MINUTES of a regular meeting of the City Council of the City of Redlands held in the Council Chambers, Civic Center, 35 Cajon Street, on Wednesday, July 5, 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
Mel Enslow, Fire Chief
Gary G. Phelps, Municipal Utilities Director
Lewis W. Nelson, Police Chief
Peter A. Laaninen, Deputy Public Works Director

John Andrews, Redlands Daily Facts
Steven Church, The Sun
(evening session only)

ABSENT None

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

CONSENT CALENDAR

Minutes - The minutes of the adjourned regular meeting of June 20, 1995, and the regular meeting of June 20, 1995, were approved as submitted.

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

Resolution No. 5193 - General Municipal Election - On motion of Councilmember Foster, seconded by Councilmember Gilbreath, the City Council unanimously adopted Resolution No. 5193, a resolution of the City Council of the City of Redlands, California, calling and giving notice of the holding of a General Municipal Election to be held on Tuesday, November 7, 1995, for the election of two Members of the City Council, a City Treasurer, and a City Clerk as required by the provisions of the laws of the State of California relating to General Law cities.

<u>Resolution No. 5198 - Measure O Tax Rate</u> - On motion of Councilmember Foster, seconded by Councilmember Gilbreath, the City Council unanimously adopted Resolution No. 5198, a resolution of the City Council of the City of Redlands, California, levying a tax rate for fiscal year 1995-96 to service the annual principal and interest relating to the Measure O General Obligation Bond.

<u>Resolution No. 5199 - Public Parking</u> - On motion of Councilmember Foster, seconded by Councilmember Gilbreath, the City Council unanimously adopted Resolution No. 5199, 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 and amending Resolution No. 4976: Designate 42 parking spaces in the northerly two rows of parking in the lower level of the parking structure at Sixth Street and Citrus Avenue as unrestricted free parking. The remainder of the spaces on the lower level shall be designated leased parking spaces administered by the City Treasurer.

<u>Funds - Agreement - Alternative Fuel Vehicles</u> - Following brief discussion, Councilmember Gil moved to grant authorization to execute a cooperative agreement between the City of Redlands and the State of California, Department of Transportation (Caltrans) for the transfer of two alternative fuel vehicles, and approve an additional appropriation in the amount of $1,000.00 to fund the transfer. Motion seconded by Councilmember Gilbreath and carried unanimously.

<u>Agreement - Disaster Response</u> - On motion of Councilmember Foster, seconded by Councilmember Gilbreath, the City Council unanimously approved the City's participation in the San Bernardino County Operation Area Agreement and authorized the Mayor and City Clerk to sign a San Bernardino County Operational Area disaster response and recovery organization agreement (March 31, 1995, version).

<u>Contract - Redlands Community Music Association</u> - On motion of Councilmember Foster, seconded by Councilmember Gilbreath, the City Council unanimously approved a 30 day contract with the Redlands Community Music Association for the implementation of a children's summer workshop to be held at the Community Center on Saturdays during the month of July.

<u>PLANNING AND COMMUNITY DEVELOPMENT</u>

Marshall Project - Councilmember Cunningham expressed concerns relating to the following applications submitted by Catalina Development (known as the Marshall Project) approved by the Planning Commission on June 27, 1995: Tentative Tract No. 14232 (Revised) and Conditional Use Permit No. 545 (Revised) for the proposed development of a Planned Residential Development to include a 26 lot subdivision on 45 acres of land in the R-R (Rural Residential) District located south of Mills Creek Road (State Route 38), east of the City of Redlands Henry Tate Water Treatment Plant, and west of Bryant Street. He also provided copies of a letter from Lawrence B. Lee regarding the availability of water for his property in the Mill Creek Road area. Councilmember Cunningham's motion to appeal the Planning Commission's decision in order to hold a public hearing at a future City Council meeting did not receive a second.

Planning Commission Actions - On motion of Councilmember Foster, seconded by Councilmember Gilbreath, the report of the Planning Commission meeting held on June 27, 1995, was acknowledged as received with Councilmember Cunningham opposing the Marshall Project (see above) because of his concerns relating to fire safety, availability of utilities, and equity for other property owners in the area.

Funds - Comprehensive Airport Land Use Plan - On motion of Councilmember Foster, seconded by Councilmember Gilbreath, the City Council unanimously authorized an additional appropriation and awarded a contract for the preparation of a Comprehensive Airport Land Use Plan to Hodges and Sutt of Santa Rosa in the amount of $19,536.00.

