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 January 16, 1996, at 3:00 P.M.

PRESENT

Swen Larson, Mayor
Pat Gilbreath, Mayor Pro Tem
William E. Cunningham, Councilmember
Gilberto Gil, Councilmember
Geni A. S. Banda, Councilmember

Gary M. Luebbers, City Manager
Daniel J. McHugh, City Attorney
Lorrie Poyzer, City Clerk
Beatrice Sanchez, Deputy City Clerk
Marjie Pettus, Administrative Services Director
Jeffrey L. Shaw, Community Development Director
Steven M. Chapman, Finance Director
John Habant, Fire Division Chief
Gary G. Phelps, Municipal Utilities Director
Lewis W. Nelson, Police Chief
Ronald C. Mutter, Public Works Director

John Andrews, Redlands Daily Facts
Sulipsa Luque, The Sun

ABSENT None

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

CONSENT CALENDAR

Minutes - The minutes of the regular meeting of January 2, 1996, were unanimously approved as submitted on motion of Councilmember Gilbreath, seconded by Councilmember Gil.

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

Contract - Project First Steps - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously awarded an architectural services contract to Ray Martinez and Associates of Redlands in the amount of $1,450.00 for the development of plans and specifications for Project First Steps. This Community Development Block Grant Fund project includes the construction of a concrete surface with shade structure and the construction of three handicap ramp landing areas and decks leading in and out of the First Steps Child Development Center located in the Brockton Housing Project at 821 Sun Avenue.

Contract Award - Church Street Well Masonry Wall - Bids were opened and publicly declared on January 4, 1996, by the City Clerk for the construction of the Church Street Well masonry wall, Project No. 1-9679; a bid opening report is on file in the Office of the City Clerk. It was the recommendation of the Municipal Utilities Department that the responsible bidder submitting the bid for said project which will result in the lowest cost to the City was Wyatt Construction of San Bernardino in the amount of $24,378.12, and it would be in the best interest of the City that this contract be awarded to said firm. Noting she did not necessarily feel a masonry wall with a steel gate was particularly an "enhancement" but understood the need for the security measures, Councilmember Gilbreath moved to approve the staff's recommendation. Motion seconded by Councilmember Gil and carried unanimously.

Lease Purchase Agreement - Animal Control Vehicle - Following brief discussion, on motion of Councilmember Banda, seconded by Councilmember Gilbreath, the City Council unanimously authorized the City to enter into a lease purchase agreement with the Ford Motor Credit Corporation for the lease purchase of one Animal Control vehicle.

Resolution No. 5237 - Small Claims Court Representative - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously adopted Resolution No. 5237, a resolution of the City Council of the City of Redlands appointing City Treasurer Michael Reynolds and Business License Inspector Harry Smeader to represent and appear for the City in the lawful process for any and all small claims filed in Small Claims Court.

Resolution No. 5238 - Paramedic Training Agreement - Following brief discussion, on motion of Councilmember Gil, seconded by Councilmember Gilbreath, the City Council unanimously adopted Resolution No. 5238, a resolution of the City Council of the City of Redlands approving an agreement with the State Department of California Highway Patrol for an EMT-Paramedic training program.

Resolution No. 5239 - Hazard Mitigation Grant Program - Detention Basin - On motion of Councilmember Banda, seconded by Councilmember Cunningham, the City Council unanimously adopted Resolution No. 5239, a resolution of the City Council of the City of Redlands authorizing designation of the applicant's agent for the purpose of obtaining Federal financial assistance pertaining to the Hazard Mitigation Grant Program funding related to the early and late winter storms, 1995 (FEMA 1044-FEMA 1046-DR-CA) for the development of the Crafton Detention Basin, and directed staff to communicate with the County of San Bernardino Flood Control District, Zone 3, of the need to establish a high priority for this project for the necessary matching funds.

Resolution No. 5240 - Hazard Mitigation Grant Program - Detention Basin - On motion of Council-member Banda, seconded by Councilmember Cunningham, the City Council unanimously adopted Resolution No. 5240, a resolution of the City Council of the City of Redlands approving the application for grant funds under the Hazard Mitigation Grant Program funding related to the early and late winter storms, 1995 (FEMA 1044-FEMA 1046) for the development of the Crafton Detention Basin.

