

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 July 18, 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
Gary G. Phelps, Municipal Utilities Director
Lewis W. Nelson, Police Chief
Ronald C. Mutter, Public Works Director

John Andrews, 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.

PRESENTATIONS

Employee Service Pins - Assisted by the department heads, Mayor Larson presented five year service pins to: Tim Marshburn, Fire Department; Greg Campbell, Solid Waste Division; Linda Arnold, Utility Billing; James Mawson, Police Department; and Todd McMeans, Carlito Ventura, and Ken Wright, Police Department. Ten year service pins were presented to: Rick Strobaugh and Marc Tilson, Police Department. Fifteen year pins were presented to: City Treasurer Michael Reynolds; Peggy McVey, Treasurer's Office; Mike Sepulveda, Equipment Maintenance; and Pat Beaver and John Cullen, Police Department. A twenty year pin was presented to Gary Fletcher, Water Division. Twenty-five year pins were presented to: Larry Taylor, Fire Department; Mike Huffstutler, Municipal Utilities Department; and Ron Ramirez, Solid Waste Division.

Employees of the Quarter - City Manager Luebbbers announced the 14 nominees for the Employees of the Quarter for the second quarter of 1995 were:

Category: Field

Gary Bierma	Public Works
Gilbert Rodriguez	Municipal Utilities

Category: Safety

Mitch McKee	Fire Department
Russell Dalzell	Police Department

Category: Administration

Nadine Chaney	Administrative Services
Olga Diamond	Personnel
Alan Griffiths	Public Works
Tina Kundig	Finance
Rich Lindner	Fire Department
Barbara Long	Library
Anthony Mackesey	Public Works
Evelyn Pedro	Planning
Janet Petton	Cemetery
Brenda Sutton	Administrative Services

Mayor Larson presented a plaque with the City seal to the Employees of the Quarter as follows:

Sergeant Russell Dalzell, Police Department - City Manager Luebbbers read from the nomination form completed by Captain James R. Bueermann: Sgt. Dalzell has been working for the Redlands Police Department for more than 15 years. During this time he has worked as a Patrol Officer, Narcotics and Burglary Detective, Patrol and Traffic Corporal, Patrol Sergeant, and in his current position as Sergeant of the department's Multiple Enforcement Team. In the last two years, Sgt. Dalzell has acquired more than \$100,000.00 worth of property at no cost to the City from the Federal government through its military's surplus property distribution program. All of this property is now being used by the Police Department. In addition to the property acquisition program Sgt. Dalzell started, several years ago he was instrumental in the formation of the County-wide Gang Task Force (SMASH) used in literally every city in the County. Sgt. Dalzell epitomizes the work ethic each City department strives to realize or develop in each of its employees. He is a natural born leader who is wholeheartedly committed to the Department's new Community Based Policing philosophy. His highly successful facilitation of the community meetings relating to the current Robbins Retreat controversy speaks volumes about his ability to resolve complicated, contentious issues with diplomacy and sensitivity. Capt. Bueermann concluded his nomination stating,

"He is a true joy to supervise and work with, and I am honored to be affiliated with him."

Gary Bierma, Building Maintenance - City Manager Luebbers announced Mr. Bierma was nominated five times, and reading excerpts from the nomination forms said the Building Maintenance is a "division" within the Public Works Department comprised of two people. Other divisions within the City have ten times that number to perform their necessary responsibility. These individuals, through Gary's response and leadership, keep our public buildings and environs in exemplary condition. Mr. Bierma's attention to detail and his commitment to ensuring that quality standards are met, are very much appreciated by many employees. He improves the morale of his co-workers by providing consistent professional services in the workplace, and strives to provide the most timely service possible in all circumstances. We are truly blessed to have him on our payroll.

Rich Lindner, Fire Department - Rich Lindner is the Cost Recovery Officer assigned to the Fire Department and assists all departments within the City with his Code Enforcement expertise. From the two nomination forms, City Manager Luebbers read Mr. Lindner is always courteous and thoughtful in his dealings with the public, spending a lot of extra time to help serve the public and the City. He is a true professional and always good-natured. He takes his job seriously and is very dedicated to the work he does and is always willing to help with a smile on his face. "They don't come much better than Rich."

CONSENT CALENDAR

Minutes - The minutes of the regular meeting of July 5, 1995 were approved as amended.

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

Contract Monitoring Reports - Public Works Director Mutter presented contract monitoring reports updated through July 11, 1995, for five projects administered by the Public Works Department.

