

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 1, 1997.

PRESENT

Swen Larson, Mayor
Pat Gilbreath, Mayor Pro Tem
William E. Cunningham, 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
Nick Anderson, Acting Community Development Director
Tina Kundig, Interim Finance Director
Mel Enslow, Fire Chief
Gary G. Phelps, Municipal Utilities Director
Lewis W. Nelson, Police Chief
Ronald C. Mutter, Public Works Director

Sulipsa Luque, San Bernardino County Sun
Valeria Godines, Press Enterprise
Joshua Lowe, Redlands Daily Facts
(evening session only)

ABSENT

Gilberto Gil, Councilmember

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

PRESENTATION

Commendation - Sal Lopez - Mayor Larson and Fire Marshall Leonard Temby presented a certificate of commendation to Sal Lopez from the National Fire Protection Association for his prompt and informed response to danger which prevented or minimized a potentially devastating situation. Eight-year-old Sal Lopez was honored for saving his father. Upon returning home from a visit with his sister, Sal and his mom smelled smoke when walking toward the door. As they opened the door, smoke came billowing out. Sal remember the *Learn Not to Burn* classes he had at school with regard to fire safety and started crawling low under the smoke to find his dad. It seems his dad had decided to bake a cake and when the cake was done, instead of turning the oven off, he turned it to broil and went to lay down for a nap. Mom turned the oven off, put the cake outside and turned on fans to help get the smoke out of the house. In

1995, the *Learn Not to Burn* Program was brought to the Redlands Schools through the efforts of the National Fire Protection Association and a grant from the Chevron Corporation. Since that time, Loma Linda Children's Hospital has provided the materials for approximately 90 classrooms (kindergarten through third grade) in the Redlands Unified School District.

CONSENT CALENDAR

Minutes - On motion of Councilmember Gilbreath, seconded by Councilmember Larson, the minutes of the regular meeting of June 17, 1997, were approved by AYE votes of all present as submitted.

Bills and Salaries - On motion of Councilmember Gilbreath, seconded by Councilmember Larson, bills and salaries were ordered paid by AYE votes of all present.

Planning Commission Actions - On motion of Councilmember Gilbreath, seconded by Councilmember Larson, the report of the Planning Commission meeting held on June 24, 1997, was acknowledged as received by AYE votes of all present.

Minor Subdivision No. 230 - Time Extension - On motion of Councilmember Gilbreath, seconded by Councilmember Larson, the City Council approved, by AYE votes of all present, a one-year time extension for Minor Subdivision No. 230, the subdivision of 3.92 acres of land located at 1355 Knoll Road, into four parcels, extending approval to June 14, 1998. Myron and Harriet Talbert are the applicants.

Resolution No. 5388 - Park Reservation and Use Fees - On motion of Councilmember Gilbreath, seconded by Councilmember Larson, the City Council adopted Resolution No. 5388, a resolution of the City Council of the City of Redlands amending fees for park facility reservations, permits, and uses, by AYE votes of all present. This resolution establishes use fees for all non-residential individuals, groups, organizations and businesses.

Agreement - Gerald Hanson - On motion of Councilmember Gilbreath, seconded by Councilmember Larson, the City Council approved, by AYE votes of all present, an independent contractor agreement with Gerald Hanson to continue to negotiate a franchise agreement with TCI Cablevision for a period of six months at a rate of \$500.00 per month, and authorized the Mayor and City Clerk to execute the agreement on behalf of the City.

HOME Funds - Countrywood Apartments - On motion of Councilmember Larson, seconded by Councilmember Gilbreath, the application for support for

Advanced Real Estate Services' request for Federal HOME funds in the amount of \$1,086,477.00 from the Economic and Community Development Department of San Bernardino County for the rehabilitation of Countrywood Apartments was continued for two weeks for additional information, with Councilmember Cunningham voting NO as he did not support the request.

Agreement - USGS Stream Gauging Station - On motion of Councilmember Gilbreath, seconded by Councilmember Larson, the City Council approved a joint funding agreement to re-establish a United States Geological Survey (USGS) stream gauging station on Mill Creek by AYE votes of all present.

Contract - Redlands Community Music Association - On motion of Councilmember Gilbreath, seconded by Councilmember Larson, the City Council approved, by AYE votes of all present, entering into a 60 day contract with the Redlands Community Music Association for the implementation of a children's summer workshop. This will be the Redlands Community Music Association's third year to provide the children's summer workshops at the Community Center.

