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 October 3, 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
Eric Norris, Principal Planner
Steven M. Chapman, Finance Director
Mel Enslow, Fire Chief
Michael L. Huffstutler, Assistant Utilities Director
Lewis W. Nelson, Police Chief
Ronald C. Mutter, Public Works Director

John Andrews, Redlands Daily Facts
Bettye Wells Miller, The Sun

ABSENT None

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

Mayor Larson acknowledged the following candidates present at this session: for City Council - Bill Cunningham and Jon Harrison; Lorrie Poyzer, City Clerk; and Michael Reynolds, City Treasurer.

CONSENT CALENDAR

Minutes - The minutes of the regular meeting of September 19, 1995, were approved as submitted.

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

Resolution No. 5219 - Traffic - On motion of Councilmember Gilbreath, seconded by Councilmember Foster, the City Council unanimously adopted Resolution No. 5219, a resolution of the City Council of the City of Redlands establishing the following traffic regulations pursuant to Title 10 of the Redlands Municipal Code: erect a stop sign on Thames Street at Pennsylvania Avenue.

Agreement - Redlands Evening Kiwanis Club - Regarding the banners on Cajon Street and Citrus Avenue, Councilmember Foster asked how the City got into this program as he did not think the Code allowed off-site advertising. The independent contractor agreement between the City of Redlands and the Redlands Evening Kiwanis Club for the erection and removal of banners on Cajon Street and Citrus Avenue for various non-profit organizations was unanimously continued to the 7:00 P.M. session on motion of Councilmember Foster, seconded by Councilmember Gil, for further information.

PLANNING AND COMMUNITY DEVELOPMENT

Planning Commission Actions - On motion of Councilmember Gilbreath, seconded by Councilmember Foster, the report of the Planning Commission meeting held on September 26, 1995, was unanimously acknowledged as received.

COMMUNICATIONS

San Bernardino International Airport - Mayor Larson reported on the possibility of airline service to Laughlin, Nevada, from San Bernardino International Airport; receipt a $1.22 million grant for remodeling the terminal; study of a proposal for air freight service for the Post Office; and a recent meeting held with Congressmen Brown and Lewis for further funding.

Barton House - City Manager Luebbers reported that escrow closed in June for the City's acquisition of the Barton House. He briefly reviewed actions taken to fumigate and clean the premises. A meeting has been held with County officials to work out arrangements to protect and preserve the property. On behalf of the Sunrise Rotary Club, Jon Harrison informed Councilmembers they had "adopted" the Barton House as a continuing community project. Members of the Sunrise Rotary and the Redlands Conservancy will be volunteering their efforts to clean up the premises.

Girl Scout Headquarters - Development Impact Fees - A request has been received to waive all development impact fees associated with the development of the Girl Scout Headquarters facility to be located on the southeast corner of Idaho Street and Plum Lane. On behalf of the San Gorgonio Girl Scout Council, Midge Zupanic- Skaggs reviewed their history and the positive impacts the new facility will have. She questioned the development impact fees and staff responded. Ms. Zupanic-Skaggs expressed appreciation for any financial assistance from the City. Councilmember Foster moved to deny the request for waiver of development fees for the San Gorgonio District Girl Scout Headquarters building on Idaho Street and Plum Lane and directed that staff review and re-evaluate the figures and to meet with the applicant to work out a financing plan. Motion seconded by Councilmember Gilbreath and carried unanimously.

Funds - Cultural Arts Commission - On Monday, October 2, 1995, the Cultural Arts Commission voted unanimously to recommend to the City Council support of the acquisition of the art piece known as the "Condor" which is presently on display in the Smiley Park behind the Police Annex Building and recommended that the sum of $5,000.00 be made available, on a contingency basis, from the Steele Grant Fund as contribution towards its purchase. Mary Taylor, the artist, has offered the art piece for the price of $35,000.00, but has indicated the price is negotiable. Commissioner Barbara Morse has received many phone calls of support to keep the Condor within the Redlands area. The artist will be visiting Redlands on Thursday, October 5, 1995, for the purpose of preparing the Condor for transport back to New York. Noting that the need to take action was immediate, Councilmember Larson moved to add this matter to the agenda which arose subsequent to the agenda being posted. Motion seconded by Councilmember Gilbreath and carried unanimously. Councilmember Gilbreath moved to approve this recommendation of the Cultural Arts Commission. Motion seconded by Councilmember Larson and carried unanimously with the understanding that no public monies were involved.