Resolution No. 5187 - Weed Abatement Charges - On motion of Councilmember Foster, seconded by Councilmember Gil, the City Council adopted Resolution No. 5187, a resolution of the City Council of the City of Redlands providing for the assessment of costs resulting from the abatement of weeds which constitute a fire hazard, with Councilmember Gilbreath abstaining due to a possible conflict of interest.

"B" Option Water Agreement - Councilmember Cunningham moved to approve the preparation of a license for a City of Redlands contract with "B" Option water agreement in the amount of 250 miner's inches from the City of Redlands to Dr. Shirou Kunihiro for \$1,700.00, with a specific clause that the license may be terminated by the City of Redlands, at the referenced sales price, at a time when the property is no longer in commercial agriculture, with the understanding staff would tighten the language in regards to the option that the City could terminate the agreement within one year's notice which would allow for completion of a cycle on the grove noting that there may be a problem in the future defining commercial agriculture. Motion seconded by Councilmember Gilbreath and carried unanimously.

Lease Agreement - Boys and Girls Club of Redlands - Administrative Services Director Pettus said the boys and Girls Club of Redlands is a nonprofit organization dedicated to improving the quality of life for youth. Community Development Block Grant funds totaling \$70,000.00 have been allocated to the Boys and Girls Club for the construction of a new facility. Because the allocation is not sufficient to complete the project, representatives from the organization approached City staff to discuss using the Community Center for their operations. The Boys and Girls Club is willing to relinquish a portion of the CDBG funds which could be reprogrammed towards the Community Center renovation with the remaining funds to be used to develop a resource center with computer and educational equipment. This process would require approval from the County and a noticed public hearing held by the City Council. Representing the Boys and Girls Club were Gregory Davis and Keith Shomaker. Following discussion, Councilmember Gilbreath moved to approve the lease agreement between the City of Redlands and the Boys and Girls Club of Redlands and authorized the Mayor and City Clerk to execute the document on behalf of the City with the following changes: rent to be \$150 per month and a five-year lease with an annual review. Motion seconded by Councilmember Cunningham and carried unanimously.

Lease Agreement - Senior Nutrition Program - On motion of Councilmember Foster, seconded by Councilmember Gil, the City Council unanimously approved the lease agreement between the City of Redlands and San Bernardino County Community Services Department for the purpose of conducting a senior nutrition program and authorized the Mayor and City Clerk to execute the document on behalf of the City.

PLANNING AND COMMUNITY DEVELOPMENT

Planning Commission Actions - On motion of Councilmember Foster, seconded by Councilmember Gilbreath, the report of the Planning Commission meeting held on July 11, 1995, was unanimously acknowledged as received.

COMMUNICATIONS

San Timoteo Canyon Landfill Expansion - Solid Waste Manager Valorie Shatynski provided the City Council with a status report regarding the County's proposed expansion of the San Timoteo Canyon Landfill. Staff has met with the County and covered the following items to date: results of fatal flaw studies by County for the site which indicate further expansion is favorable; the Board of Supervisors approval to pursue consolidation of the County system to three landfills; and access to the site and increased traffic due to the expansion.

CLOSED SESSION

The City Council meeting recessed at 3:45 P.M. to a Redevelopment Agency meeting and reconvened at 3:46 P.M. to a closed session to discuss the following matters:

1. Conference with real property negotiator
Property: APN 294-041-01
Negotiating parties: Ronald C. Mutter and Elizabeth Voss
Under negotiation: Terms and price
2. Conference with real property negotiator
Property: APN 168-041-13
Negotiating parties: Ronald C. Mutter and Dennis C. Rieger and George Glenn
Under negotiation: Terms and price

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

CLOSED SESSION REPORT

There was no report from the closed session.

PUBLIC HEARING - CITY COUNCIL AND REDEVELOPMENT AGENCY

Resolution No. 5130 - Sale of Civic Center - A joint public hearing of the City Council and the Redevelopment Agency of the City of Redlands was advertised for this time and place to consider the conveyance of real property located at 35 Cajon Street (formerly known as the Redlands Plaza, now known as the Civic Center) to the City of Redlands. Administrative Services Director Pettus reviewed the report on the Proposed Transfer of Real Property. Councilmember Foster felt it was inappropriate to give away this asset. Councilmember Cunningham felt this was the only prudent way to handle the Redevelopment Agency's debt to the City. 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. 5130, a resolution of the City Council of the City of Redlands approving and authorizing the transfer of property known as the Civic Center from the Redevelopment Agency of the City of Redlands to the City of Redlands based on the following findings:

1. That the buildings, structures, or other improvements are of benefit to the project area or the immediate neighborhood in which the project is located, regardless of whether the improvement is within another project area, or in the case of a project area in which substantially all of the land is publicly owned that the improvement is of benefit to an adjacent project area of the agency;
2. That no other reasonable means of financing the buildings, facilities, structures, or other improvements are available to the community; and
3. That the payment of funds for the acquisition of land or the cost of buildings, facilities, structures, or other improvements will assist in the elimination of one or more blighting conditions inside the project area or provide housing for low- or moderate-income persons, and is consistent with the implementation plan adopted pursuant to Section 33490 of the California Health and Safety Code.