Funds - Fire Department Overtime - On motion of Councilmember Gilbreath, seconded by Councilmember Larson, the City Council approved, by AYE votes of all present, an additional appropriation in the amount of \$109,025.00 for the Fire Department overtime expense account (01-2101-1110). These funds were reimbursed to the City for mutual aid fires during the 1996-97 fiscal year.

Proclamation - Equal Parents Week - On motion of Councilmember Gilbreath, seconded by Councilmember Larson, the City Council approved issuance of a proclamation declaring July 28 through August 3, 1997, as Equal Parents Week for the Coalition of Parent Support, Inc. by AYE votes of all present.

COMMUNICATIONS

League of California Cities' Legislative Bulletin - Councilmembers concurred to continue lobbying our legislators to support AB 95, Local Property Tax Return.

NEW BUSINESS

Appointment - SBVMWD Water Advisory Commission - Councilmember Larson moved to appoint Councilmember Cunningham to serve as his alternate on the San Bernardino Valley Municipal Water District Water Advisory Commission and its technical advisory committee. Motion seconded by Councilmember Banda and carried by AYE votes of all present.

Appointment - Trails Subcommittee - Councilmember Cunningham announced that at their last meeting, the Parks Commission unanimously approved the request to re-constitute the Trails Subcommittee under the Parks Commission, and moved to recognize the Trails Subcommittee as a standing committee under the Parks Commission. Motion seconded by Councilmember Larson and carried by AYE votes of all present. It was noted the Parks Commission will appoint the members to serve on this subcommittee.

Live Oak Canyon Road v. Oak Glen Road - Councilmember Cunningham announced there is a request before the Yucaipa City Council to change the name of Live Oak Canyon Road to Oak Glen Road. Councilmember Cunningham felt it would become confusing and that there were safety implications involved. Police Chief Nelson and Fire Chief Enslow also expressed concerns noting the current signage is adequate. Councilmember Cunningham moved to direct staff to communicate our concerns to the City of Yucaipa and Caltrans relating to this matter. Motion seconded by Councilmember Gilbreath and carried by AYE votes of all present.

JOINT MEETING - CITY COUNCIL AND REDEVELOPMENT AGENCY

Resolution No. 5393 - Homes for Living, Inc. - Human Services Director Pettus reported that at the June 12, 1997, Housing Commission meeting, it was unanimously voted to recommend allocation of Redevelopment Agency set-aside funds in the amount of \$59,413.00 to Homes for Living, Inc. to help offset their expenditures. Homes for Living, Inc. is a non-profit corporation, organized by a group of citizens in the Redlands' area, whose interest is to build and/or rehabilitate homes for the developmentally disabled and handicapped persons from the Redlands Community. The proposed project is located at 1660 and 1666 Brookside Avenue. On behalf of Homes for Living, Inc., Don Nydam answered questions and clarified that both lots were donated. Mayor Larson said this was an outstanding project; Councilmember Cunningham felt this is what the City should be spending its money on. Councilmember Larson moved to adopt Resolution No. 5393, a resolution of the City Council of the City of Redlands authorizing the use of low- and moderate-income housing funds outside the Redlands Project Area. Motion

seconded by Councilmember Cunningham and carried by AYE votes of all present. (Also see Redevelopment Agency minutes dated July 1, 1997.)

Resolution No. 5394 - Casa de la Vista - Human Services Director Pettus reported that at the June 12, 1997, Housing Commission meeting, it was voted 5-1 in support of allocating Redevelopment Agency set-aside funds not to exceed \$700,000.00 to Casa de la Vista's "Senior Housing Two" project. The proposed project site will be located at the corner of Redlands Boulevard and Fern Avenue. Noting this project was an asset to the community, Councilmember Cunningham moved to adopt Resolution No. 5394, a resolution of the City Council of the City of Redlands authorizing the use of low- and moderate-income housing funds outside the Redlands Project Area. Motion seconded by Councilmember Banda and carried by AYE votes of all present. (Also see Redevelopment Agency minutes dated July 1, 1997.)

