utility Billing), Asphalt Worker, and Line Maintenance Leadworker (Wastewater Division).

Resolution No. 5131 - Animal Shelter Fees - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, Council adopted, by AYE votes of

all present, Resolution No. 5131, a resolution of the City Council of the City of Redlands establishing fees for its animal shelter program.

### STUDY SESSION

Reinvestment Options - Jennifer A. Schwartz, Miller & Shroeder Financial, Inc., reported they had met with the Finance Committee on November 1 and 15, 1994, to discuss various reinvestment options on the City's outstanding 1993 Water and Sewer Certificates of Participation as well as the 1992 Solid Waste Certificates of Participation. Ms. Schwartz presented a synopsis of the proposed structure indicating they were prepared to obtain bids immediately upon approval which would generate an additional \$1.09 million to the City over the next three years. She felt a Guaranteed Investment Contract (GIC) would be the best alternative for the City in investing its outstanding Debt Service Reserve Funds and Unspent Proceeds Accounts due to its full flexibility in being able to tap the Funds in an unforeseeable event as well as the ability to earn the highest possible interest rate. The GICs would have a maturity of June 1, 1996, and November 1, 1996, the corresponding mandatory tender dates at which time the City will remarket the outstanding Bonds and can then enter into new GICs or other investment tools which can be tailored to match assets and liabilities. Acting as bond counsel, Best, Best & Krieger has approved the GIC investment. Following brief discussion, Councilmember Gilbreath moved to direct staff to proceed with Miller & Schroeder's recommendation. Motion seconded by Councilmember Gil and carried by the following vote:

AYES: Councilmembers Gil, Gilbreath; Mayor Larson

NOES: Councilmember Cunningham

ABSENT: Councilmember Foster

### PLANNING AND COMMUNITY DEVELOPMENT

Planning Commission Actions - On November 29, 1994, the Planning Commission, on a 4-2 vote, approved a Negative Declaration and Conditional Use Permit for Aladdin entertainment's application for the proposed development of an amusement park on 16.88 acres of land in the CG (General Commercial) District, of Concept Plan No. 3 located on the southwest corner of California Street and Lugonia Avenue. Councilmember Cunningham noted he had a problem with the theme of this park (Egyptian) and was concerned the revenues would not match the needed services. On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the report of this Planning Commission meeting was acknowledged as received, with Councilmember Cunningham voting NO.

Conditional Use Permit No. 619 - S.H.U. Business and Education Institute - On October 25, 1994, the Planning Commission unanimously voted to approve, as recommended by staff, Conditional Use Permit No. 619, a proposed development of a social service agency and day care facility to be located within an existing shopping center in the C-2 (Neighborhood Shopping Center) District located at the southeast corner of Orange Street and San Bernardino Avenue. The applicant has asked for relief from the Municipal Utilities Department conditions, specifically the water acquisition charge, water capital improvement charge, and the sewer capital improvement charge. A noticed public hearing is required prior to the City Council's consideration of an appeal, and the City Clerk was directed to schedule the public hearing for December 20, 1994.

## COMMUNICATIONS

San Bernardino International Airport - Mayor Larson reported they are in the process of interviewing airliners.

Appointments - Recreation Advisory Commission - Mayor Larson moved to nominate Robert E. Hahn to fill the unexpired term of Charles L. Baker to June 30, 1998, on the Recreation Advisory Commission. Motion seconded by Councilmember Cunningham and carried by AYE votes of all present. Mayor Larson moved to nominate Keith Shomaker to fill the unexpired term of Robert Morris to June 30, 1996, on the Recreation Advisory Commission. Motion seconded by Councilmember Cunningham and carried by AYE votes of all present. Mayor Larson moved to nominate Diane Neustadter to fill the unexpired term of Tess Hahn to June 30, 1995, on the Recreation Advisory Commission. Motion seconded by Councilmember Gilbreath and carried by AYE votes of all present.

Offer of Surplus Land - In accordance with Government Code Sections 54220-54227, the State of California Department of Transportation has offered to sell or lease a parcel of property known as Lot 6 located on Indiana Court. Due to the location and zoning of this site, it was staff's recommendation that no action be taken to pursue a sale or lease agreement.

Sludge Composting Facility Visits - Municipal Utilities Director Gary G. Phelps presented notes reviewing his visits this past summer and fall to sludge composting facilities in Provo, Utah, and Redlands. These visits were made at the request of Mayor Larson and the City Manager who put him in touch with Larry Curti, who owns One Stop Landscaping in San Timoteo Canyon in Redlands. In addition to describing the visits to the two sludge composting facilities and comparing the two sludge composting facilities, his notes also reviewed the basic aerobic composting process and composting facility

regulatory issues. They also included a discussion on the related issues of sludge disposal for the City of Redlands' Wastewater Treatment Plant and green waste disposal in Redlands. In response to Councilmember Cunningham's inquiry, Mr. Phelps replied the facility in Utah was not located near a residential area. Complaints about odors which seem to be coming from One Stop Landscaping were again expressed by the following residents: Rosemary Rendell-Baker, Lee Hawkins, Violet H. Perry, Jane Hawkins, and Harold Miller. Staff was directed to contact AQMD and make arrangements for monitors. On behalf of Mr. Curti, Michael Atencio requested other businesses in the Canyon also be monitored as it might be a co-mingling of odors causing the distress in the residential areas.

