

MINUTES of a regular meeting of the City Council of the City of Redlands held in the Council Chambers, Civic Center, 35 Cajon Street, at 3:00 P.M. on June 4, 1996.

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
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
Alisa Slaughter, San Bernardino County Sun

ABSENT

None

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

Mayor Larson acknowledged James Celano's death on Saturday, June 1, 1996. Mr. Celano, 1967 Man of the Year, was very active in the community and served as president of the Redlands Noon Kiwanis Club and the Kiwanis Club of Redlands. Councilmember Cunningham, fellow Kiwanian, said Mr. Celano's death was a genuine loss to the community.

Mayor Larson welcomed Pat Meyer, Urban Environs, having returned to work after his back and neck surgery. Temporarily wearing a "halo" brace, Mr. Meyer was cautioned to stay indoors during an electrical storm.

CONSENT CALENDAR

Minutes - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the minutes of the adjourned regular meeting of May 21, 1996, the regular meeting of May 21, 1996, and the adjourned regular meetings of May 28, 1996, and May 29, 1996, were unanimously approved as submitted.

Bills and Salaries - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, bills and salaries were ordered paid.

Billing System Evaluation - Municipal Utilities Director Phelps responded to Councilmembers' questions reporting the current utility billing program, which was developed approximately six years ago by the firm Ultimate Inter-Mountain Software, performs relatively well; however, staff believes that they had identified certain enhancements that may be available to improve the overall efficiency of the system and result in lower utility billing costs. The enhancements that are being proposed for study include the use of bar codes for postal addresses which may lead to lower mailing rates, and bar codes on payment stubs which will allow faster processing of payments. In addition, the proposal includes the evaluation of hand held electronic meter reading devices to improve the efficiency and accuracy of meter readings. On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously authorized a professional services agreement in the amount of \$22,477.00, plus a contingency amount not to exceed \$5,000.00, with Kerry Consulting Group for an efficiency analysis of the utility billing system.

Resolution No. 5281 - Parking and Business Improvement District - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously adopted Resolution No. 5281, a resolution of the City Council of the City of Redlands, County of San Bernardino, State of California, of preliminary approval of the annual report for fiscal year 1996-97 for Parking and Business Improvement Area B.

Resolution No. 5282 - Parking and Business Improvement District - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously adopted Resolution No. 5282, a resolution of the City Council of the City of Redlands, County of San Bernardino, State of California, declaring its intention to levy and collect assessments for fiscal year 1996-97 in Parking and Business Improvement Area B, an assessment district (formed in accordance with Parking and Business Improvement Area Law (Section 35000 et. al. Of the California Streets and Highways Code), and offering a time and place for hearing objections thereto (June 18, 1996).

Funds - Fingerprinting Services - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved an additional appropriation in the amount of \$1,250.00 to pay for recreation employees and volunteers' fingerprinting services in accordance with Section 5164 of the California Public Resources Code. The Recreation staff has solicited donations totaling \$1,250.00 to eliminate any burden on the General Fund.

Contract Award - Street Sweeping - Bids were opened and publicly declared on May 23, 1996, by the City Clerk for street sweeping at various locations throughout the City; a bid opening report is on file in the Office of the City Clerk. It was the recommendation of the Public Works Department that the responsible bidder submitting the bid for said project which will result in the lowest cost to the City was Interstate Sweeping, Inc. of Redlands, and it would be in the best interest of the City that this contract be awarded to said firm. On motion of Councilmember Gilbreath, seconded by Councilmember Gil, this recommendation was unanimously approved. Later in the evening, on behalf of the current street sweeping contractor R. F. Dickson, Dennis McShane thanked staff for their professionalism and offered assistance if there was anything they could do in the future for the City.

Resolution No. 5290 - Wildland Fire Protection - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved Resolution No. 5290, a resolution of the City Council of the City of Redlands approving an agreement with the State of California for wildland fire protection of certain lands in the City designated as State Responsibility Areas and identifying the cost rates beginning July 1, 1996, and authorized the Mayor and City Clerk to sign the agreement on behalf of the City.

Funds - Computer Equipment - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved a budget transfer of \$6,700.00 from the Professional Services category to the Capital Outlay category and authorized the purchase of computer equipment for the Downtown Redlands Business Association office as recommended by the DRBA Advisory Board.

Contract - Sheriff's Department - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously authorized a contract with the County of San Bernardino Sheriff's Department to continue CLETS (California Law Enforcement Telecommunications System) access and equipment.

Resolution No. 5293 - Disability Retirement - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously

adopted Resolution No. 5293 , a resolution of the City Council of the City of Redlands making the determination that Charles Varvel, Police Officer, is incapacitated physically or mentally for the performance of the duties of the position and terminates his employment effective June 5, 1996, for that reason.

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 May 28, 1996, was unanimously acknowledged as received.

Minor Subdivision No. 221 - Final Approval All necessary requirements having been met, on motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously granted final approval of Minor Subdivision No. 221, a subdivision of 4.92 acres into three single family lots for property located at 731 Buckingham Drive in the R-E (Residential Estate) District.