CLOSED SESSION

The City Council meeting recessed at 3:34 P.M. to a Redevelopment Agency meeting and reconvened at 3:35

P.M. to a closed session to discuss the following matters:

1. Conference with legal counsel: Existing litigation
   - Government Code Section 54956.9
   - Jay Pearson v. City of Redlands (Worker's Compensation)
   - Henry Reyes v. City of Redlands (Worker's Compensation)
   - SBVMWD/WMWD petition to State Board regarding water rights
2. Conference with legal counsel: Anticipated litigation - Government Code Section 54956.9(c) - Two (2) cases
3. Conference with real property negotiator (which was added to the agenda, having arose subsequent to the agenda being posted, on motion of Councilmember Foster, seconded by Councilmember Gilbreath, with Councilmember Cunningham abstaining from the vote):
   Property: 11 Grant Street
   Negotiating parties Marjie Pettus and
   Under negotiation: Terms and price

The City Council meeting reconvened at 7:00 P.M. Mayor Larson acknowledged the following candidates present at this session: for City Council - Bill Cunningham, Geni Banda, Ray Alexander, Kyle Larick; City Clerk Lorrie Poyzer; and City Treasurer Michael Reynolds.

PRESENTATIONS

Proclamation - National Dental Hygiene Month - Mayor Larson presented a proclamation to Linda Rotondo declaring the month of October, 1995, to be National Dental Hygiene Month in Redlands and urged all citizens to recognize dental hygienists for the many valued services they provide.

CLOSED SESSION REPORT

Sale of City Property - City Attorney McHugh reported the City Council approved, with Councilmember Cunningham abstaining from the vote, the sale of 11 Grant Street to Eleazer and Darlene Hunt in the amount of $80,000.00.

Worker's Compensation Claims - City Attorney McHugh reported the City Council approved, with Councilmember Foster voting NO, the Worker's Compensation claims for Jay Pearson and Henry Reyes.

JOINT PUBLIC HEARING - CITY COUNCIL AND REDEVELOPMENT AGENCY

Resolution No. 5215 - Sale Of Redevelopment Agency Property - 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 sale of Redevelopment Agency property known as 346 North Orange Street and 348 North Orange Street to Filemon Landeros. Administrative Services Director Pettus presented the report on this proposed sale. 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. 5215, 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 Filemon Landeros, and authorized the Mayor and City Clerk to sign the documents on behalf of the City. Motion seconded by Councilmember Gilbreath and carried unanimously.

PUBLIC HEARINGS

Resolution No. 5209 - Street Vacation No. 111 - Public hearing was advertised for this time and place for the vacation of portions of Central Avenue. Mayor Larson declared the meeting open as a public hearing for any questions or comments concerning this street vacation. None being forthcoming, the public hearing was declared closed. Following brief discussion with staff regarding the flood control channel, Councilmember Foster moved to approve the Environmental Review Committee's Negative Declaration for Street Vacation No. 111 and directed staff to file and post a Notice of Determination in accordance with City guidelines. Motion seconded by Councilmember Gilbreath and carried unanimously. Councilmember Foster moved to adopt Resolution No. 5209, a resolution of the City Council of the City of Redlands ordering the vacation of portions of Central Avenue. Motion seconded by Councilmember Gilbreath and carried unanimously.

Resolution No. 5212 - Outside City Utilities - Public hearing was advertised for this time and place to consider Resolution No. 5212, a resolution of the City Council of the City of Redlands rescinding Resolution No. 4683 which established regulations for the extension of City water and sewer services outside the City's boundaries and required annexation to the City as a condition precedent of obtaining water and sewer service. City Manager Luebbers explained the City received a letter from Urban Environs, addressed to the Water Policy Committee, dated July 31, 1995, and representing Majestic Realty, requesting that the City Council rescind Resolution No. 4683. Mayor Larson declared the meeting open as a public hearing for any questions or comments. Jeff Sabatini felt that giving away the right of annexation could be costly for the City. On behalf of The Redlands Association, Tex Moore reminded Councilmembers of his statement in opposition of this action which was submitted at the September 5, 1995, City Council meeting, and expressed concern about the loss of planning control. There being no further comments, the public hearing was declared closed. Councilmember Foster moved to approve the Environmental Review Committee's Negative Declaration for Resolution No. 5212 and directed staff to file and post a Notice of Determination in accordance with City guidelines. Motion seconded by Councilmember Gil and carried with Councilmember Cunningham voting NO. Councilmember Foster moved to adopt Resolution No. 5212. Motion seconded by Councilmember Gil and carried with Councilmember Cunningham voting NO.