Resolution No. 5241 - Traffic - On motion of Councilmember Banda, seconded by Councilmember Cunningham, the City Council unanimously adopted Resolution No. 5241, 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 stops signs on Fifth Avenue at Wabash Avenue making the intersection a four-way stop.

Resolution No. 5242 - Hazard Mitigation Grant Program - Flood Protection - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously adopted Resolution No. 5242, a resolution of the City Council of the City of Redlands authorizing designation of the applicant's agent for obtaining Federal financial assistant for the Hazard Mitigation Grant Program funding related to the early and late winter storms, 1995 (FEMA 1044-FEMA 1046-DR-CA) for flood protection for the

California Street Landfill and the Wastewater Treatment Plant.

Resolution No. 5243 - Hazard Mitigation Grant Program - Flood Protection - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously adopted Resolution No. 5243, a resolution of the City Council of the City of Redlands approving the application for grant funds under the Hazard Mitigation Grant Program funding related to the early and late winter storms, 1995 (FEMA 1044-FEMA 1046) for flood protection for the California Street Landfill and the Wastewater Treatment Plant.

Resolution No. 5244 - Hazard Mitigation Grant Program - Education - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously adopted Resolution No. 5244, a resolution of the City Council of the City of Redlands authorizing designation of the applicant's agent for obtaining Federal financial assistant for the Hazard Mitigation Grant Program funding related to the early and late winter storms, 1995 (FEMA 1044-FEMA 1046-DR-CA) for a multi-hazard/multi-agency public education program which will be administered by the Fire Department.

Resolution No. 5245 - Hazard Mitigation Grant Program - Education - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously adopted Resolution No. 5245, a resolution of the City Council of the City of Redlands approving the application for grant funds under the Hazard Mitigation Grant Program funding related to the early and late Winter Storms, 1995 (FEMA 1044-FEMA 1046) for a multi-hazard/multi-agency public education program which will be administered by the Fire Department.

Resolution No. 5246 - Utility Connection Availability - Following brief discussion, on motion of Councilmember Gil, seconded by Councilmember Cunningham, the City Council unanimously adopted Resolution No. 5246, a resolution of the City Council of the City of Redlands establishing availability of water and/or sewer connections for calendar year 1996 in accordance with Chapter 13.60 of the Redlands Municipal Code.

Funds - TRANs - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved an additional appropriation in the amount of $186,834.00 for interest revenue and interest expense relating to the 1995 Tax and Revenue Anticipation Notes. This action will correct the 1995-96 budget for comparison to the gross amounts of interest revenue and interest expense.

PLANNING AND COMMUNITY DEVELOPMENT

Planning Commission Actions - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the report of the Planning Commission meeting held on January 9, 1996, was unanimously acknowledged as received.

Tentative Tract No. 15304 - Time Extension - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved a one-year time extension to January 14, 1997, for Tentative Tract No. 15304, an application for the subdivision of approximately 35 acres of land into 71 lots for property located on the north side of Pioneer Avenue between Texas and Orange Streets (FMK, Rossmore Investments, Inc., applicant).

Funds - General Plan - On motion of Councilmember Gil, seconded by Councilmember Gilbreath, the City Council approved an additional appropriation in the amount of $14,356.52 to cover costs associated with the completion, adoption, and printing of the 1995 General Plan with Councilmember Cunningham voting NO.

COMMUNICATIONS

WeTip Membership - David Eckert, General Sales of WeTip, urged the City Council to renew its membership, as they will have to reduce operations and cut service to non-member cities beginning January 31, 1996, in order to maintain the same high quality service to contributing cities. Councilmembers referred this request to staff with the request it be included for consideration in next year's budget.

Citrus Plaza Regional Mall - Councilmember Cunningham expressed his concern abut the time of the annexation of the Citrus Plaza Regional Mall. City Attorney McHugh reported they are working on a time table which will be included in the development agreement.

Appointment - Human Relations Commission - Councilmember Banda moved to appoint Dorothy Stroud Blackwell to the Human Relations Commission with a term to expire January 18, 1999. Motion seconded by Councilmember Larson and carried unanimously.