Final Approval - Tract No. 15589 - Ladera Partners - On motion of Councilmember Foster, seconded by Councilmember Gil, the City Council unanimously granted final approval for Tract No. 15589 (Phase I) in conjunction with C.U.P. No. 603, a subdivision for a Planned Residential Development of approximately 17.8 acres of land comprised of 52 single family lots and related open space for property generally located at the southwest corner of Ladera Street and Terracina Boulevard in the R-E (Residential Estate) District, as recommended by the Planning Commission on September 27, 1994.

Majestic Development Company - Community Development Director Shaw informed Councilmember that the filing of the Majestic Development Company project has occurred with the County and the application has been withdrawn from the City of Redlands. The City will coordinate with the County on the environmental review.

COMMUNICATIONS

San Bernardino International Airport - Mayor Larson reported quorums have not been available for the San Bernardino International Airport Authority and there have not been any meetings since his last report.

Appointments - Parks Commission - Mayor Larson moved to nominate Betty Gable, Jan Sherman, and Patrick J. Meyer for reappointment to the Parks Commission for four-year terms expiring June 16, 1999. Motion seconded by Councilmember Gilbreath and carried unanimously.

Appointment - Recreation Advisory Commission - Mayor Larson moved to nominate Diane Neustadter for reappointment to the Recreation Advisory Commission for a four-year term expiring June 30, 1999. Motion seconded by Councilmember Gilbreath and carried unanimously.

Appointment - Airport Advisory Board - Mayor Larson moved to nominate Harry Smith, Jr. for reappointment to the airport Advisory Board for a four-year term expiring July 1, 1999. Motion seconded by Councilmember Gilbreath and carried unanimously.

Certification of Initiative Petition - On May 31, 1995, an initiative petition containing 712 sections entitled *The Redlands Growth Management Act of 1995* was filed in the City Clerk's Office. The petition was transported to the Registrar of Voters for examination of the signatures, and pursuant to Section 9115 of the Elections Code, the City Clerk conducted a random sampling of 500 signatures. Based on the requirements to order the submission of an initiative ordinance at the next regular municipal election (signed by not less than 10 percent), the random sampling showed that the number of valid signatures was 148 percent; therefore, the petition was found to be sufficient). Based on the requirements to order the submission of an initiative ordinance at a special election (signed by not less than 15 percent), the random sampling showed the number of valid signatures was 99 percent; therefore, the City Clerk proceeded to cause each signature filed to be examined and verified. City Clerk Poyzer reported the results of this examination were as follows:

1. Number of signatures verified: 6,240
2. Number of signature found sufficient: 5,044
3. Number of signatures found insufficient: 1,196
4. Number of signatures not sufficient because duplicate: 43

The petition required 5,146 sufficient signatures to qualify for a special election' therefore, the petition was found to be insufficient to cause a special election. To qualify the ordinance for submission to the voters at the next regular municipal election, 3,341 sufficient signatures were necessary. The petition was found to be sufficient, and City Clerk Poyzer presented a Certificate of Sufficiency to the City Council.

SB 647 (Kelly) and SB 1010 (Costa) - Opposed by the League of California Cities, SB 647 would prohibit a city from imposing a new fee, charge, or increase an existing one by administrative authortity, action or regulation. Also opposed by the League of California Cities is SB 1010 which would provide that any local government lien to improve seismic safety is subordinate to any prior recorded lien. Councilmember Cunningham moved to support the League of California Cities' positions on these two Senate Bills and directed the City Manager to write letters to members of the Assembly Local Government Committee indicating the City's position. Motion seconded by Councilmember Gilbreath and carried with Councilmember Foster voting NO as he supported SB 647.

Portable School Buildings - In a letter dated July 5, l995, Redlands Unified School District Superintendent Robert J. Hodges responded to the City's concern regarding the placement of portable school buildings on Orange Street. Mr. Hodges wrote that the cost of moving the buildings to comply with the City's zoning laws would range from $25,000.00 to $45,000.00, depending on the configuration, and would also result in the loss of mature trees and parking. He indicated the most cost effective solution for the School District would be for the Board of Education to take action to render the City's zoning ordinance inapplicable pursuant to Government Code Section 53094. Councilmember Foster was not pleased with this posture and felt it was bad faith on the part of the School District and that they should comply with the same rules as everyone else must do. Councilmember Gil noted there were also no set-backs for the Adult School buildings on Delaware Street and expressed his concern about the School District's attitude. Councilmember Cunningham defended the School District's action citing their need to increase their facilities. Mayor Larson asked staff to look at the Delaware site and expressed his hope the School District will be more responsive in the future.

