

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 February 7, 1995, 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
Beatrice Sanchez, Deputy City Clerk
Michael Reynolds, City Treasurer
Marjie Pettus, Administrative Services
Director
Jeffrey L. Shaw, Community Development
Director
Steven M. Chapman, Finance Director
Mel Enslow, Fire Chief
Larry E. Burgess, Library Director
Gary G. Phelps, Municipal Utilities Director
Lewis W. Nelson, Police Chief
Ronald C. Mutter, Public Works Director

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.

PRESENTATION

Certificate of Appreciation - Home Depot - Mayor Larson presented a certificate of appreciation to Home Depot of San Bernardino for their generous donation of materials including paint, shrubs, and wood to the Redlands Community Center. Assistant Store Manager, Freddie Valmoja accepted the certificate.

Appreciation - Mayor Larson expressed appreciation to City Clerk Lorrie Poyzer for procuring the portable lectern through her budget.

CONSENT CALENDAR

Minutes - Minutes of the regular meeting of January 17, 1995, were approved as submitted.

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

Employee Vacancies - On motion of Councilmember Foster, seconded by Councilmember Gil, Council unanimously authorized filling the following positions: Plant Mechanic I (Wastewater) and Senior Administrative Clerk (Public Works).

Resolution No. 5148 - Destruction of Police Records - On motion of Councilmember Foster, seconded by Councilmember Gil, Council unanimously adopted Resolution No. 5148 a resolution of the City Council of the City of Redlands consenting to the destruction of public records and rescinding Resolution No. 3526. Pursuant to California Government Code Section 34090, unless otherwise provided by law, public records may only be destroyed with the approval of the City Council, by resolution, and the written consent of the City Attorney. The City Attorney has reviewed the request from the Police Department and provided written consent to destroy certain records.

Contract Award - Prospect Park Improvements - Bids were opened and publicly declared on January 19, 1995, by the City Clerk for construction of the Prospect Park Improvement project; a bid opening report is on file in the Office of the City Clerk. This project would construct landscape, lighting, and parking improvements in Prospect Park in the area near the Carriage House and Sewell Theater. To award this contract, the City Council would need to appropriation an additional \$30,000.00 to cover to lowest bid received. Public Works Director Mutter recommended that the City Council reject all bids and direct staff to modify and re-advertise this project to perform only the electrical/lighting and irrigation work to stay within the funds available. On motion of Councilmember Foster, seconded by Councilmember Gil, this recommendation was unanimously approved.

Funds - Disposal Containers - On motion of Councilmember Foster, seconded by Councilmember Gil, Council unanimously authorized the Municipal Utilities Department to purchase a variety of commercial solid waste containers, roll-off

containers, and commercial container repair parts, and approved an additional appropriation from current revenues in the amount of \$100,000.00 to fund these purchases.

Resolution No. 5147 - Federal Financial Assistance - On motion of Councilmember Foster, seconded by Councilmember Gil, Council unanimously adopted Resolution No. 5147, a resolution of the City Council of the City of Redlands authorizing designation of applicant's agent (Gary Luebbers, City Manager; Ronald C. Mutter, Public Works Director; and Peter A. Laaninen, Assistant Public Works Director) for the purpose of obtaining federal financial assistance as a result of the 1995 winter storms.

Funds - Disposal Trucks - On motion of Councilmember Foster, seconded by Councilmember Gil, Council unanimously authorized the Municipal Utilities Department to purchase three automated tarping systems for the solid waste roll-off trucks, and approved an additional appropriation from current revenues in the amount of \$20,500.00 to fund the purchase.

Funds - Solid Waste Truck Scales - On motion of Councilmember Foster, seconded by Councilmember Gil, Council unanimously authorized the Municipal Utilities Department to purchase a General Electrodynamics Model MD 700 semi-portable truck axle load scale and approved an additional appropriation from current revenues in the amount of \$18,000.00 to fund the purchase.

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 January 24, 1995, was unanimously acknowledged as received.