City Council Reassignments - Mayor Larson moved to appoint Councilmember Gil as the City of Redlands' alternative representative for the San Bernardino International Airport Authority and appoint Mayor Pro Tem Gilbreath as the City's alternative representative for the San Bernardino Association of Governments (SANBAG). Motion seconded by Councilmember Gil and carried unanimously.

Citizens' Option for Public Service Program - City Manager Luebbers reported the State is considering a proposal which would allow individuals to earmark one percent of their State personal income tax liability for public safety purposes in their community. Several alternatives are being discussed regarding the allocation manner. Mr. Luebbers recommended the City of Redlands support the return of the tax monies directly to the jurisdiction where it came from. Councilmember Cunningham moved to support this recommendation. Motion seconded by Councilmember Banda and carried with Councilmember Gilbreath voting NO as she was concerned we would be basing a budget on voluntary contributions.

Ordinance No. 2291 - C-1 and C-2 Districts - Hours of Operation - On September 5, 1995, the City Council denied Ordinance No. 2291, an ordinance of the City of Redlands adopting Zoning Ordinance Text Amendment No. 240 which related to the hours of operation in the C-1 (Neighborhood Stores) and C-2 (Neighborhood Convenience Center) Districts and would have allowed an extension of hours of operation for businesses in these districts with approval of a Conditional Use Permit from the Planning Commission. Councilmembers Foster and Gil voted against the motion to deny approval of Ordinance No. 2291. At this time, Mayor Pro Tem Gilbreath informed Councilmembers the applicant had told her they did not feel the hearing in September was clear and urged the Councilmembers to reconsider this matter. Councilmember Gil moved to notice a public hearing to reconsider this ordinance. Motion seconded by Councilmember Larson and carried with Councilmember Cunningham voting NO.

LATE BREAKING ITEM

University Street Realignment - Public Works Director Mutter informed Councilmembers he was prepared to present an alternative realignment of University Street at Colton Avenue in response to Council's direction at their December 19, 1995, meeting. In order to complete this project during the summer months when the University of Redlands is not in session, the bid package must be ready for distribution by February 1, 1995. Noting that the need to take action was immediate, Councilmember Gil moved to add this matter to the agenda which arose subsequent to the agenda being posted. Motion seconded by Councilmember Gilbreath and carried unanimously. Mr. Mutter explained the alternative which lowers the standard for the curve radius to 300 feet and will avoid the removal of several of the old oak trees in Sylvan Park. Dr. Jim Appleton, University of Redlands President, promised Councilmembers they would pay for the landscaping and retain and maintain the existing rock wall on the east side of University Street. Expressing appreciation to Mr. Mutter for his flexibility to save the oak trees, Councilmember Cunningham moved to approve the design realignment with the 300 foot reversed radius and authorized the establishment of a no parking zone to accommodate this reduced radius. Motion seconded by Councilmember Gil and carried unanimously.

CLOSED SESSION

The City Council meeting recessed at 3:57 P.M. to a Redevelopment Agency meeting and reconvened at 4:00 P.M. to a closed session to discuss the following matters:

1. Conference with legal counsel: Existing litigation
   - Government Code Section 54956.9
   - Biggs v. Foster and Larson (City Attorney McHugh did not participate in this discussion due to a conflict of interest)
   - The Redlands Association et al v. City of Redlands
2. Conference with legal counsel: Existing litigation
   - Government Code Section 54956.9(b) - One case

The City Council meeting reconvened at 7:00 P.M. Mayor Larson welcomed Boy Scouts Troop 31 who were present for this portion of the meeting.

CLOSED SESSION REPORT

Settlement Agreements - City Attorney McHugh announced the City Council, in a previous closed session, settled claims submitted by Chris Gernand, Katrina Maksima, and Bobbie Morris and authorized execution of the settlement agreements.