Motion seconded by Councilmember Cunningham and carried with Councilmembers Foster and Gil voting NO.

PUBLIC HEARINGS

Resolution No. 5202 - Appropriations Limit - Public hearing was advertised for this time and place to consider Resolution No. 5202, a resolution of the City Council of the City of Redlands establishing an appropriations limit in the amount of \$43,983,155.00 for the fiscal year 1995-96 pursuant to Article XIII B of the California Constitution. Finance Director Chapman reported that each year the city of Redlands has consistently maintained an exceedingly wide and comfortable margin between its limits and its proceeds of tax subject to the State's "Gann Limit." 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 Cunningham moved to adopt Resolution No. 5202. Motion seconded by Councilmember Gilbreath and carried unanimously.

Ordinance No. 2282 - General Plan Amendment No. 57 - (Also see Ordinance No. 2283 - Zone Change No. 355.) Public hearing was advertised for this time and place to consider Ordinance No. 2282, a change of 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). Mayor Larson declared the meeting open as a public hearing for any questions or comments. On behalf of the applicant, Pat Meyer urged approval of this General Plan amendment noting it was consistent with the criteria under Measure N. There being no further comments, the public hearing was declared closed. Councilmember Foster moved to approve the Environmental Review Committee's Negative Declaration for General Plan Amendment No. 57 based on the finding that the project will not have a significant effect on the environment and directed staff to file and post a Notice of Determination in accordance with the City's guidelines and to acknowledge that it has been determined this project will not individually or cumulatively have an adverse impact on wildlife resources as defined in Section 711.2 of the California Fish and Game Code. Motion seconded by Councilmember Gilbreath and carried unanimously. Ordinance No. 2282, an ordinance of the City of Redlands adopting Amendment No. 57 to the Redlands General Plan, was read by title only by City Clerk Poyzer, and on motion of Councilmember Foster, seconded by Councilmember Gilbreath, further reading of the ordinance text was unanimously waived. Ordinance No. 2282 was introduced with unanimous Council approval and laid over under the rules with second reading scheduled for August 1, 1995, on motion of Councilmember Foster, seconded by Councilmember Gilbreath.

Ordinance No. 2283 - Zone Change No. 355- (Also see Ordinance No. 2282 - General Plan Amendment No. 57.) Public hearing was advertised for this time and place to consider Ordinance No. 2283, an ordinance adopting Zone Change No. 355, a change of zone from A-1 (Agriculture) 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 as recommended by Redlands Planning Commission Resolution No. 835. Mayor Larson declared the meeting open as a public hearing for any questions or comments concerning this change of zone. On behalf of the applicant, Pat Meyer urged approval of this change of zone noting it was consistent with the criteria under Measure N. There being no further comments, the public hearing was declared closed. Councilmember Foster moved to approve the

Environmental Review Committee's Negative Declaration for Zone Change No. 355 and directed staff to file and post a Notice of Determination in accordance with the City's guidelines and to acknowledge that it has been determined this project will not individually or cumulatively have an adverse impact on wildlife resources as defined in Section 711.2 of the California Fish and Game Code. Motion seconded by Councilmember Gilbreath and carried unanimously Ordinance No. 2283, an ordinance of the City of Redlands amending Title 18 of the Redlands Municipal Code by adopting an additional land use zoning plan as part of the Official Land Use Zoning Map and effecting Zone Change No. 355, was given its first reading of the title by City Clerk Poyzer, and on motion of Councilmember Foster, seconded by Councilmember Gilbreath, further reading of the ordinance text was unanimously waived. Ordinance No. 2283 was introduced with unanimous Council approval and laid over under the rules with second reading scheduled for August 1, 1995, on motion of Councilmember Foster, seconded by Councilmember Gilbreath.