CLOSED SESSION

The City Council meeting recessed at 3:35 P.M. to a Redevelopment Agency meeting and reconvened at 3:36 P.M. to a closed session to discuss the following:

1. Conference with legal counsel: Anticipated litigation - Government Code Section 54956.9(b) and 54956.9(c)
 - Two cases
2. Conference with real property negotiator - Government Code Section 54956.8
Property: 1352 Prospect
Negotiating parties: Ronald C. Mutter and Gregory Pry
Under negotiation: Terms and price

The meeting reconvened at 7:00 P.M.

PRESENTATIONS

CVP 365 Club - Mayor Larson and Civilian Volunteer Patrolman James Stellar presented "365 Club" membership certificates. Mr. Stellar informed Councilmembers there are 56 CVP members donating approximately 2,000 hours monthly which adds up to approximately \$886,000.00 savings for the Police Department. Police Chief Nelson thanked Mr. Stellar for his loyal guardianship of the CVPs.

PUBLIC HEARING

Ordinance No. 2351 - Zone Change No. 364 - Public hearing was advertised for this time and place to consider Ordinance No. 2351, an ordinance adopting Zone Change No. 364, a change of zone from R-2 (Multiple Family Residential) District to A-P (Administrative Professional) District for 1.62 acres of land at the southwest corner of Fern Avenue and Redlands Boulevard (Redlands Senior Housing Two, applicant) as recommended by the Redlands Planning Commission. Mayor Larson declared the meeting open as a public hearing for any questions or comments concerning this change of zone. None being forthcoming, the public hearing was declared closed. Councilmember Cunningham moved to approve the Environmental Review Committee's Negative Declaration for Zone Change No. 364 and directed staff to file and post a Notice of Determination in accordance with the City's guidelines. Motion seconded by Councilmember Gilbreath and carried by AYE votes of all present. Ordinance No. 2351, 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. 364, was given its first reading of the title by City Clerk Poyzer, and on motion of Councilmember Cunningham, seconded by Councilmember Gilbreath, further reading of the ordinance text was waived, and Ordinance No. 2351 was introduced, by AYE votes of all present, and laid over under the rules with second reading scheduled for July 15, 1997.

UNFINISHED BUSINESS

Ordinance No. 2349 - Citrus Village Shopping Center - Ordinance No. 2349, an ordinance of the City of Redlands amendment Specific Plan No. 41 (Citrus Village Shopping Center) relating to hours of operation, was given its second reading of the title by City Clerk Poyzer, and on motion of Councilmember Larson, seconded by Councilmember Banda, further reading of the ordinance text was unanimously waived, and Ordinance No. 2349 was adopted by the following vote:

AYES: Councilmembers Gilbreath, Cunningham, Banda; Mayor Larson

NOES: None

ABSENT: Councilmember Gil

NEW BUSINESS (continued from afternoon session)

Resolution No. 5392 - 168 South Eureka Street - On behalf of the Redlands Conservancy, Bob Clark urged the City Council to support their request to continue the exploration of plans and funding sources for the renovation of 168 South Eureka Street. Councilmember Cunningham moved to adopt Resolution No. 5392, a resolution of the City Council of the City of Redlands declaring its

intention to continue exploration of plans and funding sources for the renovation of 168 South Eureka Street. Motion seconded by Councilmember Banda and carried by AYE votes of all present.

Initiative Petition Report - On May 12, 1997, an initiative petition containing 117 sections and an estimated 6,540 signatures entitled *An Initiative Ordinance of the People of Redlands Establishing Principles of Managed Development* was filed in the City Clerk's Office. The petition was transported to the Registrar of Voters in San Bernardino for examination of the signatures. City Clerk Poyzer reported the results of this examination as follows:

Number of registered voters residing within the City of Redlands:	37,226
Number of unverified signatures filed by the proponents:	6,502
Number of minimum signatures required for a sufficient petition pursuant to Section 9215 of the California Elections Code:	3,723
Number of sufficient signatures:	3,758
Number of insufficient signatures:	897
Number of insufficient signatures that were duplicates:	36

Based on this information, the petition was found to be sufficient. City Clerk Poyzer noted 1,847 signatures which were not needed to certify the petition were not examined at an estimated cost savings of \$1,600.00. Councilmember Cunningham moved to submit this initiative ordinance, without alteration, to the voters by ordering it on the November 4, 1997, ballot. Motion seconded by Councilmember Larson and carried by AYE votes of all present.