#### CLOSED SESSION

The City Council meeting recessed at 3:50 P.M. to a Redevelopment Agency meeting and reconvened at 3:51 P.M. City Attorney McHugh asked the City Council to consider adding a closed session item to this agenda. Noting that the need to take action was immediate, Councilmember Cunningham moved to add the following item to the agenda which arose subsequent to the agenda being posted: "Closed session - Conference with legal counsel - Existing Litigation - Government Code Section 54956.9: Barker v. City of Redlands." Motion seconded by Councilmember Gilbreath and carried by AYE votes of all present. The meeting then recessed to a closed session to discuss the aforementioned matter and the following:

- (a) Conference with legal counsel: Existing litigation - Government Code Section 54956.9: City of Orange, et al v. City of Redlands, et al
- (b) Conference with labor negotiator  
City negotiator: Gary Luebbers  
Employee organizations: General Employees Association of Redlands, Redlands Professional Fire Fighters Association, and Redlands Association of Mid-Management Employees
- (c) Conference with legal counsel: Personnel matter - Government Code Section 54957
- (d) Conference with real property negotiator  
Property: Vacant land: APN 318-111-02  
Negotiating parties: Michael Huffstutler, South Mountain Water Company, and Gary M. Luebbers, City of Redlands  
Under negotiation: Terms and price

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

## PRESENTATIONS

Proclamation - Police Chief Lewis W. Nelson thanked the City Council for the proclamation renewing the City's commitment to the vital "Buckle Up For Life Challenge" and pledging to make every possible effort, through ceremonies, programs, and activities, to encourage its citizens to buckle up their seat belts and child safety seats each and every time they travel in a motor vehicle.

Certificate of Appreciation - Mayor Larson presented a certificate of appreciation to Dorothy Young and James Macdonald, owners of the Redlands Chrevon, 120 The Terrace, recent winner of the Chamber of Commerce's Business of the Year Award, acknowledging their generous donation of an Organ MusiComputer to the Joslyn Senior Center.

## NEW BUSINESS

Funds - South Mountain Transmission Line - Municipal Utilities Director Gary G. Phelps reported the Municipal Utilities Department received a report on September 7, 1994, from the State of California, Department of Health Services, Office of Drinking Water and Environmental Management summarizing the results of the February 1994 annual water system inspection. One major modification requirement is that the City must prepare plans and a time schedule to eliminate the lowhead portion of the South Mountain Transmission Line to assure that a positive pressure of at least 5 psig is maintained under all conditions. Currently one section between 13th Street and Booster No. 2330 is over eighty years old, constructed of vitrified clay and operates under gravity conditions. The State has been aware of the situation on the South Mountain Transmission Line for some time and has allowed us to gradually replace the aging sections of the line. This particular section is the last section to be replaced and, when completed, will put the entire line into full compliance. It was recommended the City Council authorize the Municipal Utilities Department to engage the firm of John Egan and Associates to provide engineering services for the replacement of a portion of the South Mountain Transmission Line in Yucaipa Boulevard, from 13th Street to Booster No. 2330, and approve an additional appropriation in an amount not to exceed \$25,000.00 to fund the design of the project. Following brief discussion, Councilmember Foster moved to approve the staff recommendation. Motion seconded by Councilmember Cunningham and carried unanimously.

## JOINT PUBLIC HEARINGS - CITY COUNCIL

Resolution No. 5052 - Sale of Redevelopment Agency-Owned Property - A joint public hearing with the Redevelopment of the City of Redlands was advertised for this time and place to consider adoption of Resolution No. 5052, a resolution of the City Council of the City of Redlands approving and authorizing execution of a purchase and sale agreement and escrow instructions between the Redevelopment Agency of the City of Redlands and Glaze Family Irrevocable Trust. Administrative Services Director Marjie Pettus reviewed the report on the proposed sale of real property (located at 325 North Eureka Street and 324 Oriental Avenue) by the Redevelopment Agency of the City of Redlands to Glaze Family Irrevocable Trust, and noted that Section 10, Hazardous Substances, in the draft agreement for purchase and sale and escrow instructions was to be deleted. 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 Foster moved to adopt Resolution No. 5052; motion seconded by Councilmember Gilbreath and carried with Councilmember Cunningham voting NO as he was concerned that this action left a residual City-owned parcel landlocked. (Also see Redevelopment Agency minutes dated December 6, 1994.)