Ordinance No. 2290 - General Plan Amendment No. 59 - (Also see Resolution No. 5203 - Specific Plan No. 40, Amendment No. 5.) Public hearing was advertised for this time and place to consider Ordinance No. 2290, an ordinance of the City of Redlands amending the Noise Element of the Redlands General Plan and that portion of the Redlands General Plan relating to the geographic area commonly know as the East Valley Corridor Specific Plan Area. Community Development Director Shaw reviewed the changes proposed within General Plan Amendment No. 59 as follows: Provision for amendments to a Concept Plan or Planned Development Plan; provide that specific design and/or plant materials may be modified at the discretion of the approving agency when there is a conflict with public utilities; provide compact parking in accordance with the criteria and specifications of the Municipal Code; provide specific criteria for limiting outdoor sales activities, provide for greater flexibility in the placement and orientation of landscaping for large shopping centers; change parking requirement for Manufacturing uses; reduce the main aisle width for a two-way drive adjacent to a loading area; increase the maximum height of parking lot lighting fixtures; allow trees to be grouped within the parking areas, parking provisions to parking areas devoted exclusively for employees or company vehicles; eliminate the requirement to have amendments to the Specific Plan to be referred to the CSA-110 Advisory Commission; and delete theaters from the "Very Sensitive" Land Uses of the Noise Element. Mayor Larson declared the meeting open as a public hearing for any questions or comments regarding this amendment to the General Plan. Loren Geib and Pat Meyer addressed concerns which were discussed with Councilmembers. There being no further comments, the public hearing was declared closed. Councilmember Foster moved to approve the Environmental Review Committee's Negative Declaration for General Plan Amendment No. 59 based on the finding that the project will not have a significant effect on the

environment and directed staff to file and post a Notice of Determination in accordance with the City's guidelines and to acknowledge that it has been determined this project will not individually or cumulatively have an adverse impact on wildlife resources as defined in Section 711.2 of the California Fish and Game Code. Motion seconded by Councilmember Gilbreath and carried with Councilmember Cunningham voting NO. Ordinance No. 2290, 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. 2290 was introduced and laid over under the rules with second reading scheduled for August 1, 1995, on motion of Councilmember Foster, seconded by Councilmember Gil, with the following modifications and with Councilmember Cunningham voting NO:

1. The addition of a "procedural process" to Section EV1.0415.
2. The addition of "Restaurant - Outdoor Dining Areas" to Section EV4.0231.
3. Amend the new subsection (5) of Section EV4.0255 relating to landscape requirements for parking area to read: "When a unified landscape plan is proposed for a project site in excess of ten (10) acres that complies with the requirements of EV4.0260(a), the project may be exempt from the requirements of EV4.0255(1) at the discretion of the reviewing agency."
4. Amend Section EV4.0255(3) relating to landscape requirements for parking areas to read: "Where parking areas are completely screened from public view by building placement or a combination of walling and landscaped buffers, landscaping requirements within the parking lot may be reduced at the discretion of the reviewing agency."

Resolution No. 5203 - Specific Plan No. 40, Amendment No. 5 - (Also see Ordinance No. 2290 - General Plan Amendment No. 59.) Public hearing was advertised for this time and place to consider Resolution No. 5203, a resolution of the City of Redlands amending Resolution No. 4433 relating to Specific Plan No. 40. Community Development Director Shaw reviewed the changes proposed within Specific Plan No. 40, Amendment No. 5, as follows: Provision for amendments to a Concept Plan or Planned Development Plan; provide that specific design and/or plant materials may be modified at the discretion of the approving agency when there is a conflict with public utilities; provide compact parking in accordance with the criteria and specifications of the Municipal Code; provide specific criteria for limiting outdoor sales activities, provide for greater flexibility in the placement and orientation of landscaping for large shopping centers; change parking requirement for Manufacturing uses; reduce the main aisle width for a two-way drive adjacent to a loading area; increase the maximum height of parking lot lighting fixtures; allow trees to be grouped within the parking areas, parking provisions to parking areas devoted exclusively for employees or company vehicles; and eliminate the requirement to have amendments to the Specific Plan to be referred to the CSA-110 Advisory Commission. Mayor Larson declared the meeting open as a public

hearing for any questions or comments regarding this amendment to the General Plan. Loren Geib and Pat Meyer addressed concerns which were discussed with Councilmembers. There being no further comments, the public hearing was declared closed. Councilmember Foster moved to adopt Resolution No. 5203 with the following modifications:

1. The addition of a "procedural process" to Section EV1.0415.
2. The addition of "Restaurant - Outdoor Dining Areas" to Section EV4.0231.
3. Amend the new subsection (5) of Section EV4.0255 relating to landscape requirements for parking area to read: "When a unified landscape plan is proposed for a project site in excess of ten (10) acres that complies with the requirements of EV4.0260(a), the project may be exempt from the requirements of EV4.0255(1) at the discretion of the reviewing agency."
4. Amend Section EV4.0255(3) relating to landscape requirements for parking areas to read: "Where parking areas are completely screened from public view by building placement or a combination of walling and landscaped buffers, landscaping requirements within the parking lot may be reduced at the discretion of the reviewing agency."

