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 November 5, 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
Michael Reynolds, City Treasurer
Marjie Pettus, Administrative Services Director
Jeffrey L. Shaw, Community Development Director
Steven M. Chapman, Finance Director
John Habant, Acting Fire Chief
Gary G. Phelps, Municipal Utilities Director
Lewis W. Nelson, Police Chief
Ronald C. Mutter, Public Works Director

John Andrews, Redlands Daily Facts
(afternoon session only)
Alisa Slaughter, San Bernardino County Sun

ABSENT None

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

PRESENTATIONS

Service Pins - Assisted by the department heads, Mayor Larson presented five year service pins to: Tina Kundig, Finance Department; Barbara Wiggins, Police Department; Michael Kerns, Wastewater Division; and Tim Mishodek, Alan Peterson, and David Wolf, Water Division. Ten year pins were presented to Evelyn Pedro, Planning Division; James Gorsline, Fire Department; James Topoleski, Fire Department; Michael Bartlett and Robert Yost, Parks Division; and Richard Gaspers and John Silvia, Equipment Maintenance Division. A fifteen year was presented to Katherine Avila, Police Department. Twenty year pins were presented to Rick Bullard, Larry Egan, John Habant, and Richard Strawn, Fire Department. Watches were presented to Harlow Mayer, Solid

Waste Division, and Ruben Pasillas, Water Division, in recognition of their thirty years' of service to the City.

Employees of the Quarter - City Manager Luebbers introduced the following nominees for Employee of the Quarter:

Category: Field

Tony Adame	Municipal Utilities Department Solid Waste Division
Gary Barnes	Municipal Utilities Department Equipment Maintenance Division
David Gonzales	Municipal Utilities Department Solid Waste Division
Ken Pang	Municipal Utilities Department Water Division

Category: Safety

James Mawson	Police Department

Category: Administration

Joni Castellon	Personnel Division

Tony Adame, Solid Waste Division - Tony Adame is a joy to work with; he works hard and has a great attitude, going the extra mile to make sure things get done. He also takes constructive input regarding improvements and ways to do things. In fact, he is like a "sponge," always wanting to learn better methods to operate collections, manage personnel, and provide customer service. Tony a special way of working with customers and fellow employees that lets them know he really cares and wants the best outcome. With the retirement of the Solid Waste Superintendent in August, Tony has met the challenge this quarter to not only keep Solid Waste operations on track, but also bringing the recycling collection program on line.

Joni Castellon, Personnel - Joni Castellon is always willing to help her fellow employees not making them feel like their questions are dumb even when they know they are. She is also one of the most cooperative Community Center users. She gives them lots of notice and keeps good control over the room and does everything so cheerfully. The Recreation staff really appreciates all of her support. Joni enjoys her job and it shows. She performs all of her duties with a high degree of enthusiasm, efficiency, and professionalism. Joni is a valuable asset to the Personnel Office and the City of Redlands.

James Mawson, Police Department - On June 25, 1996, while Officer James Mawson was off duty, he arrived home and noticed a suspicious car parked in a neighbor's driveway. He knew his neighbor, a 70 year old widow, lived alone. Concerned for her safety, he walked to the house, past the occupied suspicious car, and knocked on the front door. When the lady screamed from inside the house, he quickly realized that a crime was in progress. He immediately detained the young man seated in the car. When the garage door opened suddenly, two more young men appeared, one of which was armed with a handgun. After identifying himself as a police officer, Jim found himself being fired upon. In fear for his life, he returned fire and quickly retreated across the street for cover. The three assailants escaped in their vehicle but were apprehended later. Miraculously, no one was injured in what turned out to be a residential robbery. Jim's actions were beyond the call of duty and deserve recognition. His action prevented serious injury to the victim and most probably saved her life as the suspects in this case were extremely violent gang members and most certainly would not have wanted to leave a witness. Jim is truly a dedicated professional.