COMMUNICATION

Citrus Plaza Regional Mall - Councilmember Cunningham did not have any specific comments to make at this time regarding he Citrus Plaza Regional Mall.

League of California Cities Legislative Bulletins - Councilmembers directed staff to prepare letters to our State representatives indicating the following: oppose AB 2640, sales tax exemption: exclusion of fuel taxes from sales price of gasoline; oppose AB 3053, development fees; support AB 2400, PERS part-time employees; support SB 1690, residential care facilities; oppose AB 3037, smoking and tobacco control - bars and bars areas; and support AB 3365, gang suppression funding; eligibility of parks and recreation programs.

Appointment - DRBA Advisory Board - On motion of Mayor Larson, seconded by Councilmember Banda, the City Council unanimously reappointed Sherry Hill to the Downtown Redlands Business Association Advisory Board.

Redlands Air Show '96 - Councilmember Cunningham commended the Chamber of Commerce for the Redlands Air Show '96 held June 1-2, 1996, which he felt was a first rate operation and an asset to the community. He asked that, in the future, the Chamber of Commerce consider recognizing the City's sponsorship of their events when City fees are waived.

Redlands Fashion Center - Mr. Harry Newman reported that significant progress has been made in the acquisition of the Chapman property and another parcel (in spite of the "For Sale" sign's continued presence). He also expressed

appreciation to City staff for their willingness to "fast track" the environmental process noting that staff and consultants meet as a development team every Tuesday morning at 10:00 A.M. Representatives from the financing source will be here from Chicago, New York, and Minneapolis this month to inspect the property. Councilmember Cunningham urged the Municipal Utilities Department to include funds in the 1996-97 budget to complete the 1350 Zone project to provide adequate water supply for this project.

CLOSED SESSION

The City Council meeting recessed at 3:18 P.M. to a Redevelopment Agency meeting and reconvened at 3:19 P.M. to a closed session to hold a conference with its legal counsel as follows:

1. Anticipated litigation - Government Code Section 54956.9(c) - One case
2. Existing litigation - Government Code Section 54956.9(a):
 - Sunset Dive Corporation v. City of Redlands
 - Barry Cramer v. City of Redlands
 - Planning and Conservation League v. Department of Water Resources
 - City of Redlands v. County of San Bernardino et al

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

UNFINISHED BUSINESS

Ordinance No. 2316 - Zone Change No. 359A - Ordinance No. 2316, 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. 359A, a change of zone from R-E (Residential Estate) District to C-4 (Highway Commercial) District for property located north of Parkford Drive, south of the I-10 Freeway, east of Marshall Street, and west of Ford Street, was given its second reading of the title by City Clerk Poyzer, and on motion of Councilmember Gilbreath, seconded by Councilmember Larson, further reading of the ordinance text was unanimously waived, and Ordinance No. 2316 was adopted by the following vote:

AYES: Councilmembers Gilbreath, Cunningham, Gil, Banda;
Mayor Larson

NOES: None

ABSENT: None

Ordinance No. 2317 - Zone Change No. 359B - Councilmember Gilbreath left the Council Chambers due to a possible conflict of interest. Ordinance No. 2317, 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. 359B, a change of zone from A-1 (Agricultural) District to R-R (Rural Residential) District for property located on the north and south side of Edgemont Drive, south of Sunset Drive, was given its second reading of the title by City Clerk Poyzer, and on motion of Councilmember Banda, seconded by Councilmember Cunningham, further reading of the ordinance text was unanimously waived, and Ordinance No. 2317 was adopted by the following vote:

AYES: Councilmembers, Cunningham, Gil, Banda; Mayor Larson

NOES: None

ABSTAIN: Councilmember Gilbreath

ABSENT: None

Ordinance No. 2319 - Human Relations Commission - Ordinance No. 2319, an ordinance of the City of Redlands amending Chapter 2.66 of the Redlands Municipal Code relating to the Human Relations Commission and implementing a change in terms of service, was read by title only by City Clerk Poyzer, and on motion of Councilmember Gilbreath, seconded by Councilmember Gil, further reading of the ordinance text was unanimously waived, and Ordinance No. 2319 was introduced with unanimous Council approval and laid over under the rules with second reading scheduled for June 18, 1996.

Ordinance No. 2314 - Household Hazardous Waste Disposal Fee - Ordinance No. 2314, an ordinance of the City of Redlands amending Chapter 13.68 of the Redlands Municipal Code relating to Solid Waste Disposal Fees and increasing the Household Hazardous Waste Disposal Fee to \$.70 bi-monthly, was read by title only by City Clerk Poyzer, and on motion of Councilmember Gil, seconded by Councilmember Banda, further reading of the ordinance text was waived, and Ordinance No. 2314 was introduced and laid over under the rules with second reading scheduled for June 18, 1996, with Councilmember Cunningham voting NO.