COMMUNICATIONS

Redlands Airport Flight Pattern - Dee Ann Milson, 1936 Duke Street, reported she feels there is a problem with the planes taking off from the Redlands Municipal Airport and flying too low over her house. Former Airport Manager Phil Lock reviewed the situation and urged the City Council to refer this concern to the Airport Advisory Board for the

establishment of a current flight pattern taking into consideration the closure of Norton Air Force Base. Their recommendation could then be referred to the City Council for their action and forwarded to the FAA for enforcement. Chairman of the Airport Advisory Board Harry Smith indicated they would review this matter at their next meeting in March. Councilmember Foster moved to refer this matter to the Airport Advisory Board for their review. Motion seconded by Councilmember Cunningham and carried unanimously.

San Bernardino International Airport - Mayor Larson reported on recent activities of San Bernardino International Airport Authority.

Appointments - Student Commissioners - Mayor Larson moved to appoint Alecia Malone as the student commissioner on the Human Relations Commission; Amber Applegate as the student commissioner on the Parks Commission; Brent Schuytze as the student commissioner on the Recreation Commission; and Mandy Byrne as the student commissioner on the Traffic and Parking Commission. Motion seconded by Councilmember Gilbreath and carried unanimously. Mayor Larson presented commissioner pins to the students who are full voting members of these commissions.

Appointments - Cultural Arts Commission - Mayor Larson moved to appoint Stanley Korfmacher and Phyllis Monk to four year terms on the Cultural Arts Commission with the terms to expire January 6, 1999. Motion seconded by Councilmember Gilbreath and carried unanimously. Mayor Larson moved to appoint Dee Ann Milson to fill a vacancy on the Cultural Arts Commission; said term to expire January 6, 1998. Motion seconded by Councilmember Gilbreath and carried unanimously.

Appointments - Planning Commission - Mayor Larson moved to reappoint Gerald Hanson to a four year term on the Planning Commission with the term to expire January 6, 1999. Motion seconded by Councilmember Gilbreath and carried unanimously. Mayor Larson moved to appoint Thomas A. Osborne to a four year term on the Planning Commission with the term to expire January 6, 1999. Motion seconded by Councilmember Foster and carried unanimously.

Appointments - Redlands 2000 Committee - Mayor Larson moved to appoint the following individuals to the

Redlands 2000 Committee: Danielle Segura, Alice Regaldo, Cecilia Gonzalez, Gebrehiwet Haile, Shams Hasan, Patty Holohan, Letitia (Tish) Woodman, Gretchen Lohnes, and Gordon Nicholson. Motion seconded by Councilmember Gil and carried unanimously.

Odors Complaints - At the December 6, 1994, City Council meeting, several residents expressed complaints about odors in San Timoteo Canyon that they perceived to be coming from One Stop Landscaping. The City Council directed staff to contact the South Coast Air Quality Management District regarding monitoring for odors in San Timoteo Canyon, including alleged odors from the One Stop Landscaping facility. On behalf of One Stop Landscaping, Michael Atencio requested other potential sources in the Canyon also be monitored. At this time staff has prepared a memorandum addressing these concerns. At the request of several residents, Councilmember Cunningham moved to continue this matter to the evening session on February 21, 1995. Motion seconded by Councilmember Gilbreath and carried unanimously.

Landfill Borrow Area - Solid Waste Manager Valorie Shatynski reported that Conditional Use Permit No. 592 (Revision I) and its related Mitigated Negative Declaration was approved by the Planning Commission on January 24, 1995. The Conditional Use Permit provides for extension of the existing California Street Landfill daily cover borrow site. Councilmember Foster moved to acknowledge acceptance of this report. Motion seconded by Councilmember Cunningham and carried unanimously.