PUBLIC HEARINGS

Ordinance No. 2296 - Zone Change No. 358 - Public hearing was readvertised for this time and place to consider Ordinance No. 2296, an ordinance adopting Zone Change No. 358, a change of zone from A-1 (Agricultural) District to A-1-20 (Agricultural) District for 20 acres of land located on the east side of Palomares Road, south of San Timoteo Canyon Road, as recommended by the Redlands Planning Commission. Community Development Director Shaw explained that this zone change was scheduled for City Council consideration on December 5, 1995. However, the affected property owner, Mr. Larry Curti, requested that the item be withdrawn. Mr. Curti now wishes to move forward with the zone change. Zoning Ordinance Text Amendment No. 239, which was recently approved by the City Council, established a new zone district, A-1-20 (Agricultural-minimum lot size 20 acres), to allow standard A-1 (Agricultural) uses and "composting recycling operations which may include the use of sludge and other composting materials and the wholesale sale of related landscaping items. This proposed change in zone classification involves exactly 20 acres of land owned by Larry Curti and is currently used by On Stop Landscaping Center, a composting recycling operation. Although this change of zone was specifically initiated for Mr. Curti in accordance with a settlement agreement with the City, this same zone district could be applied to other properties subject to individual analysis. On September 11, 1995, the Environmental Review Committee determined that this change of zone would not have a significant impact on the environment and, therefore, recommended to the Planning Commission and the City Council approval of a Negative Declaration. Any proposed expansions or modifications to the existing facility/use in the future will require City approval via the submittal of a revised conditional use permit. Councilmember Cunningham did not feel the Negative Declaration was appropriate. Councilmember Banda expressed concerns regarding odors from the facility and felt this request should be postponed until an Environmental Impact Report is done.

Mayor Larson declared the meeting open as a public hearing for any questions or comments concerning this change of zone. Representing The Redlands Association, Tex Moore thought this new land use should be subject to environmental review. Stephen Denton echoed the concerns expressed by Councilmember Banda and Mr. Moore and suggested the business be moved out to the desert. Speaking on behalf of several of her neighbors who were present, Susan Taylor urged the City Council to vote against this change of zone and requested a complete Environmental Impact Report be prepared addressing several issues detailed in a letter dated January 16, 1996. Mrs. Edward S. Perry was appalled at the thought of this change of zone because of the smell she feels is emanating from the business. Jane Hawkins expressed her opposition to the zone change citing the terrible odors coming from the Canyon; she indicated she did not oppose the nursery or sale of sludge from the site. Theresa Kwappenberg felt it was important to do an Environmental Impact Report and that considerations needed to be given to all impacts. Councilmembers discussed at length the concerns expressed by the citizens tonight as well as over the years regarding One Stop Landscaping Center and possible solutions. Councilmember Gilbreath moved to continue this public hearing to February 20, 1996, in order to receive more information from the City Attorney and staff regarding a mechanism to protect the neighborhood. Motion seconded by Councilmember Banda and carried unanimously.

NEW BUSINESS

Fee Waiver - Baseball for Youth - Administrative Services Director Pettus reported the Baseball for Youth representatives have submitted their field use requests for the 1996 spring and summer baseball season. They are requesting near-exclusive use of all Community Park fields, plus use of one field on the freshman campus and the reserved use of Brookside, Texonia and Orangewood fields for practices. Fees for the use of City fields, lights and personnel have been estimated to be $48,710.00, and Baseball for Youth has requested a complete fee waiver. Last year, they entered into a rental agreement with the City for the use of all Community Park fields. A sum of $10,000.00 was paid toward field expenses. They also paid utilities in the amount of $4,460.0. At that time, Baseball for Youth representatives stated they would include field and utilities expenses in future budgets. It was recommended the rental agreement be continued and the proposed agreement calls for Baseball for Youth to pay all direct costs incurred by the Recreation Division for field preparation and utilities. On January 10, 1996, the Recreation Commission added the concession rental fee of $500.00. Following discussion, Councilmember Cunningham moved to approve the proposed rental agreement between the City of Redlands and Baseball for Youth, with a revised flat fee of $9,900.00 (eliminating the concession rental fee) for field preparation and the payment of all field lighting utility charges and authorize the Mayor and City Clerk to execute said document. Motion seconded by Councilmember Larson and carried unanimously. Councilmember Gil requested staff inform the Baseball for Youth organization that they need to include low-income youth in their program.