Employee of the Year - The following employees have been honored this past year as Employee of the Quarter: Janet Miller, Solid Waste Division; Michael Dorsey, Police Department; Joe Huff, Equipment Maintenance Division; Gilbert Cancino, Wastewater Division; Nikki Adams, Utility Billing/Purchasing Divisions; Mitch McKee, Fire Department; Jesse Savell, Building Maintenance Division; Steve Kurz, Police Department, Janet Petton, Cemetery Division; Joni Castellon, Personnel Division; James Mawson, Police Department; and Tony Adame, Solid Waste Division. Selected as Employee of the Year from this honored group of employees was:

Michael Dorsey, Police Department - As a Patrol Officer, Michael Dorsey has displayed an amazing level of productivity and professionalism. Officer Dorsey is constantly making proactive, quality contacts with people involved in criminal activity. As a result, he was responsible for arresting 18 percent of the arrests made by the 40 officer patrol force. Officer Dorsey has already qualified or his seventh Grant Theft Auto Award from the California Highway Patrol. This award is based on the number of stolen autos that are recovered during a 12 month period. This is the highest number of Grand Theft Auto pins any members of the Redlands Police Department has qualified for. Another distinction that Officer Dorsey has achieved within the department is his ability to constantly seek out criminal activity without attracting citizens complaints. In the Police Chief's review of Officer Dorsey's nomination for Employee of the Quarter he states: "Officer Dorsey has demonstrated his abilities as one of the most outstanding police officers that I have had the privilege to work with in my 27 years in this profession. His work product, combined with a lack of citizens complaints, is only partially indicative of his skills."

Manager of the Year - City Manager Luebbers announced the following employees were nominated for Manager of the Year: Beatrice Sanchez, Deputy City Clerk; Michael Sepulveda, Equipment Maintenance Superintendent; and Paula Rae Espinoza, CDBG/Housing Administrator. Selected as Manager of the Year was:

Paula Rae Espinoza, Administrative Services Department - Regardless of her existing workload or schedule, Paula Rae does not hesitate to help others when called upon to do so. She works where she is needed, when she is needed, and maintains a positive attitude while doing it. Her job can sometimes be very cumbersome and time consuming. She is required to keep detailed financial records and have extensive interaction with the community. She is responsible for distributing funds to applicants; many times proposals cannot be funded and subsequently people are disappointed. Paula Rae balances this responsibility without any complaints about the administration of the CDBG program or the allocation of the funds. County representatives have also complimented her; they enjoy working with her because she is professional and efficient. She is directly responsible for the design and successful implementation of three new housing programs. One of those if the First Time Homebuyer Program. Redlands has funded more loans in the six months since the program began than neighboring cities have funded in one year - a testament to her ability to keep a program on track. Paula Rae is a critical component of the Administrative Services Department and should be recognized for her success.

VFW Awards - Mayor Larson announced the Veterans of Foreign Wars Post 2545 honored Fire Marshall Leonard Temby and Police Officer Darren Means at an awards dinner on Saturday, November 2, 1996. Fire Marshal Temby was lauded as the Firefighter of the Year. He has served with the Redlands Fire Department for nine years after moving over from the Rubidoux Fire Department. Officer Means was honored as Police Officer of the Year. He joined the Redlands Police Department six years ago and graduated in April 1991 from the Orange County Sheriff's Academy.

CONSENT CALENDAR

Minutes - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the minutes of the regular meeting of October 15, 1996, and the adjourned regular meeting of October 29, 1996, were unanimously approved as submitted.

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

Fee Waiver - Showmobile - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously authorized a waiver of $350.00 in fees for the Redlands Kiwanis Club for one day's use of the City's Showmobile providing that certain other requirements noted in the rental contract are met for towing, set up, a deposit, insurance coverage, and rental period.

Contract Award - Wabash Groundwater Recharged Basins - Bids were opened and publicly declared on October 24, 1996 by the Deputy City Clerk for the Wabash Groundwater Recharge Basins Project; 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 L. D. Anderson, Inc. of Mira Loma in the amount of $137,750.00, 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.