Caroline Park Endowment Fund - In a memorandum dated January 31, 1995, City Attorney McHugh reported staff was recently contacted by representatives of the Redlands Horticultural and Improvement Society about the possibility of transferring the monies presently in the City's Caroline Park Endowment Fund to a local non-profit organization. The main purpose is to ensure that contributions from citizens will in fact be tax deductible. The funds can also be put to more efficient use by the non-profit organization by avoiding certain competitive bid requirements the City must comply with when expending these monies. City staff has no objection to the transfer proposed by the Caroline Park Endowment Club and the Redlands Horticultural and Improvement Society. Because the

latter organization has not yet obtained its "non-profit" status, it proposes the fund be initially transferred to the Kimberly Shirk Association. Dr. Harold Hill was present at the meeting to answer any questions. Councilmember Cunningham moved to authorize the transfer of these monies and authorized staff to prepare the necessary documents. Motion seconded by Councilmember Gilbreath and carried unanimously.

Development Agreement - Sterling on the Greens - The City is negotiating a development agreement for Marlborough's "Sterling on the Greens" project. City Manager Luebbers asked for further direction in regards to fees and possible considerations from the developer. Councilmember Foster indicated he was opposed to exacting large items from the development such as a fire station but was agreeable to charging full fees. Councilmember Cunningham expressed concerns about protection for the wildlife in the area and noted a fire station would be to their advantage. Councilmember Gil desired more information regarding annexation. Councilmember Gilbreath felt the City Manager should negotiate the best deal for all involved working toward middle ground. Mayor Larson indicated there was unanimity among the Councilmembers for this project.

CLOSED SESSION

The City Council meeting recessed at 3:40 P.M. to a Redevelopment Agency meeting and reconvened at 3:56 P.M. to a closed session to discuss the following matters:

- (a) Conference with real property negotiator
Property: APN 292-071-36
Negotiating parties: CA Institute of
Technology and Ronald C. Mutter
Under negotiation: Terms and price
- (b) Conference with real property negotiator
Property: APN 318-111-02
Negotiating parties: Brother Reverend Michael
Zurn and
Michael Huffstutler
Under negotiation: Terms and price
- (c) Conference with real property negotiator
Property: APN 292-166-05, 09 and APN 292-173-
03
(Barton House)

Negotiating parties: Jane Potter and Marjie Pettus
Under negotiation: Terms and price
(d) Conference with real property negotiator
Property: APN 174-281-28
Negotiating parties: Ai-Ken and Mei-Shen, et al and Ronald C. Mutter
Under negotiation: Terms and price
(e) Conference with labor negotiator
City negotiator: Gary M. Luebbers
Employee Organizations: Redlands Professional Fire Fighters Association and Redlands Police Officers' Association

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

PRESENTATIONS

Proclamation - Mayor Larson presented a proclamation to Dr. Sam Byrts, chairman of the Human Relations Commission, declaring Monday, January 6, 1995, as *Affirming Our Unity Through Community: A Vision for Redlands*, and extended sincere congratulations on this occasion to Pastors Joe DeRoulhac and Anthony Green, their congregations, and the University of Redlands and its staff.

Awards - 1995 Martin Luther King, Jr. Art Contest - Dr. Byrts and Mayor Larson presented awards and cash prizes (donated by the First Baptist Church, the Second Baptist Church and Human Relations Commissioners Joan Silver and Dr. Byrts) to the following winners of the 1995 Martin Luther King, Jr. art contest:

First place awards: Mrs. Hayes' First Grade Class, Lugonia School
Lorise Soto - Third Grade, Smiley School
Laura Dunn - Fifth Grade, Smiley School
Chrissy Tveten - Sixth Grade, Smiley School
Merit awards: Romeo Ramirez - Kindergarten Class, Lugonia School
Corina Vargas - Second Grade, Franklin School
Jessica Gunnoe - Fifth Grade, Smiley School

Jennifer Myerscough - Sixth Grade,
Mariposa School

PUBLIC HEARING

Sale of Redevelopment Agency-Owned Property - A joint public hearing with the Redevelopment Agency of the City of Redlands was continued to this time and place to consider the sale of real property known as the Civic Center located at 35 Cajon Street to the City of Redlands. Mayor Larson declared the meeting open as a public hearing and immediately moved to continue this public hearing to February 21, 1995, at 9:00 A.M. Motion seconded by Councilmember. Foster and carried unanimously.