RECESS

The City Council meeting recessed at 3:25 P.M. to a Redevelopment Agency meeting and reconvened at 7:00 P.M.

PUBLIC HEARINGS

Resolution No. 5180 - Parking and Business Improvement Area - Public hearing was advertised for this time and place to consider Resolution No. 5180 ordering the continued operation of Parking and Business Improvement Area B and confirming the Annual Report and assessment for fiscal year 1995-96. Administrative Services Director Pettus reported the 1995-96 Annual Report, outlining assessments, district boundaries, proposed improvements and activities and budgets, has been approved by the Downtown Redlands Business Association Advisory Board and filed with the City Clerk in accordance with Section 36533 of the California Streets and Highways Code. 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. 5180. Motion seconded by Councilmember Gil and carried unanimously.

Ordinance No. 2282 - General Plan Amendment No. 57 - Public hearing was advertised for this time and place to consider Ordinance No. 2282, an application to change the land use designation from Urban Reserve (Agricultural) to Very Low Density for 98.21 acres of land generally located on the west side of Wabash Avenue between San Bernardino Avenue and Lugonia Avenue (Metro-California Business Enterprises, applicant). Community Development Director Shaw reviewed State law as pertains to amendments to the General Plan and recommended this matter be continued to July 18, 1995. Mayor Larson declared the meeting open as a public hearing for any questions or comments. None being forth coming, the public hearing was unanimously continued to July 18, 1995, on motion of Councilmember Foster, seconded by Councilmember Gil.

Ordinance No. 2283 - Zone Change No. 355 - Public hearing was advertised for this time and place to consider Ordinance No. 2283, an ordinance of the City of Redlands effecting a change of zoning classification from A-1 (Agricultural) District to R-E (Residential Estate) District for 98.21 acres of land generally located on the west side of Wabash Avenue between San Bernardino Avenue and Lugonia Avenue (Metro-California Business Enterprises, applicant). Community Development Director Shaw explained this application is in conjunction with General Plan Amendment No. 57 and should also be continued to July 18, 1995. Mayor Larson declared the meeting open as a public hearing for any questions or comments. None being forth coming, the public hearing was unanimously continued to July 18, 1995, on motion of Councilmember Foster, seconded by Councilmember Gil.

Ordinance No. 2286 - Zoning Ordinance Text Amendment No. 239 - Public hearing was advertised for this time and place to consider Ordinance No. 2286, an ordinance of the City of Redlands establishing the A-1-20 (Agricultural) District that will permit agricultural uses and will conditionally permit composting recycling operations which may include sludge and other composting materials and the sale of related landscape materials. Community Development Director Shaw said the purpose of this amendment is to culminate a legal agreement between Mr. Curti, owner of One Stop Landscaping Supply Center, and the City of Redlands. This facility, when annexed to the City in 1990, was zoned A-1. However, currently the City's A-1 District does not list this use as a permitted use. Consequently, the status of the composting facility remains a non-conforming land use in the A-1 District. This zone classification is written to include certain criteria that limits the proliferation of other similar facilities into existing agriculture areas, which addresses one of the previous concerns of the City Council. This new zone classification meets Mr. Curti's needs and upon rezoning his property to A-1-20 will finally culminate the legal agreement between him and the City of Redlands by making the facility a permitted use with a Conditional Use Permit. Councilmember Foster suggested this public hearing be continued indicating he wanted to see a copy of the settlement agreement. Mayor Larson declared the meeting open as a public hearing for any questions or comments. James DeAguilera, legal counsel for The Redlands Association, submitted a letter dated October 4, 1994, requesting the City Council required the preparation of an Environmental Impact Report for this project based on their opinion the project may have significant impacts (substantial adverse) upon the environment which have not been adequately evaluated or mitigated. There being no further comments, the public hearing was unanimously continued to August 1, 1995, on motion of Councilmember Foster, seconded by Councilmember Gilbreath.

<u>General Plan Amendment No. 54</u> - Public hearing was continued to this time and place to continue the review of the General Plan Update document. Community Development Director Shaw reported the City Council has held 18 public hearings on the General Plan beginning July 5, 1994. As a result of the public hearings, the City Council has taken actions to delete, add, and modify portions of the proposed General Plan for purposes of sending it to its consultant. At this time staff would like some feedback regarding the alternatives presented for the Human Services Element and the incorporation of the implementing policies of the Southeast Area General Plan Amendment No. 38 into the General Plan with the intent of eliminating Appendix A. Mr. Shaw reported staff would clean up the maps and make them more legible, and reviewed suggested changes to the staff's alternative incorporating the background materials and implementing policies for the Southeast Area General Plan Amendment as follows:

> Page 3, Policy 4: "Both signature ridges and major ridges within canyons shall be preserved and enhanced. Significant modification of these ridges shall occur only where offsetting need is demonstrated. Development on ridgelines is allowed as long as it stays within the parameters of this policy. Offsetting need is defined as demonstration that the grade of a specific parcel requires modification of an existing ridge line to produce sufficient space to site a building pad and that the result will not eliminate the continuity of the ridge line through grading or ~~structure in position~~ <u>construction of a structure</u>."