Resolution No. 5325 - Demonstration Garden - Due to the efforts of Fire Marshall Leonard Temby, the Fire Department has been awarded a hazard mitigation grant from the State Office of Emergency Services, specifically for development and maintenance of a demonstration garden, to provide documentation for public inspection and education regarding the most effective native and various other plant species that create a defensible space around structures in the high fire hazard areas of the City. The original choice for a site for this demonstration garden was Caroline Park. However, due to requests from the "Friends of Caroline Park" that the park be kept in its native state, and at the direction of the Parks Commission, this site was rejected. Alternates were considered for the project including Franklin Park located at Franklin Avenue and Garden Street; Helen Drive, south of Sunset Drive; open space on Reservoir Road, east of Ford Street; and the Assistencia/Van Grouw Dairy Farm on Nevada Street. The Parks Commission recommended that permission be granted to the Redlands Fire Department for establishment of the demonstration garden at the Assistencia/Van Grouw Dairy Farm. Mayor Larson expressed his personal appreciation to Fire Marshall Temby for his dedication to this project, and moved to approve Resolution No. 5325, a resolution of the City Council of the City of Redlands providing for approval of the implementation of a hazard mitigation grant recently accepted by the Redlands Fire Department from the State Office of Emergency Services through development of a demonstration garden at the Assistencia/Van Grouw Dairy Farm. Motion seconded by Councilmember Gilbreath. Although supportive of the effort, Councilmember

Cunningham expressed concern about this and asked if this matter could be deferred for a short period of time while other alternatives were assessed. This was acceptable to Mayor Larson and Councilmember Gilbreath; Mayor Larson then moved to continued this matter to the December 3, 1996, meeting. Motion seconded by Councilmember Gilbreath and carried unanimously.

Resolution No. 5328 - Career Criminal Apprehension Program - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously adopted Resolution No. 5328, a resolution of the City Council of the City of Redlands to support and approve the Redlands Police Department's Career Criminal Apprehension Program during the grant period July 1, 1996, through December 31, 1997. This resolution will be used in the request for a grant award in the amount of $93,000.00.

Tree City USA Flag - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved the placement of a Tree City USA flag on the City flag pole in the Civic Center parking lot as recommended by the Parks Commission. The City of Redlands has been designated as a Tree City USA by the National Arbor Day Foundation for 1996; staff is applying for recertification in 1997.

Funds - Donation - Parks Division - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously accepted a donation of $1,694.03 from Lois Lauer and approved an appropriation in the same amount into the Parks Division budget. This donation is for the replacement of several concrete benches for Prospect Park which were destroyed by vandals.

Agreement - Community Action Employee Assistance Program - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved an agreement with Community Action Employee Assistance Program in order to continue to provide this service to all employees, excluding sworn police and fire personnel.

Consulting and Grant Writing Services - On motion of Councilmember Cunningham, seconded by Councilmember Banda, the City Council unanimously continued the request to authorize payment of $250.00 to Susan Taylor for consulting and grant writing services provided to the Cultural Arts Commission in order to research if there was any commitment by the Cultural Arts Commission.

Showmobile Fee Schedule - On motion of Councilmember Gilbreath, seconded by Councilmember Gil, the City Council unanimously approved revising the rental fee schedule for use of the City's Showmobile by "registered, nonprofit organizations in Redlands" providing that certain other requirements noted in the rental contract form are met for towing, set up, a deposit, insurance coverage, and rental period.

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 October 22, 1996, was unanimously acknowledged as received.

COMMUNICATIONS

Citrus Plaza Regional Mall - Councilmember Cunningham had nothing to report at this time.

Redlands Crossing - Michael Grabendike announced that Lewis Homes has joined their development team and introduced John Koneig and Richard Lewis, President of Lewis Homes.

Appointment - Cultural Arts Commission - Mayor Larson moved to nominate Curtiss Allen to fill the unexpired term (expires January 6, 1997) of Paul J. Little on the Cultural Arts Commission. Motion seconded by Councilmember Cunningham and carried unanimously.

Human Touch Award Program - Chairman of the Human Relations Commission Ed Sagmeister reported the Commission has been working on preparing a program to recognize members of the public who make significant contributions to improve or enhance human relations in the community. Mr. Sagmeister assured Councilmembers there would be no cost involved in this program. Councilmember Gilbreath moved to authorize the Human Relations Commission to establish their recommended Human Touch Award program. Motion seconded by Councilmember Cunningham and carried unanimously.