UNFINISHED BUSINESS

Ordinance No. 2269 - Signage - Ordinance No. 2269, an ordinance of the City of Redlands adopting Amendment No. 1 to Specific Plan No. 45 (Revised) and amending Ordinance No. 2186, to allow pre-existing uniform sign programs to remain in effect, modify the criteria for letter size and modify the criteria for illumination of signage in the downtown area, 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. 2269 was adopted on motion of Councilmember Foster, seconded by Councilmember Gil, by the following vote:
AYES: Councilmembers Foster, Gil, Cunningham, Gilbreath;
Mayor Larson
NOES: None
ABSENT: None

Agreement - Redlands Heights Citrus - Councilmember Cunningham moved to approve the Packing and Marketing Agreement between Redlands Heights Citrus and the City of Redlands for packing and marketing citrus harvested from City-owned groves and authorized the Mayor and City Clerk to sign on behalf of the City.

NEW BUSINESS

Fee Waiver - YWCA - Councilmember Gilbreath moved to waive fees for the use of the Redlands Bowl, including rent, park attendant and clean-up costs, by the YWCA for their spring dance recital. Motion

seconded by Councilmember Gil and carried unanimously.

Fee Waiver - Redlands Adult School - Councilmember Cunningham moved to waive fees for the use of the Sewell Theater in Prospect Park by the Redlands Adult School for their graduation ceremonies.

Fee Waiver - Redlands Community Music Association - Councilmember Cunningham moved to waive fees for the use of the Redlands Bowl, including rent, park attendant and clean-up costs, by the Redlands Community Music Association for their summer music festival.

Fee Waiver - Redlands Optimist Club - Public Works Director Mutter said the Redlands Optimist Club has used Sylvan Park in the past to stage an antique and classic car show. They close the park with a fence and require a donation (charge) from persons entering the park to view the show. The Optimist Club is willing to pay the appropriate fees for use of the park with the exception of the gazebo which they built as a community project. Last year, the Optimist Club donated \$500.00 to the City following the car show and a similar donation is anticipated again this year. Councilmember Cunningham moved to waive fees for the use of the gazebo at Sylvan Park by the Redlands Optimist Club for their antique and classic car show scheduled for July 21-22, 1995. Motion seconded by Councilmember Gilbreath and carried unanimously.

Ordinance No. 2270 - Swimming Pool Regulations - Ordinance No. 2270, an ordinance of the City of Redlands amending Chapter 15.48 of the Redlands Municipal Code relating to the regulation of swimming pools and reflecting the most recent recommendation from the State of California Department of Housing and Community Development, 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. 2270 was introduced with unanimous Council approval and laid over under the rules with second reading scheduled for February 21, 1995, on motion of Councilmember Gilbreath, seconded by Councilmember Foster.

Resolution No. 5137 - Outside City Utility Connections - Councilmember Foster moved to adopt

Resolution No. 5137, a resolution of the City Council of the City of Redlands establishing availability of water and/or sewer connections outside the City's corporate boundaries for calendar year 1995 in accordance with Chapter 13.60 of the Redlands Municipal Code. The motion was seconded by Councilmember Gilbreath. Councilmember Cunningham noted the only development he is seeing is custom homes which was the goal of Measure N and suggested revisiting this matter in six months. Councilmember Foster did not include this suggestion in his motion. The motion carried with Councilmember Cunningham voting NO.

Resolution No. 5138 - Facilities Fees - Administrative Services Director Pettus presented Resolution No. 5138, a resolution of the City Council of the City of Redlands establishing user categories and corresponding fees for the use of the Redlands Corporate Yard, Redlands Community Center, Redlands Senior Center, and Joslyn Senior Center. Councilmember Cunningham moved to adopt Resolution No. 5138. Motion seconded by Councilmember Gilbreath and carried unanimously.