Agreement - Community Center Renovation Project - Councilmember Cunningham moved to award a consultant agreement to PCH Architects based in Redlands in the amount of $10,800.00 to develop plans and specifications for the removal and installation of heating and air handling equipment for the Community Center gymnasium. Motion seconded by Councilmember Gil and carried unanimously. This is a Community

Development Block Grant fund project approved in March, 1995.

Resolution No. 5247 - Parkview Terrace Project Refunding Bonds - Finance Director Chapman reported that Bank of America has requested the City to authorize amendments to the intercreditor agreement dated February 1, 1991, relating to the $22,650,000.00 Multi-Family Housing Revenue Refunding Bonds (Parkview Terrace Project, 1991, Series A). The proposed amendments are intended to clarify Bank of America's ability to foreclose on the Project in the event of a default by the owner without seeking the consent of the City and continue to keep making the payments on the Bonds as they become due without drawing on the letter of credit. Councilmember Cunningham moved to adopt Resolution No. 5247, a resolution of the City Council of the City of Redlands authorizing a first amendment to the inter-creditor agreement relating to $22,650,000.00 aggregate principal amount of City of Redlands variable rate demand Multi-Family Housing Revenue Refunding Bonds (Parkview Terrace Project), 1991 Series A, and certain other actions pertaining thereto, with the understanding there were to be no modifications to the low/moderate income requirements. Motion seconded by Councilmember Gil and carried unanimously.

Traffic Signal - Barton Road and Bellevue Avenue - Public works Director Mutter reported that a request was received by the Traffic and Parking Commission for a four-way stop at the intersection of Barton Road and Bellevue Avenue. After discussion, the Commission recommended the installation of a traffic signal at the intersection, rather than a four-way stop. The intersection consists of three legs which are public streets and a northerly leg which is a private driveway accessing the shopping center at the northeast corner of Barton Road and Alabama Street. Following a Traffic Signal Warrant Study it became evident that the traffic related to the shopping center is, in large part, the reason a traffic signal is recommended at this location. It is recommended by staff that the shopping center fund one-four of the cost of the traffic signal installation and that this be included in the 1996-97 budget. Councilmember Cunningham moved to approve the scheduling of installation of traffic signals at the intersection of Barton Road and Bellevue Avenue; and that the owner of the property at the northeast corner of Barton Road and Alabama Street be requested to fund 25 percent of the cost of the installation of the traffic signal, and that staff report back to the City Council if the property owner is not willing to pay this portion of the cost. Motion seconded by Councilmember Gil and carried unanimously.

City Motto - The Cultural Arts Commission over the past two meetings has discussed the possibility of the City adopting a "motto." According to the City Archivist, the City has not formally adopted a motto for itself. the Cultural Arts Commission realized that this subject may be an historic event and perhaps others in the community should be consulted for their input. Councilmember Cunningham moved to permit the Cultural Arts Commission to explore the establishment of a "City Motto" by soliciting suggestions from other City commissions and anyone in the community. Motion seconded by Councilmember Banda and carried unanimously.

Reimbursement - Repair of Bowl Footlights - Councilmember Cunningham moved to authorize reimbursement of $1,165.00 to the Redlands Community Music Association for repairs (asbestos removal and disposal as well as wire replacement) to the Redlands Bowl footlights. Motion seconded by Councilmember Larson and carried unanimously.

PUBLIC COMMENTS

Sewer Charge Relief - Angel Rogers, Property Manager for the Citrus Grove Apartments located at 1240 East Lugonia Avenue, requested temporary relief from the sewer charges for the unoccupied units until such time as they are able to achieve a 92 percent occupancy rate. As new owners of the complex, they are in the process of an extensive renovation effort and have increased the occupancy from 59 percent to 66 percent. It was noted the Redlands Municipal Code does not provide for waiver of utility charges. Ms. Rogers requested an amendment be prepared to provide this relief. The City Council referred this request to staff for a report and recommendation.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 8:20 P.M. to an adjourned regular meeting to be held on February 6, 1996, at

9:00 A.M. in the Council Chambers, Civic Center, 35 Cajon Street, Redlands, California.

City Clerk