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 July 2,1996.

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
Michael L. Huffstutler, Assistant 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 Mayor Larson followed by the pledge of allegiance.

CONSENT CALENDAR

Minutes - On motion of Councilmember Gilbreath, seconded by Councilmember Cunningham, the minutes of the regular meeting of June 18, 1996, were unanimously approved as submitted.

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

Funds - Agreement - Water Resources Management Plan - On motion of Councilmember Gilbreath, seconded by Councilmember Cunningham, the City Council unanimously approved and authorized execution of the Engineering Services Agreement with CH2M-Hill for continuation of the Water Resources Management Plan to include Task Order No. 12 and approved an additional appropriation in an amount not to exceed $40,100.00 from current revenues to fund the project.

Agreement - Water Resources Management Plan - On motion of Councilmember Gilbreath, seconded by Councilmember Cunningham, the City Council unanimously approved and authorized execution of the Engineering Services Agreement with CH2M-Hill for continuation of the Water Resources Management Plan to include Amendment No, 1 to Task Order No. 8, in an amount not to exceed $60,200.00.

Funds - Animal Control - On motion of Councilmember Gilbreath, seconded by Councilmember Cunningham, the City Council unanimously approved an appropriation of $47,257.00 in the General Fund for the transfer of unclaimed spay and neuter deposit from 1990-91 through 1994-95 to the Animal Control Spay and Neuter Deposits account.

Agreement - Animal Control Services - On motion of Councilmember Gilbreath, seconded by Councilmember Cunningham, the City Council unanimously approved an agreement with the City of Highland to provide animal control services for that community.

Agreements - Recreation Division - Following brief discussion, on motion of Councilmember Gil, seconded by Councilmember Gilbreath, the City Council unanimously approved the independent contractor agreements between the City of Redlands and Jody Hoelle, Andrea Johnson, Virginia Zak, and Robert Friesen who will provide adult services through the Recreation Division and authorized the Mayor to execute the documents on behalf of the City.

Agreement - SCADA System - Following brief discussion, Councilmember Gilbreath moved to approve an engineering services and construction agreement in the amount of $236,854.00 with Motorola Communications and Electronics Inc. for the installation of a MOSCAD™ Supervisory Control and Data Acquisition (SCADA) System to replace all existing water system supervisory control and reporting functions. Motion seconded by Councilmember Gil and carried unanimously.

Agreement - California Street Landfill - Following a brief explanation by Solid Waste Manager Valorie Shatynski Councilmember Gil moved to approve and authorize a professional services agreement in the amount of $27,461.00 with Camp Dresser & McKee, Inc. for hydrogeological consulting services for the California Street Landfill. Motion seconded by Councilmember Cunningham and carried unanimously.

Agreement - California Street Storm Drain - On motion of Councilmember Gilbreath, seconded by Councilmember Cunningham, the City Council unanimously approved and authorized an agreement with the California Department of Fish and Game for environmental mitigation measures related to the California Street Storm Drain project.

Resolution No. 5301 - San Timoteo Canyon Road - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council adopted Resolution No. 5301, a resolution of intent to adopt special covenants for reimbursement of emergency relief funds related to emergency measures on San Timoteo Canyon Road from Barton Road to Live Oak Canyon Road (ER-2875-005), and authorized the Mayor to sign the necessary documents on behalf of the City, with Councilmember Cunningham abstaining from the vote due to a possible conflict of interest.

Resolution No. 5302 - Santa Ana River Low Flow Crossings - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously adopted Resolution No. 5302, a resolution of intent to adopt special covenants for reimbursement of emergency relief funds related to engineering and construction of low flow crossing at Alabama Street and Orange Street (ER-3042-005), and authorized the Mayor to sign the necessary documents on behalf of the City.

Agreement - Groundwater Contamination - Following a brief explanation by Assistant Utilities Director Huffstutler, Councilmember Banda moved to approve an access agreement with Environmental Strategies Corporation to allow for their investigation of groundwater contamination in the Redlands/Mentone area, and authorized the Mayor the sign the agreement on behalf of the City. Motion seconded by Councilmember Cunningham and carried unanimously.