Resolution No. 5390 - General Municipal Election - City Clerk Poyzer presented Resolution No. 5390 which calls and gives notice of the General Municipal Election to be held on Tuesday, November 4, 1997, for the election of three Members of the City Council and the submission of an initiative petition entitled *An Initiative Ordinance of the People of Redlands Establishing Principles of Managed Development*. Councilmember Gilbreath moved to adopt Resolution No. 5390, a resolution of the City Council of the City of Redlands, California, calling and giving notice of the holding of a General Municipal Election and requesting the Board of Supervisors of the County of San Bernardino to consolidate said election with the election to be held on Tuesday, November 4, 1997. Motion seconded by Councilmember Larson and carried by AYE votes of all present.

Resolution No. 5391 - Ballot Arguments - City Clerk Poyzer noted that the City Council, or any member or members of the City Council authorized by the City Council, may submit a written argument for or against any measure, and presented Resolution No. 5391, a resolution of the City Council of the City of

Redlands setting priorities for filing a written argument. No action was taken on this matter.

Outside Utility Connections - Municipal Utilities Director Phelps said the City has received a completed application for water and sewer connections for Outside City Cases (OSC) 97-01, 02, 03, and 04 for four lots in Tract No. 13514 located east of Crafton Avenue on the north side of Nice Avenue in the Mentone area, approximately 1-¼ miles east and ½ mile south of the Redlands City Limits. Councilmember Cunningham moved to determine that OSC 97-01, 02, 03, and 04 for Lot Nos. 2, 4, 5, and 6 of Tract No. 13514 are consistent with the City of Redlands General Plan, and that the public health, safety and welfare and the best interests of the citizens of Redlands are served by the City's continued processing of the applications. Motion seconded by Councilmember Gilbreath and carried by AYE votes of all present.

Youth Baseball Program - Councilmember Cunningham reviewed concerns regarding the Community Field, i.e. restrooms in bad condition, inadequate lighting facilities, electrical charges, and the need to make arrangements regarding maintenance, fees and equity of the fees. Addressing these concerns were: Paul Collins, Shelley Collins, Mike Ramos, Nancy Bailey, Rich Trafton, and Dave Eason. Public Works Director Mutter said these capital improvements have been in the budget for the past three years but that the projects have been on hold since the demise of the Utility Users' Tax. Human Services Director Pettus indicated she would be happy to meet with the Baseball for Youth board members. Mayor Larson agreed with all statements made this evening but noted that the Utility Users' Tax was not successful and that staff would need to research a mechanism for funding. Councilmember Cunningham moved to direct staff to bring back a report showing the fiscal impact of lighting the fields and the renovation of the restrooms (at Community Field and Texonia Park), to set up a meeting with Southern California Edison personnel and the youth organizations representatives, and to re-explore contractual arrangements. Motion seconded by Councilmember Gilbreath and carried by AYE votes of all present.

Ordinance No. 2353 - Police Rotational Tow Regulations - Police Chief Nelson reported that a recent experience of revoking a "franchise" of a tow company under existing City ordinances demonstrated the cumbersome and difficult process required to take corrective action against a sub-standard tow company. In reviewing tow ordinances throughout the State, it was determined that the use of the CHP style tow agreement could streamline the City's tow regulations and provide additional protection to the City and its citizens. Paul Beagle, AB Towing, and Harold Anderson, L & L Towing, were present at this meeting and indicated they were pleased with the recommended legislation. Ordinance No. 2353, an ordinance of the City of Redlands amending Chapter 5.80 of the

Redlands Municipal Code relating to police rotational tow regulations, was read by title only by City Clerk Poyzer, and on motion of Councilmember Cunningham, seconded by Councilmember Gilbreath, further reading of the ordinance text was waived, and Ordinance No. 2353 was introduced, by AYE votes of all present, with Council approval and laid over under the rules with second reading scheduled for July 15, 1997.

Southeast Area Plan Section 2 - Councilmember Cunningham felt it was time to complete the Southeast Area Plan for Sector 2. Pat Meyer urged Council to process a General Plan Amendment which would eliminate the need for a Specific Plan as he felt this would be the simplest and cheapest way to accomplish what was needed. Councilmember Cunningham moved to instruct staff to move forward and study the options for the Southeast Area Plan Sector 2. Motion seconded by Councilmember Larson and carried by AYE votes of all present.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 8:10 P.M. The next regular meeting will be held on July 15, 1997.

City Clerk