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 19, 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
Mel Enslow, Fire Chief
Gary G. Phelps, Municipal Utilities Director
James R. Bueermann, Acting 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.

PRESENTATION

Redlands Community Music Association - In anticipation of the diamond jubilee celebration of the Redlands Bowl summer in 1998, Conant Halsey, Gretchen Lohnes, and Wendy Rigney, members of the Redlands Community Music Association, presented a souvenir hand-thrown terra-cotta bowl with a rendering of the Prosellis. It was noted this celebration will be a community effort and an opportunity for all to contribute to its successful celebration.

Proclamation - Family Week - Mayor Larson will present a proclamation on Saturday, November 23, 1996, at 7:00 P.M. in the Grace Mullen auditorium, declaring November 23-30, 1996, as "Family Week" in Redlands. Committee member Donna West and two guests were present at this meeting and reviewed the program "Family Night Live" which will recognize outstanding families of Redlands.

Solid Waste Superintendent - Mayor Larson introduced and welcomed Peter Steinberg who was recently hired to be the Solid Waste Superintendent.

## CONSENT CALENDAR

Minutes - On motion of Councilmember Larson, seconded by Councilmember Gil, the minutes of the regular meeting of November 5, 1996, were unanimously approved as submitted.

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

Consulting and Grant Writing Services - Although there was no contract formalized and indicating she did not want to set a precedent, Councilmember Gilbreath moved to authorize payment of $250.00 to Susan Taylor for consulting and grant writing services provided to the Cultural Arts Commission upon delivery to the City all letters, proposals, documents, files, and other materials related to these services.

Resolution No. 5329 - Traffic - On motion of Councilmember Larson, seconded by Councilmember Gil, the City Council unanimously adopted Resolution No. 5329, a resolution of the City Council of the City of Redlands establishing traffic regulations pursuant to Title 10 of the Redlands Municipal Code as follows: Establish speed limits on Tennessee Street and San Mateo Street between Colton Avenue and Brookside Avenue.

Resolution No. 5330 - Underground Utility District No. 10 - City Attorney McHugh assured Councilmembers that Proposition 218, approved by the voters of California on November 5, 1996, did not apply to the formation of an underground utility district. Councilmember Larson moved to adopt Resolution No. 5330, a resolution of the City Council of the City of Redlands establishing a date for a public hearing (December 3, 1996, at 7:00 P.M.) to determine whether the public necessity, health, safety, or welfare requires the formation of an underground utility district on Eureka Street between Redlands Boulevard and Pearl Avenue. Motion seconded by Councilmember Gilbreath and carried unanimously.

San Timoteo Creek Flood Control - On motion of Councilmember Larson, seconded by Councilmember Gil, the City Council unanimously approved a contribution of $3,450.00 from the Municipal Utilities Department to the San Bernardino Valley Water Conservation District to partially fund a proposed extension of the Tettemer and Associates' study of alternative flood control designs for San Timoteo Creek. It was noted the City of Loma Linda has agreed to fund half of the cost ($3,450.00) of this extension.

Agreement - California Street Landfill - On motion of Councilmember Larson, seconded by Councilmember Gil, the City Council unanimously approved an agreement with HDR Engineering, Inc. to provide professional services for regulatory compliance support for the California Street Landfill.

Agreement - California Street Landfill - On motion of Councilmember Larson, seconded by Councilmember Gil, the City Council unanimously approved an agreement in the amount of $4,000.00 with Dames & Moore, Inc. to prepare the Air Toxics Inventory Report for the California Street Landfill which is required by the South Coast Air Quality Management District in accordance with AB 2588.

## PLANNING AND COMMUNITY DEVELOPMENT

Planning Commission Actions - On motion of Councilmember Larson, seconded by Councilmember Gil, the report of the Planning Commission meeting held on November 12, 1996, was unanimously acknowledged as received.