Agreement - TDS/TIN Study - On motion of Councilmember Gilbreath, seconded by Councilmember Cunningham, the City Council unanimously approved and authorized Amendment No. 1 to the agreement for participation with other Santa Ana River Dischargers Association (SARDA) agencies in the first phase of a joint Total Dissolved Solids/Total Inorganic Nitrogen (TDS/TIN) study on the Santa Ana River.

Contract - Police Vehicles Donation - Police Chief Nelson explained that the Redlands Police Department and American Honda Company, Inc. Have established an outstanding working relationship over the past several years. As a result of this relationship, Honda has recognized a need for additional and/or replacement vehicles to assist the Redlands Police Department in the accomplishment of its mission. As a result, Honda has included the Police

Department in their Honda Corporate Donation Program and has donated five vehicles. These vehicles will be donated in "as is" condition and without warranty. The vehicles are in new/demo condition with minor paint or other correctable cosmetic flaws. Expressing the City's gratitude, Councilmember Larson moved to approve and authorize a contract with American Honda Company, Inc. accepting the donation of five vehicles for the Police Department. Motion seconded by Councilmember Cunningham and carried unanimously.

PLANNING AND COMMUNITY DEVELOPMENT

Fee Waiver - Lincoln Shrine - Community Development Director Shaw explained the original Lincoln Shrine building was constructed by private funds and given to the City by the Watchorn Lincoln Memorial Association Board in 1932. The Lincoln Shrine is operated by the Smiley Library which is responsible to the Watchorn Lincoln Memorial Association Board which is responsible to the Library Board which in turn is responsible to the City Council. The Watchorn Lincoln Memorial Association Board has raised money for proposed additions to the Lincoln Shrine and will build this addition with its money and then turn over the remodeled Lincoln Shrine to the City. There is no City money involved in the construction of the additions; the applicant is requesting a waiver of all fees and the City will receive an expanded facility at no cost. Councilmember Cunningham moved to waive all processing and development impact fees for the proposed additions to the Lincoln Shrine. Motion seconded by Councilmember Larson and carried unanimously.

COMMUNICATIONS

Citrus Plaza Regional Mall - Councilmember Cunningham indicated there was nothing to report at this time on this matter.

Redlands Fashion Plaza - Mr. Terry Lowe updated Councilmembers on the status of the Redlands Fashion Plaza. He expressed his appreciation to staff for their efforts to "fast track" the applications.

League of California Cities Bulletins - Referring to the League of California Cities' Legislative Bulletin dated June 14, 1996, Councilmember Cunningham directed staff to communicate our concerns again as relates to the State's budget.

Appointments - Recreation Commission - Mayor Larson moved to appoint Patty Holohan to serve a four-year term on the Recreation Commission. Motion seconded by Councilmember Gil and carried unanimously. Mayor Larson moved to appoint Wally Sanchez to serve a four-year term on the Recreation Commission. Motion seconded by Councilmember Cunningham and carried unanimously. Mayor Larson moved to reappoint Keith Shomaker and Walter Anderson to four-year terms on the Recreation Commission. Motion seconded by Councilmember Cunningham and carried unanimously.

Appointments - Human Relations Commission - Councilmember Cunningham moved to appoint Dr. Reyes Quezada to a four year term on the Human Relations Commission. Motion seconded by Councilmember Gil and carried unanimously. Mayor Larson moved to appoint Arthur Rand to a four year term on the Human Relations Commission. Motion seconded by Councilmember Cunningham and carried unanimously.

Kirkorian Theatre Project - Councilmember Gil asked that a status report be provided on this project at the July 16, 1996, meeting.