Motion seconded by Councilmember Gil and carried with Councilmember Cunningham voting NO.

General Plan Amendment No. 54 - 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 19 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. Staff has circulated the Human Services Element to the United Way of Redlands and the Redlands 2000 Committee. The Redlands 2000 Committee has made some specific recommendations and staff has revised the Element to reflect many of their proposed changes. Mayor Larson declared the meeting open as a public hearing. Councilmembers concurred to add "other educational institutions" to Policy No. 10.60d: Support and cooperate with the Redlands Unified School District and the University of Redlands. Councilmember Foster moved to approve the Human Services Element as modified. Motion seconded by Councilmember Gil and carried with Councilmember Cunningham voting NO. Councilmember Larson moved to continue this public hearing to August 1, 1995. Motion seconded by Councilmember Foster and carried unanimously.

NEW BUSINESS

Sports Complex - Public Works Director Mutter reported that on June 22, 1995, the Parks Commission recommended to the City Council that all remaining

monies within the Measure O Fund be considered interest and allocated to the design and construction of the proposed sports complex to be located at San Bernardino Avenue and Wabash Avenue. City Attorney McHugh reviewed the Measure O ballot measure language and concluded the monies were to be used solely for land acquisition and not for construction of improvements. No action was taken by the City Council.

Pedestrian Crosswalk - In response to a concern expressed by Councilmember Gil, Public Works Director Mutter explained a pedestrian crosswalk formerly existed on Lugonia Avenue at Clay Street. There exists one pedestrian crossing sign for eastbound traffic approaching the intersection. There is also a handicapped ramp on the northeast corner of the intersection which aligns with the former crosswalk. There is no handicapped ramp on the south side of Lugonia Avenue. Lugonia Avenue was resurfaced in Fiscal Year 1990-91 and the crosswalk was not repainted at that time. It has been the practice of the City to refrain from reinstalling crosswalks after resurfacing when safety considerations and engineering judgment dictate their removal. By law, a crosswalk exists at an intersection whether or not the crosswalk is painted. A painted crosswalk at a location without control of vehicular traffic is not recommended. A crosswalk can give a false sense of security to pedestrians, especially young pedestrians. It has been the policy of the City to avoid installing crosswalks in unprotected locations whenever possible. At its June 22, 1995, meeting, the Traffic and Parking Commission voted unanimously to deny the request to repaint the crosswalk on Lugonia Avenue at Clay Street. Councilmember Gil moved to direct staff to repaint the crosswalk and install signage as necessary at this location. Motion seconded by Councilmember Gil and carried unanimously.

Fee Waiver - Kiwanis Club of Redlands - Councilmember Foster moved to waive the fees for the use of the Sylvan Park by the Kiwanis Club of Redlands for use of the Kiwanis Club for a Division meeting site on August 30, 1995. Motion seconded by Councilmember Gil and carried with Councilmember Cunningham abstaining from the vote.

PUBLIC COMMENTS

City-owned Housing Offer - Karen Eubanks informed the City Council she and her husband had made an offer on a City-owned house and urged them to consider this matter at this meeting.

LATE BREAKING ITEMS

Noting that the need to take action was immediate, Councilmember Cunningham moved to add the following items to the agenda which arose subsequent to the agenda being posted:

1. Discussion and possible action - Independent contract agreement for pre-need cemetery sales with Ellen Kariot
2. Closed session item
Conference with real property negotiator
Property: 32 South Eureka Street
Negotiating parties: Marjie Pettus and Ms. Karen Eubanks
Under negotiation: Terms and price

Motion seconded by Councilmember Gilbreath and carried unanimously.

Cemetery sales contract - Councilmember Larson moved to terminate the independent contract agreement for pre-need cemetery sales between the City of Redlands and Ellen Kariot. Motion seconded by Councilmember Cunningham and carried with Councilmember Gil voting NO.

CLOSED SESSION

The City Council meeting recessed at 8:26 P.M. to a closed session to consider the late breaking item. The meeting reconvened at 8:29 P.M. City Attorney McHugh reported the City Council rejected the Eubanks' offer for the property located at 32 South Eureka Street and authorized continued negotiations.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 8:30 P.M. The next regular meeting will be held on August 1, 1995.

City Clerk