PUBLIC COMMENTS

Redlands Fashion Center - Terry Lowe informed Councilmembers their application has been completed and submitted to the City. He also reported that they have paid the first installment ($150,000.00) of their commitment for the downtown district and intend to meet their $500,000.00 commitment.

CLOSED SESSION

The City Council meeting recessed at 3:55 P.M. to a Redevelopment Agency meeting and reconvened at 3:56 P.M. to a closed session to discuss the following:

1. Conference with labor negotiator
   - Agency negotiator: Gary Luebbers
     Employees: General, Mid-Management, Management
2. Conference with legal counsel: Existing litigation - Government Code Section 54956.9(a)
   - Holden v. City of Redlands

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

PRESENTATION

Donation- Liberty Pole Flags - On behalf of the Redlands 4th of July Committee, Chairman Bill McCalmon and his lovely wife Diane expressed their appreciation to the City for their assistance with the annual 4th of July celebration, and presented two 20 by 30 foot American flags to be flown from the new Liberty Pole.

PUBLIC HEARING

Ordinance No. 2338 - Downtown Specific Plan Amendment - Public hearing was advertised for this time and place to consider Ordinance No. 2338, an ordinance of the City of Redlands adopting Amendment No. 2 to Specific Plan No. 45 (Downtown Specific Plan) to establish new standards for movie theater signs and to clarify policy regarding the installation of freeway-oriented signs as defined by the Redlands Sign Code. Community Development Director Shaw explained that development in a large area of downtown Redlands (generally bounded by the I-10 Freeway on the north, Redlands Boulevard on the south, Texas Street on the west, and Church Street on the east) is governed by the Downtown Specific Plan (Specific Plan No. 45). The development standards in the Downtown Specific Plan replace the standards contained in the Redlands Municipal Code; in the case of sign standards, the Specific Plan generally imposes more restrictions on signs than would apply if the Redlands Sign Code were used. This proposed amendment would change the amount and type of signs which can be installed by movie theaters in the Specific Plan area. These changes, which were originally discussed in response to the under-construction Krikorian movie theater complex, generally increase the total amount of sign area which can be placed on a theater building. No other types of commercial building would be affected. This amendment also clarifies that freeway-oriented signs can not be constructed within the Downtown Specific Plan area. Mayor Larson declared the meeting open as a public hearing for any questions or comments concerning this amendment. None being forthcoming, the public hearing was declared closed. Ordinance No. 2338 was read by title only by City Clerk Poyzer, and on motion of Councilmember Gilbreath, seconded by Councilmember Larson, further reading of the ordinance text was waived, and Ordinance No. 2338 was introduced and laid over under the rules with second reading scheduled for November 19, 1996, with Councilmember Cunningham voting NO as he would have preferred a more conservative approach.

UNFINISHED BUSINESS

Annexation - East Valley High School - Community Development Director Shaw reported the East Valley High School is currently under construction, working toward a 1997 school year opening. The new high school is outside Redlands' city limits, and the Redlands Unified School District has met with the Local Agency Formation Commission and the City to discuss annexing the school site. Although the focus of the annexation effort is to include the new high school site, several parcels located between the school site and the existing city limits (at Wabash Avenue) are also proposed to be annexed in order to provide a "bridge" to the school as LAFCO does not permit the annexation of areas not adjacent to a corporate boundary. Present at this meeting were Mike Ramos, School Board Member; Bob Hodges, School Superintendent; and Gary Cardeneale, Assistant Superintendent - Business Services. Mr. Hodges indicated the School District will pay the LAFCO fees and will commit an additional $150,000.00, making a total commitment of $300,000.00, towards the improvements at the Wabash and Colton Avenues intersection. Councilmember Gil's motion, which was seconded by Councilmember Gilbreath, to direct staff to assist the Redlands Unified School District in making application for annexation of the East Valley High School to the City of Redlands was retracted following discussion. Councilmember Cunningham felt it was premature to take this action at this time and suggested the School District seek financial support from other entities, i.e. City of Highland and County of San Bernardino, making them responsible for their share of the load since many of the students attending the new high school will not be from within the city limits of Redlands. Following the retraction of the motion, Councilmembers concurred that City staff will continue to work with School District staff addressing all issues, and authorized contact with nearby residents to ascertain their opinions regarding annexation to the City of Redlands. Councilmembers also concurred that this subject should be included on future agendas for status reports.