NEW BUSINESS

Ordinance No. 2301 - Outside City Utility Connections - Nonresidential - Municipal Utilities Director Phelps said that several issues need to be addressed to update the Redlands Municipal Code relating to utility connections outside the City Limits. He then reviewed the changes recommended. Expressing concern about the preannexation agreement requirement were Mentone residents and property owners Dennis Van Ufflen, Harold R. Morris, and Ralf G. Zacky. City Attorney McHugh explained there was no change in the preannexation agreement requirement which has been in existence since the late 1970's. Councilmember Larson moved to approve the Environmental Review

Committee's Negative Declaration for Ordinance No. 2301, an ordinance of the City of Redlands adding Chapter 13.62 to the Redlands Municipal Code relating to utility connections for nonresidential development outside the City boundaries and repealing Chapters 13.10 and 13.58 and implementing Ordinance Text Amendment No. 247, 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. Motion seconded by Councilmember Banda and carried with Councilmember Gil voting NO. Councilmember Gilbreath felt language needed to be added to Ordinance No. 2301 which addressed non-conforming uses and an appeal process. With the additional language, Ordinance No. 2301 was read by title only by City Clerk Poyzer, and on motion of Councilmember Larson, seconded by Councilmember Cunningham, further reading of the ordinance text was waived, and Ordinance No. 2301 was introduced and laid over under the rules with second reading scheduled for June 18, 1996, with Councilmember Gil voting NO.

Ordinance No. 2302 - Outside City Utility Connections- Residential - Mayor Larson announced that Ordinance No. 2302, an ordinance of the City of Redlands amending Chapter 13.60 of the Redlands Municipal Code relating to utility connections for residential development outside the City boundaries, would be continued to July 2, 1996, in an attempt to streamline the process. George Glenn asked for clarification on several sections within this ordinance. Councilmember Gilbreath moved to continue this matter to July 2, 1996. Motion seconded by Councilmember Larson and carried unanimously.

Resolution No. 5264 - Landscape Maintenance Assessment District - Public Works Director Mutter explained that Section 22525 of the California Streets and Highways Code requires that an Engineer's Report be prepared and filed annually outlining the assessments to be levied against benefiting properties. The process requires two meetings be held by the City Council. One is a public meeting to review the report in concept and the other is a noticed public hearing. The preliminary report for the Landscape Maintenance Assessment District was presented to the City Council on May 7, 1996, at which time the City Council adopted Resolution No. 5262, granting preliminary approval to the Engineer's report, and Resolution No. 5263, declaring its intention to annex property and levy and collect assessments of fiscal year 1996-97, pursuant to the Lighting and Landscaping Act of 1972. The public hearing for this matter is scheduled to be held on June 18, 1996. Representing the property owners on Rebecca Crest, who submitted a petition of protest against the increase in their assessments, Jack Fallucca asked if it would be possible for them to provide their own landscape maintenance. Public Works Director Mutter explained that in the past an agreement has been prepared which would include the property in

the district but with a zero assessment as long as the property is maintained and that he was willing to do this for these property owners.

Resolution No. 5268 - Street Lighting Assessment District - Public Works Director Mutter explained that Section 22525 of the California Streets and Highways Code requires that an Engineer's Report be prepared and filed annually outlining the assessments to be levied against benefiting properties. The process requires two meetings be held by the City Council. One is a public meeting to review the report in concept and the other is a noticed public hearing. The preliminary report for the Street Lighting Assessment District was presented to the City Council on May 7, 1996. The City Council adopted Resolution No. 5266, granting preliminary approval to the Engineer's report, and Resolution No. 5267, declaring its intention to annex property and levy and collect assessments of fiscal year 1996-97, pursuant to the Lighting and Landscaping Act of 1972. The public hearing for this matter is scheduled to be held on June 18, 1996. No one addressed this matter at this meeting.

Fee Waiver - IMOSA - Councilmember Cunningham moved to waive the fees for reservations at Sylvan Park for the "I Am My Own Self Advocate" on June 27, 1996. Motion seconded by Councilmember Gil and carried unanimously.

LATE BREAKING ITEM

Ordinance No. 2324 - Adult Uses - City Attorney McHugh presented an urgency ordinance imposing a moratorium on adult uses and an exception process allowing applications for exceptions as to adult uses within the City of Redlands (Government Code Section 65858). This ordinance would take effect immediately and would remain in effect for 45 days. Noting that the need to take action was immediate, Councilmember Cunningham moved to add this matter to the agenda which arose subsequent to the agenda being posted. Motion seconded by Councilmember Gilbreath and carried unanimously. City Clerk Poyzer read the title of Ordinance No. 2324 and on motion of Councilmember Gilbreath, seconded by Councilmember Cunningham, further reading of the ordinance text was unanimously waived, and Ordinance No. 2324 was adopted by the following vote:

AYES: Councilmembers Gilbreath, Cunningham, Gil, Banda;
Mayor Larson
NOES: None
ABSENT: None

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 7:45 P.M. The next regular meeting will be held on June 18, 1996.

City Clerk