Page 14, Policy 21, second paragraph: "For Planning Sectors 1, 3, 4, 5, 6, 7, 8, and 9 this shall be up-canyon from Alessandro, San Timoteo Canyon and Live Oak Canyon~~, as applicable~~. For Planning Sector 2 this shall be ~~generally~~ down-ridge from Sunset Drive."

Page 14, Policy 21, third paragraph: "If for safety reasons, secondary access is required, such secondary access shall be limited to other identifiable historic routes accessing each individual sector and shall not be ~~via "new" solutions which are~~ inconsistent with the perceived historic pattern."

Page 21, Preserved Natural Open Space, second paragraph: "First, in terms of acquisition there are a variety of tools available to the City with which to accomplish ultimate acquisition of such lands. It is recommended that a specific study be undertaken with one or more "public acquisition experts" present for the purpose of working out a definitive acquisition program which is fair to all concerned. This plan anticipates the use of outright purchase, of dedication in conjunction with development, of agricultural preservation, of density trading via PRD's, ~~and density transfer,~~ of gift, and even of condemnation."

Page 21, Residential Land Uses, fourth paragraph: "Residential Land Uses. ~~Density Alternative B provides~~ The density figures within the planning areas which are 1 unit per acre for slopes 0 to 15%, 1 unit per 2.5 acres for slopes 15 to ~~32%~~ 30%, and 1 unit per 10 to 5 acres for slopes over 30%."

Page 24, Policy 15: "The Perimeter Fuel Modification/Access Area (PERFUMAA) concept shall be adopted and implemented within each of the Planning Sectors identified in this plan. The Fire Chief may grant modifications from this concept if effective alternatives are provided."

Community Development Director Shaw also said staff would change the policy numbers to interrelate with the General Plan; define major/minor/signature ridges, incorporate Sector 2, use the Southeast Area Plan for terminology. Councilmember Foster moved to delete the Land Use Summary tables on pages 20 and 27. Councilmember Gil seconded the motion which failed when Councilmembers Cunningham, Gilbreath, and Larson voted NO. Mr. Shaw indicated staff would update the tables and bring them back to the City Council.

Councilmember Foster moved to continue the Human Services Element to July 18, 1995. Motion seconded by Councilmember Gil and carried unanimously.

Mayor Larson declared the meeting open as a public hearing for any comments. None being forthcoming, the public hearing was unanimously continued to July

18, 1995, on motion of Councilmember Foster, seconded by Councilmember Gilbreath.

NEW BUSINESS

League of California Cities - Inland Empire Division - Mayor Larson reported the League of California Cities is considering splitting the Inland Empire Division into two separate Riverside County and San Bernardino County divisions. Following discussion, Councilmember Larson moved to support the division with the recommendation that at least two annual meetings be held with both divisions. Motion seconded by Councilmember Foster and carried with Councilmember Gilbreath voting NO.

Election - Initiative Petition - Noting that the initiative petition entitled "*The Redlands Growth Management Act of 1995*" was certified by the City Clerk as sufficient for the ballot earlier during this meeting, Councilmember Cunningham moved to place this initiative ordinance on the November 7, 1995, ballot. Motion seconded by Councilmember Larson. Councilmember Foster stated he was not prepared to put the measure on the ballot yet. The motion carried with Councilmembers Foster and Gilbreath voting NO. The City Clerk then presented Resolution No. 5194, a resolution of the City Council of the City of Redlands, California, ordering the submission to the qualified electors of the City of Redlands a certain measure entitled *The Redlands Growth Management Act of 1995* at the General Municipal Election to be held on Tuesday, November 7, 1995, as called by Resolution No. 5193, and requesting the Board of Supervisors to consolidate said elections. Councilmember Cunningham moved to adopt Resolution No. 5194. Motion seconded by Councilmember Larson and carried with Councilmember Foster voting NO.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 7:45 P.M. The next regular meeting will be held on July 18, 1995.

City Clerk