Ordinance No. 2336 - Redevelopment Project - Citing a possible conflict of interest, Mayor Larson left the City Council Chambers. Ordinance No. 2336, an ordinance of the City of Redlands amending the Redevelopment Plan for the Redevelopment Project in accordance with California Health and Safety Code Section 33333.6, was given its second reading of the title by City Clerk Poyzer, and on motion of Councilmember Cunningham, seconded by Councilmember Gil, further reading of the ordinance text was waived, and Ordinance No. 2336 was adopted by the following vote:

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

Pharaoh's Lost Kingdom - Community Development Director Shaw presented alternative actions available to the city pertaining to the Pharaoh's Lost Kingdom Theme Park and the use of alcoholic beverages outside of the main building. On November 29, 1994, the Planning Commission approved a conditional use permit (No. 617) for Pharaoh's Lost Kingdom Theme Park. The project approved at that time was basically the theme park as it exists today; a family-oriented amusement center/water park with an Egyptian design theme. On October 10, 1996, staff became aware of the permit for an outdoor "beer garden" being considered by the State Alcoholic Beverage Control and informed them that this use was not approved as part of the conditional use permit. The applicant had not identified the sale of alcoholic beverages in this location (or anywhere else in the outdoor area of the park) as part of the project as originally approved or in subsequent revisions. Had they proposed this use, it would have been analyzed and discussed by staff and the Planning Commission. It is, therefore, the City's position that the outdoor "beer garden" is not an approved part of the conditional use permit and that alcoholic beverage sales may not take place in that location. If the theme park operators wish to pursue approval of the "beer garden," an application could be submitted to revise the conditional use permit and show this use on the approved site plan for the theme park. Action on any amendment would be by the Planning Commission, or on appeal by the City Council, after a noticed public hearing on the matter. Staff advised the theme park operators of the City's position on this matter following our last City Council meeting: sale of alcoholic beverages in the "beer garden" would constitute a violation of the conditional use permit and result in further actions by the City. As the City Council is aware, a hearing has been scheduled by the State of California Alcoholic Beverage Control for December 10, 1996, to consider protests to the issuance of a permanent liquor license for the facility (including the beer garden). The entire facility (including the beer garden) is currently operating under a temporary permit, pending the results of the December 10th hearing. Following the hearing, either a permanent license would be granted or the permit would be revoked and liquor sales would be prohibited. Community Development Director Shaw indicated that staff intends to take this matter to the Planning Commission to resolve any inconsistencies and possibly amend the conditional use permit. Richard Woodhouse, Pharaoh's General Manager, read a statement entitled "Pharaoh's Lost Kingdom Alcohol Beverage Sale and Consumption Policy" (copies of which were provided to the City Council and staff the following day). Councilmember Cunningham moved to direct staff to attend the December 10, 1996, hearing by the State of California Alcoholic Beverage Control to express the City's position that the proposed "beer garden" is not a use permitted at the theme park. Motion seconded by Councilmember Banda and failed with Councilmembers Larson, Gilbreath, and Gil voting NO. Following discussion, Councilmember Gil moved to direct staff to attend the December 10, 1996, hearing by the State of California Alcoholic Beverage Control to express the City's position that the proposed "beer garden" is not a use permitted at the theme park, and inform ABC that this matter is going back to the Planning Commission to consider amending the conditional use permit. Motion seconded by Councilmember Gilbreath and carried with Councilmembers Cunningham and Banda voting NO.

NEW BUSINESS

Ordinance No. 2337 - City Council Meetings - Ordinance No. 2337, an ordinance of the City of Redlands amending the Redlands Municipal Code and changing the place for City Council meetings to reflect the address of the new Council Chambers in the Civic Center (35 Cajon Street, Suite 2), was read by title only by City Clerk Poyzer, and on motion of Councilmember Gil, seconded by Councilmember Larson, further reading of the ordinance text was unanimously waived, and Ordinance No. 2337 was introduced with unanimous Council approval and laid over under the rules with second reading scheduled for November 19, 1996.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 8:09 P.M. The next regular meeting will be held on November 19, 1996.

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City Clerk