CLOSED SESSION

The City Council meeting recessed at 3:19 P.M. to a Redevelopment Agency meeting and reconvened at 3:20 P.M. to a closed session to discuss the following matters:

1. Conference with legal counsel: Anticipated litigation - Government Code Section 54956.9(c): One case
2. Conference with legal counsel: Existing litigation - Government Code Section 54956.9(a)
   - Longs Drug Stores of California v. City of Redlands
   - Honeywell, Inc. v. Cityof Redlands

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

PUBLIC HEARINGS

Resolution No. 5264 - Landscape Maintenance Assessment District - Public hearing was continued to this time and place to consider Resolution No. 5264, a resolution of the City Council of the City of Redlands ordering the maintenance of improvements in Landscape Maintenance Assessment District No. 1, giving final approval of the Engineer's Report, and confirming the assessments for the 1996-97 fiscal year. Mayor Larson declared the meeting open as a public hearing for any questions or comments concerning this matter. On behalf of the residents on Rebecca Crest, Jack Falluca informed Councilmembers they are in the process of organizing a homeowners' association and expressed appreciation to staff for their assistance. Public Works Director Mutter noted that the deadline to place these assessments on the tax rolls is August 1, 1996; he expressed a willingness to work with the homeowners and prepare for next year. There being no further comments, the public hearing was declared closed. Councilmember Cunningham moved to adopt Resolution No. 5264, a resolution of the City Council of the City of Redlands ordering the maintenance of improvements in Landscape Maintenance District No. 1, giving final approval of the Engineer's Report, and confirming the assessment for the 1996-97 fiscal year, and directed staff to continue working with the Rebecca Crest homeowners and look into the possibility of refunding a portion of the assessment if the homeowners' association is formed mid-year. Motion seconded by Councilmember Banda and carried unanimously.

Resolution No. 5268 - Street Lighting Assessment District - Public hearing was continued to this time and place to consider Resolution No. 5268, a resolution of the City Council of the City of Redlands ordering the continued operation of Street Lighting District No. 1, giving final approval of the Engineer's Report, and confirming the assessments for the 1996-97 fiscal year. Mayor Larson declared the meeting open as a public hearing for any questions or comments concerning this matter. On behalf of the residents on Rebecca Crest, Jack Falluca informed Councilmembers they are in the process of organizing a homeowners' association and expressed appreciation to staff for their assistance. Public Works Director Mutter noted that the deadline to place these assessments on the tax rolls is August 1, 1996; he expressed a willingness to work with the homeowners and prepare for next year. There being no further comments, the public hearing was declared closed. Councilmember Cunningham moved to adopt Resolution No. 5268, a resolution of the City Council of the City of Redlands ordering the continued operation of Street Lighting District No. 1, giving final approval of the Engineer's Report and confirming the assessment for the 1996-97 fiscal year and directed staff to continue working with the Rebecca Crest homeowners and look into the possibility of refunding a portion of the assessment if the homeowners' association is formed mid-year. Motion seconded by Councilmember Banda and carried unanimously.

Resolution No. 5291 - Agricultural Preserve Removal No. 90 - Public hearing was advertised for this time and place to consider Resolution No. 5291, a resolution of the City Council of the City of Redlands amending Agricultural Preserve Boundaries previously established by Resolution No. 5098, and approving Agricultural Preserve Removal No. 90, the removal of 65.5 acres of land in the A-1 (Agricultural) District located west of Lisa Marie Lane, south of San Timoteo Canyon Road (Terry Emershy, applicant). 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 approve the Environmental Review Committee's Negative Declaration for Agricultural Preserve Removal No. 90 and Minor Subdivision No. 236 based on the finding that the project will not have a significant effect on the environment, determining 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 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 unanimously. Councilmember Cunningham moved to adopt Resolution No. 5291. Motion seconded by Councilmember Banda and carried unanimously.

UNFINISHED BUSINESS

Ordinance No. 2301 - Utility Connections - Nonresidential Development - 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 Chapter 13.10 and 13.58, was unanimously continued to July 16, 1996, on motion of Councilmember Gilbreath, seconded by Councilmember Gil.

Ordinance No. 2302 - Utility Connections - Residential - 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, was unanimously continued to July 16, 1996, on motion of Councilmember Gilbreath, seconded by Councilmember Gil.