UNFINISHED BUSINESS

Ordinance No. 2292 - Zone Change No. 356 - Ordinance No. 2292, 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. 356, a change of zone from R-R (Rural Residential) District to R-A (Residential Estate) District for property generally located on the south side of Sunset Drive, east of Alessandro Road and west of Edgemont Drive, 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, and Ordinance No. 2292 was adopted by the following vote:

AYES: Councilmembers Foster, Gil; Mayor Larson
NOES: Councilmember Cunningham
ABSTAINED: Councilmember Gilbreath
ABSENT: None

Ordinance No. 2297 - Development Agreement No. 7 - Ordinance No. 2297, an ordinance of the city of Redlands approving a Development Agreement with Krikorian Premiere Theatres, Inc. and authorizing the Mayor and City Clerk to execute the same, was given its second reading of the title by City Clerk Poyzer, and on motion of Councilmember Gilbreath, seconded by Councilmember Cunningham, further reading of the ordinance text was unanimously waived, and Ordinance No. 2297 was adopted by the following vote:
AYES: Councilmembers Foster, Gil, Cunningham, and Gilbreath
NOES: None
ABSTAINED: Councilmember Larson
ABSENT: None

Agreement - Redlands Evening Kiwanis Club - The independent contractor agreement between the City of Redlands and the Redlands Evening Kiwanis Club for the erection and removal of banners on Cajon Street and Citrus Avenue for various non-profit organizations was continued to this session. In response to Councilmember Foster's concern (see above under Consent Calendar), City Manager Luebbers read Section 15.36.150(L) of the Redlands Municipal Code: "Prohibited signs: Banners and flags, except flags of the National or State Government; or not more than three flags of nonprofit, religious, charitable or fraternal organizations, or when used for the temporary advertising of business openings or special events of nonprofit organization;". Councilmember Foster moved to approve the independent contract agreement with the Redlands Evening Kiwanis Club. Motion seconded by Councilmember Cunningham and carried unanimously.

NEW BUSINESS

Code Enforcement Program - City Manager Luebbers said the City of Redlands has never had a very stable Code Enforcement Program. The current enforcement program has moved forward with the following goals: respond to complaints in a timely and positive manner; educate the business and residential community as to the Code and need for compliance; and effectively clean up blighted areas within the commercial and residential sections of the City. The Code Enforcement Program has resulted in complaints being handled positively and quickly. The business and residential community, many of whom are not familiar with the City's rules and regulations, have become educated as to the City's requirements. And, there has been a positive physical and visual impact in our commercial and residential neighborhoods. The most dramatic change has been in the removal of temporary signs; however, this has also been the most controversial. As a result of renewed code enforcement activity, it has become apparent that many of the provisions within our Zoning and Sign Codes are outdated and sometimes legally deficient. Staff has initiated a work program to propose amendments to these Codes. One of the areas staff is examining is temporary signs. Based on the feedback received from businesses in the City, staff is reviewing possible amendments to the Code that would allow limited use of temporary signage. These types of changes will be coming forward to the City Council for its consideration in the next few months. Neil Glines, 1105 West Redlands Boulevard, urged the City Council to consider allowing the use of temporary signs as he felt they were a very viable form of advertising. Councilmember Gil expressed his concern about enforcement equity throughout the community. Councilmember Foster did not want what he referred to as "Gestapo" tactics used by the Code Enforcement and License Inspector Officers.

Landfill Vectoring Monitoring Project - Solid Waste Manager Valorie Shatynski reviewed an alternative cover program for the California Street Landfill which has been pilot tested by the Solid Waste Division. Cost of the proposed agreement, $20,348.00, is part of the tarping program which is budgeted under Landfill Site Improvements in the current budget. Councilmember Cunningham moved to approve an agreement for vector monitoring with the San Bernardino County, Public Health, Division of Environmental Health Services, to provide a Vector Control Program for the California Street Landfill. Motion seconded by Councilmember Gil and carried unanimously.

Finance Agreement - Aladdin Entertainment Group - Finance Director Chapman reported the Aladdin Entertainment Group has requested assistance to finance $114,010.00 (75 percent) of the development impact fees being assessed in connection with the project - Conditional Use Permit No. 617. Councilmember Foster moved to approve the financing of $114,010.00 of development impact fees as requested by Aladdin Entertainment Group and directed the City Attorney to prepare the appropriate documents to secure the note and authorized the Mayor and City Clerk to sign the related documents with the understanding that the note does not exceed 80 percent of the loan value. Motion seconded by Councilmember Gil and carried with Councilmembers Cunningham and Gilbreath voting NO.

Rental Agreement - Greenspot Scout House - Commending Administrative Services Director Pettus for putting this package together, the City Council unanimously approved the proposed rental agreement between the City of Redlands and the Redlands Girl Scouts Service Unit, Greenspot Women's Club, Mentone Senior Citizens Club, Mentone Historical Society, and Boy Scouts of America, for the use of the facility known as the Greenspot Scout House located at Amethyst Street and Mentone Boulevard on motion of Councilmember Gil, seconded by Councilmember Cunningham.

Fee Waiver - Solid Waste Bin Service - Councilmember Gilbreath moved to approve the request made by the Redlands High School Associated Student Body to waive the solid waste bin service fees for the homecoming parade float building site. Motion seconded by Councilmember Cunningham and carried unanimously.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 8:00 P.M. The next regular meeting will be held on October 17, 1995.

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City Clerk