Funds - Refund of Street Tree Fee - Public Works Director Mutter reported that Tract No. 12852, developed in 1986 by C-Y Development Company, is located along Crestview Drive between Hampton Drive and Afton Court. This tract is a lot-sale subdivision in a hillside area and was constructed with sidewalk only on one side and adjacent to the curb. At the time the tract was developed, the City required developers to pay \$30.00 each for required street trees. Because this was a lot-sale subdivision, houses were constructed sporadically and the trees were never planted. As houses were constructed, individuals landscaped their property. At this time any planting of City street trees would interfere with each individuals property's landscaping. Therefore, staff is recommending approval of the request for a refund of the street tree fee paid by James Coffin, C-Y Development. Councilmember Foster moved to approve this refund and an appropriation of \$7,680.00 for repayment. Motion seconded by Councilmember Gil and carried with Councilmember Cunningham voting NO.

Funds - Community Park Lighting - Following a homicide in the Community Park parking lot last fall, Police Chief Nelson and Councilmember Gil conducted a

walk through inspection in an effort to improve the safety of citizens visiting the Community Park after dark. At this time, staff is recommending the installation of additional security lighting. Council asked if Community Development Block Grant funds could be used for this purpose. Community Development Director Shaw reported our application has been denied twice by the Council. Councilmember Gil moved to appropriate \$15,000.00 from the General Fund or CDBG funds, if qualified, for the installation of additional security lighting at Community Park. Motion seconded by Councilmember Cunningham and carried unanimously.

Media Coverage - A letter dated January 30, 1995, was received from Carl Baker, Managing Editor of the Redlands Daily Facts, requesting that all documents of general correspondence, lawsuits filed against the City, and the City's filed responses which are provided to the City Council also be provided to the press automatically. Mr. Baker indicated he was forced to make this request because another media outlet in Redlands currently enjoys this privilege of direct access because its editor is a member of the City Council. Noting the press should get everything Councilmembers get, Councilmember Foster moved to approve this request. Motion seconded by Councilmember Gilbreath and carried unanimously. Responding to the City Clerk's inquiry regarding cost recovery, the Mayor said there would be no charge for this service at this time.

PUBLIC HEARING

Ordinance No. 2256 - General Plan Amendment No. 54 - Public hearing was continued to this time and place to continue discussion of General Plan Amendment No. 54 and its associated Environmental Impact Report, and findings and statement of overriding considerations regarding environmental impacts and mitigation monitoring plans. Mayor Larson declared the meeting open as a public hearing. Tex Moore, Vice President of The Redlands Association asked the City Council to reconsider their actions of July 19 and September 6, 1994. The Redlands Association board of directors felt the City Council had drastically diminished the effectiveness of Measure N by modifying the definition of Urban Reserve (Agriculture) and that subsequent responses to their lawsuit regarding one of those actions was excessive. Mr. Moore read a statement summarizing the situation

as perceived by The Redlands Association. At the conclusion of his remarks, the standing-room-only Council Chambers erupted with applause, loud cheering, and whistling. Also speaking in support of Mr. Moore's statement were Lee Young, Dora W. Morris, Geni Banda, Walter K. Skinner, and Steve Denton. Following these comments, Mayor Larson declared the public hearing continued to March 7, 1995. Community Development Director Shaw reviewed the staff report prepared for this meeting. The base data in the Housing Element, scheduled for discussion at this meeting, will be changing as a result of work being prepared by staff and Smith, Peroni, and Fox. The policies contained within the base document were not expected to change considerably as a result of their revised information. Mayor Larson moved to approve Chapter 6, Housing Element, as presented (version dated November 30, 1994). Motion seconded by Councilmember Foster and carried with Councilmember Cunningham voting NO as he felt it was totally unsatisfactory and did not reflect the will of the people.

PUBLIC COMMENTS

Sewer Fees - Jerry Bongiorno, 1681 Garden Street, asked the City Council for relief from the Sewer Capital Improvement Charge to convert his septic system to sewer. This matter was referred to staff for a report at the next meeting on February 21, 1995.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 8:00 P.M. to an adjourned regular meeting to be held on February 21, 1995, at 9:00 A. M. in the Council Chambers, Civic Center, 35 Cajon Street, Suite 2, Redlands, California.

City Clerk