Resolution No. 5129 - Sale of Redevelopment Agency-Owned Property - A joint public hearing with the Redevelopment Agency of the City of Redlands was advertised for this time and place to consider adoption of Resolution No. 5129 a resolution of the City Council of the City of Redlands approving and authorizing execution of a purchase and sale agreement and escrow instructions between the Redevelopment Agency of the City of Redlands and Frederick Thornes and Gary Heroneme. Administrative Services Director Marjie Pettus reviewed the report on the proposed sale of real property (located at 346 and 348 North Orange Street) by the Redevelopment Agency of the City of Redlands, and noted that Section 10, Hazardous Substances, in the draft agreement for purchase and sale and escrow instructions was to be deleted. 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. 5129; motion seconded by Councilmember Cunningham and carried with Councilmember Foster voting NO. (Also see Redevelopment Agency minutes dated December 6, 1994.)

Sale of Redevelopment Agency-Owned Property - A joint public hearing with the Redevelopment Agency of the City of Redlands was advertised for this time and place to consider the sale of real property known as the Civic Center Plaza located at 35 Cajon Street to the City of Redlands. Mayor Larson declared the

meeting open as a public hearing. Following brief discussion, this public hearing was unanimously continued to January 3, 1995, on motion of Councilmember Foster, seconded by Councilmember Gil. (Also see Redevelopment Agency minutes dated December 6, 1994.)

## 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.

Consultant Contract - Community Development Director Jeffrey L. Shaw reviewed the proposal submitted by Smith, Peroni & Fox, Planning Consultants, Inc., who will assist in updating data for the General Plan and expand and update the Environmental Impact Report. Michael A. Peroni responded to Councilmembers' questions. There were no comments from the audience. Councilmember Foster moved to approve the contract with Smith, Peroni & Fox as presented; motion seconded by Councilmember Gilbreath and carried with Councilmember Cunningham voting NO.

Congestion Management Plan - Mr. Shaw reported staff has requested a verification from SANBAG that the General Plan Update is a "grandfathered" project under the criteria and provisions of the Congestion Management Plan. While SANBAG staff and provisions within the document suggest that the General Plan Update is exempt, staff wanted assurance that only the Board itself could provide. Therefore, the matter is on the December 7, 1994, SANBAG agenda.

Circulation Element - Councilmember Cunningham expressed his opposition to the following: Page 1, last paragraph: 90,000 jobs in the East Valley Corridor; Page 5, Section 5.20c, and Page 9, Section 5.31: traffic standards of LOS (Level of Service) D; Pages 10-11, Table 5.31: traffic levels of service which he felt were intolerable; and Pages 20-21, Redlands Airport: Community Noise Equivalent Level (CNEL) 65 dB. Concerns were expressed by Councilmember Foster statements on Page 5, Section 5.20e, and Page 9, Section 5.31C, which he felt would suppress development. Councilmember Cunningham noted that San Timoteo Canyon Road has been designated as a scenic drive by the County and that information should be included on Page 8. Page 10-11: Mr. Shaw noted that Table 5.31A, Arterial System Volumes and Levels of Service, will be changed and brought back for Council's review. Councilmember Gilbreath noted that

references to Policies 5.50a, b, and c in Section 5.32e on Page 12 needed to be corrected. Councilmembers concurred to delete that last two sentences in italics in Section 5.32e which read: "~~The upper limit of tolerance for residential streets is about 5,000 cars per day. Several residential collectors in Redlands have reached or are projected to reach this level.~~" Page 18, Section 5.50f: Councilmembers concurred to amend this section as follows: "Designate the Zanja corridor west of Tennessee Street from downtown east as a Class I route (bike path). *This route could be used for access to jobs in the East Valley Corridor as well as a recreational route to the Santa Ana Wash.*" Page 20-21, Redlands Airport: Mr. Shaw noted this section will be updated and brought back for Council's review.

Housing Element Summary - Councilmembers concurred to review the Housing Element following the study session scheduled for December 20, 1994, at 9:00 A.M.

Councilmembers concurred to continue the public hearing to January 3, 1995, at 7:00 P.M. or as soon thereafter as City Council business permits.

#### PUBLIC COMMENTS

General Plan Update - Mr. Ira Robb owns property near Route 30 and indicated he would prefer a mixed land use designation rather than the industrial designation in effect now. Community Development Director Shaw indicated he had received several letters regarding land use designations which he would present to the City Council for their review in January.

#### ADJOURNMENT

There being no further business, the City Council meeting adjourned at 8:09 P.M. to an adjourned regular meeting to be held on December 20, 1994, at 9:00 A.M. in the Council Chambers, Civic Center, 35 Cajon Street, Suite 2, Redlands, California.

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City Clerk