Ordinance No. 2315 - Recreation Fees - Ordinance No. 2315, an ordinance of the City of Redlands amending Section 3.16 of the Redlands Municipal Code relating to fee and service charges, 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. 2315 was adopted by the following vote:

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

Ordinance No. 2320 - East Valley Corridor Specific Plan Amendment No. 6 - Ordinance No. 2320, an ordinance of the City of Redlands amending various sections of Division 3 and Section EV4.0255 of the East Valley Corridor Specific Plan (Specific Plan No. 40) related to land use regulations, was given its second reading of the title by City Clerk Poyzer, and on motion of Councilmember Gilbreath, seconded by Councilmember Banda, further reading of the ordinance text was unanimously waived, and Ordinance No. 2320 was adopted by the following vote:

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

Ordinance No. 2321 - East Valley Corridor Specific Plan Amendment No. 7 - Ordinance No. 2321, an ordinance of the City of Redlands amending Section EV 4.0290 of the East Valley Corridor Specific Plan (Specific Plan No. 40) related to sign regulations, was given its second reading of the title by City Clerk Poyzer, and on motion of Councilmember Gilbreath, seconded by Councilmember Banda, further reading of the ordinance text was unanimously waived, and Ordinance No. 2321 was adopted by the following vote:

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

Ordinance No. 2322 - East Valley Corridor Specific Plan Amendment No. 8 - Ordinance No. 2322, an ordinance of the City of Redlands amending Section EV 3.0115 of the East Valley Corridor Specific Plan No. 40 (East Valley Corridor Specific Plan) by adopting a revised land use district map as part of the Official Land Use Map and effecting Amendment No. 8 to Specific Plan No. 40, 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. 2322 was adopted by the following vote:

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

Ordinance No. 2323 - Zone Change No. 359C - Ordinance No. 2323, an ordinance of the City of Redlands amending Title 18 of the Redlands Municipal Code by adopting a revised land use zoning plan as part of the Official Land Use Zoning Map and effecting Zone Change No. 359C, a change of zoning classification from C-2 (Neighborhood Convenience Center) District to R-1 (Single Family Residential) District for property located at the northwest corner of Orange Street and San Bernardino Avenue, was given its second reading of the title 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. 2323 was adopted by the following vote:

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

Ordinance No. 2325 - Solid Waste Rates - Ordinance No. 2325, an ordinance of the City of Redlands amending Chapter 3.66 of the Redlands Municipal Code relating to solid waste rates, was given its second reading of the title 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. 2325 was adopted by the following vote:

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

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Utility Users' Tax - Entertainment Tax - Assessment Districts - City Clerk Poyzer presented Resolution No. 5300, a resolution of the City Council of the City of Redlands, California, calling and giving notice of the holding of a special municipal election for the submission of the qualified voters a proposed ordinance relating to Utility Users' Taxes and requesting the Board of Supervisors of the County of San Bernardino to consolidate said election with the election to be held on November 5, l996, and a request for an additional appropriation in the amount of $9,200.00 to cover the cost of this special election. Councilmember Gilbreath moved to adopt Resolution No. 5300; motion seconded by Councilmember Larson. Councilmember Cunningham indicated he could not support the substance of the utility users' tax as defined in the proposed ordinance. Councilmember Larson proposed setting aside 1/2 percent of a four percent Utility Users' Tax for flood control projects such as the San Timoteo Creek and the Zanja downtown; establishing a six year sunset, and raising the low income exemption to $15,000.00. Judy Miller addressed the City Council and urged them to give the voters an opportunity to vote on this tax as she felt it was a minute amount of money for what is received. Tony Martinez asked the City Council to give senior citizens a break and raise the exemption. Councilmember Gilbreath said she had a tough time setting aside funds for the **soft-bottom channel (San Timoteo Creek)** as she feared this would make it a special tax. Councilmember Banda indicated she would only support placing a tax on the ballot with specified uses (special tax). Councilmember Cunningham proposed a two percent special utility tax designated for the following purposes:

	Annual Yield	5-Year Total
Police:	$600,000.00	$3,000,000.00
Four man traffic unit		
Maintenance of MET unit		
Fire:	200,000.00	1,000,000.00
Restore paramedic funds to General Fund		
Streets:	300,000.00	1,500,000.00
Resurfacing		
Trees:	150,000.00	750,000.00
Maintain two trimming crews plus		

$25,000.00 contract		
Library:	50,000.00	250,000.00
Increase services		
Recreation:	200,000.00	1,000,000.00
Sports Complex facilities		
Open Space:	200,000.00	1,000,000.00
Zanja, San Timoteo Creek, Live Oak, Santa Ana River		
Parks:	100,000.00	500,000.00
Centennial, Barton Ranch, etc.		
Total	$1,700,000.00	$8,500,000.00

Councilmember Cunningham said this two percent tax would have no caps, that all utility companies would pay, that the tax would have a five-year term, and that all would pay equally. He further proposed to place a three percent entertainment tax for all ticket sales (tax exempt organizations exempt) with no sunset on the ballot. These funds would go to youth sports and Joslyn/senior activities. He also proposed a measure to affirm the Landscape and Street Lighting Maintenance Assessment Districts. Councilmember Gil indicated his support for these proposals. Councilmember Gilbreath stated the survival of the Utility Users' Tax was critical for the City and indicated she would like the City Council to be unanimous in its decision; therefore, she was willing to support Mr. Cunningham's proposal. Following discussion, Councilmember Cunningham moved to direct staff to prepare the necessary documentation to implement his proposals as outlined above and to include a $15,000.00 exemption on the Utility Users' Tax; motion seconded by Councilmember Larson. Finance Director Chapman expressed his concerns about the projected financial gap in 1997-98 and 1998-99 which is still not covered. Councilmember Banda felt the rate should be higher but was willing to compromise. The motion then carried unanimously.

Validation - Utility User's Tax - Councilmember Gilbreath moved to direct staff to prepare a ballot measure with validation language for the current Utility Users' Tax with a sunset concurrent with the adoption of the new Utility Users' Tax. Motion seconded by Councilmember Larson and carried with Councilmember Cunningham voting NO.

Resolution No. 5300 - Notice of Election - Councilmember Larson moved to continued Resolution No. 5300 to July 16, 1996, to allow staff to prepare the necessary documentation to implement the above actions. Motion seconded by Councilmember Gil and carried unanimously.

NEW BUSINESS

Ordinance No. 2299 - Cable Television Regulations - City Attorney McHugh presented Ordinance No. 2299, an ordinance of the City of Redlands amending Chapter 5.76 of the Redlands Municipal Code relating to granting and regulation of franchises for cable communications systems. This document makes comprehensive revisions to the City's Municipal Code provisions governing cable television franchises. The purpose of this ordinance is to bring the City's Code into compliance with recently enacted federal laws. Members of the City's Cable Television Task Force have worked closely with representatives of TCI Cablevision of California, Inc. In developing this ordinance. Jeff Sabatini, member of the task force, reviewed further changes he felt were necessary. Gerry Hanson, also a member of the task force, thought this ordinance would probably be one of the best in state. Mayor Larson expressed the City Council's appreciation for the time put in by the task force. Stan McKenzie, General Manger of TCI, also spoke in support of this ordinance. Ordinance No. 2299 was read by title only by City Clerk Poyzer, and on motion of Councilmember Gilbreath, seconded by Councilmember Banda, further reading of the ordinance text was unanimously waived, and Ordinance No. 2299, with the suggested changes incorporated within, was introduced with unanimous Council approval and laid over under the rules with second reading scheduled for July 16, 1996.

PUBLIC COMMENTS

Recycling - Mr. Mel Deen, 672 Golden West, complimented staff for enacting a new procedure for recycling but expressed concern about the low percentage of residents involved in recycling.

Task Force - Mayor Larson announced that his 25 member Utility Users' Tax Task Force will be appointed on July 16, 1996.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 8:36 P.M. The next regular meeting will be held on July 16, 1996.

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City Clerk