## COMMUNICATIONS

Citrus Plaza Regional Mall - Councilmember Cunningham expressed his disappointment that at this morning's meeting, the County Board of Supervisors approved an EIR for Majestic Realty's application for the Citrus Plaza Regional Mall, which included development of its own on-site water and sewer treatments plants through a County service. He also felt the City was receiving unfair bad press regarding its negotiations with Majestic Realty and reiterated the offer to annex is still open. Community Development Director Shaw reviewed the record of this project since the application was filed in July of 1994: the extraordinary efforts extended by the City Council and City staff to expedite the process and our willingness to compromise on the signs program. Mayor Larson noted that 96 separate meetings have been held since July 1994 with the applicants; said meetings frequently on short notice. He also felt the City had been unfairly treated by the Board of Supervisors. Under "Public Comments" James Barton expressed his discomfort with the County Board of Supervisors' decision and hoped that the City would be instituting legal action as well as contacting the State.

East Valley High School Annexation - Public Works Director Mutter reported a cost estimate of $956,000.00 for the intersection improvements, including installation of a traffic signal, curb, gutter, sidewalks, and relocation of irrigation lines, has been completed. Councilmember Cunningham asked if there had been any fruitful exchange from Highland and the County relating to sharing the costs of the improvements and on-going costs. Councilmember Gil indicated a meeting would be scheduled now that the cost estimate was available. City Manager Luebbers reported the residents of the Sunchase development have requested a meeting be scheduled to discuss annexation. Councilmember Cunningham told the City Manager to communicate to them they were a delightful community but they would be a burden to the City. Mayor Larson also reported a group of citizens in Mentone had asked to meet with him.

Ambulance Service - Mayor Pro Tem Gilbreath asked staff to bring a report to the City Council regarding City-provided ambulance service, including paramedic services and transport. This was supported by a consensus of the City Council.

PUBLIC HEARING

Resolution No. 5324 - Fees - Public hearing was advertised for this time and place to consider Resolution No. 5324, a resolution of the City Council of the City of Redlands establishing fees for the Police Department, Fire Department, Public Works Department, and Community Development Department. Responding to Councilmembers' concerns, City Attorney McHugh said processing fees seem to be exempt from the recently approved Proposition 218. Mayor Larson declared the meeting open as a public hearing. As recommended by staff, Councilmember Gil moved to continue this public hearing to January 7, 1997. Motion seconded by Councilmember Gilbreath and carried unanimously.

UNFINISHED 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 meeting (35 Cajon Street, Suite 2), 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. 2337 was adopted by the following vote:

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

Ordinance No. 2338 - Downtown Specific Plan - 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 and amending Ordinance Nos. 2185 and

2269, was given its second reading of the title by City Clerk Poyzer, and on motion of Councilmember Gil, seconded by Councilmember Gilbreath, further reading of the ordinance text was waived, and Ordinance No. 2338 was adopted by the following vote:

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

Improvement of 168 South Eureka Street (Mission Gables) - Public Works Director Mutter presented a status report on the progress of the improvements for the structure located at 168 South Eureka Street. On June 20, 1995, the City Council agreed to a plan in which the City and the Redlands Conservancy would each contribute $250,000.00 for the rehabilitation of this structure. As more detailed designs were being prepared, the structural engineer found several deficiencies in the building. The entire foundation consists of rock and lime mortar that is disintegrating; no work can be completed on the building until the foundation is replaced subject to current codes and standards. Extensive fire damage was discovered in the attic area; many of the support timbers are charred and damaged and also must be replaced. This work is beyond what was anticipated in the original Phase I (public restrooms, public access: ramp and stairs, and structural modification for future second floor phase within the restroom area only) cost estimate. A revised cost estimate based on the structural work necessary in order to complete Phase I, or the restrooms, has been submitted by Architect Richard Frick. The Phase I construction estimate now stands at $293,000.00. Adding fifteen percent for contract administration (bidding, contracts, inspection, materials testing, permits, and the architect's construction administration, etc.) will add another $44,000.00 in costs. The architect will also be due approximately $20,000.00 before completion of his contract. Therefore, the total estimate for all costs associated with Phase I is approximately $357,000.00. The estimate for the entire project with all three phases is currently $593,000.00. The City has currently appropriated $250,000.00 for this project in the budget for 1996-97. Staff will continue with the preparation of the plans to a point ready for bid call which is scheduled for mid-January, 1997. In order to have the restroom facilities ready for the 1997 Redlands Community Music Association's Bowl season, Mr. Mutter stated this date must be maintained. City Manager Luebbers expressed concern about the shortfall and where the funds will come from. Bob Clark and Jon Harrison, members of the Redlands Conservancy, offered to work with City staff to look for ways they can take over noting that about half of their pledged amount will be in the form of donations and in-lieu.

Proposed Utility Users' Tax - Councilmembers discussed the Utility Users' Tax proposal. Mayor Pro Tem Gilbreath felt the directions were not complete for the Utility Users' Tax Committee; that they should evaluate other options. Mayor Larson indicated his sub-committee supports more than two percent. Councilmember Cunningham stated he had no problems with the numbers currently under consideration and also felt we should add the Entertainment Tax to the March ballot. Councilmember Banda indicated she still was in favor of a special tax and agreed to give the Entertainment Tax another round. Councilmember Gil also felt two percent was too low and wanted input from the Committee but realized they would not be able to meet the December 6, 1996, deadline for the March ballot. City Attorney McHugh said that Proposition 218 requires general tax elections to be consolidated with a regularly scheduled general election for Councilmembers except in cases of an emergency declared by a unanimous vote of the governing body; he also cautioned that City funds cannot be used to influence the vote but that staff can provide support. John L. Freedman, 818 Birch Court, urged the City Council to step back and view this with the public's prospective; he felt a two/thirds majority vote requirement would not pass and also stressed the need to educate the voters. Councilmembers concurred to meet on Tuesday, November 26, 1996, at 9:00 A.M. to further discuss this matter.

NEW BUSINESS

Alabama and California Streets - Councilmember Cunningham stated there was no access to Norton Air Force Base (now known as San Bernardino International Airport) or the market in San Bernardino. He felt we should continue the effort to re-bridge Orange Street urged consideration to re-configure California Street or Mountain View to provide another river crossing. Public Works Director Mutter reported several steps have been started to provide a crossing on Orange Street, and reviewed preliminary discussions and coordination of the many agencies involved in the second crossing to the west.

Metrolink Demonstration - Mayor Pro Tem Gilbreath announced that a Metrolink demonstration vehicle will be on display at our train station on January 20, 1997, from 9:00 A.M. to 3:00 P.M. She asked staff to work with Metrolink personnel and arrange a program for this event suggesting the Redlands High School band should be a participant. She also announced Metrolink is offering a special December rate and that tickets are available at SANBAG.

PUBLIC COMMENTS

See "Citrus Plaza Regional Mall" discussion under "Communications" for James Barton's comments.

CLOSED SESSION

The City Council meeting recessed at 4:32 P.M. to a Redevelopment Agency meeting and reconvened at 4:34 P.M. to a closed session to hold a conference with its legal counsel as follows:

1. Existing litigation - Government Code Section 54956.9(a)
   - City of Redlands v. County of San Bernardino
     (San Berdoo Books v. City of Redlands and Holden v. City of Redlands were withdrawn from the agenda)
2. Anticipated litigation - Government Code Section 54956.9(c)
   - One case

City Attorney McHugh asked the City Council to consider adding the following matter to the closed session:

1. Conference with real property negotiator
   Property: Water Stock
   Negotiating parties: FDIC and Michael L. Huffstutler
   Under negotiation: Terms and price

Noting that the need to take action was immediate, Councilmember Larson moved to add this item to the agenda which arose subsequent to the agenda Motion seconded by Councilmember Banda and carried with Councilmembers Gilbreath and Cunningham abstaining.

ADJOURNMENT

There being no further business, the City Council meeting adjourned to an adjourned regular meeting to be held on Tuesday, November 26, 1996, at 9:00 A.M. in the City Council Chambers, 35 Cajon Street, Suite 2, Redlands, California.

City Clerk