

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 3:23 P.M. on January 6, 1998.

PRESENT

William E. Cunningham, Mayor
Geni A. S. Banda, Mayor Pro Tem
Pat Gilbreath, Councilmember
John L. Freedman, Councilmember
Gary George, Councilmember

Gary M. Luebbers, City Manager
Daniel J. McHugh, City Attorney
Lorrie Poyzer, City Clerk
Beatrice Sanchez, Deputy City Clerk
(evening session)
Michael Reynolds, City Treasurer
Jeffrey L. Shaw, Community Development Director
Bonnie Johnson, Finance Director
Mel Enslow, Fire Chief
Gary G. Phelps, Municipal Utilities Director
Cletus Hyman, Acting Police Chief
Ronald C. Mutter, Public Works Director

Joshua Lowe, Redlands Daily Facts
Courtney Challos, Press Enterprise
Monica Whitaker and Renee Hernandez, The Sun

ABSENT

None

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

Councilmember Freedman left the Council Chambers at 3:23 P.M. and returned at 3:25 P.M.

PRESENTATION

American Flags - Mr. Bill McCalmon, President of the Redlands 4th of July Committee, presented two 20 feet by 30 feet American flags for use on the Liberty Pole. The Redlands 4th of July Committee could not put on the finest celebration in the country without the assistance of the City services said Mr. McCalmon, and the Committee is pleased to provide the flags and will be making a substantial pledge towards the library tower project.

The City Council recessed at 3:30 P.M. and continued its special meeting regarding the implementation of Measure U, an initiative ordinance of the people of Redlands establishing principals of managed development, and reconvened the regular meeting at 3:55 P.M.

CONSENT CALENDAR

Minutes - On motion of Councilmember Gilbreath, seconded by Councilmember Freedman, the minutes of the regular meeting of December 16, 1997, were unanimously approved as submitted.

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

Contract Monitoring Reports - On motion of Councilmember Gilbreath, seconded by Councilmember Freedman, the contract monitoring report updated through December 29, 1997, as administered by the Public Works Department, was unanimously acknowledged as received.

Resolution No. 5443 - Cemetery Interment Fees - Following brief discussion, Councilmember Gilbreath moved to Resolution No. 5443, a resolution of the City Council of the City of Redlands relating to fees for cemetery interment, disinterment and reinterment services, as recommended by the Cemetery Endowment Task Force. Motion seconded by Councilmember Banda and carried unanimously.

Resolution No. 5445 - Disability Retirement - On motion of Councilmember Gilbreath, seconded by Councilmember Freedman, the City Council unanimously continued Resolution No. 5445 to the closed session portion of the meeting. At the end of the meeting that evening, Councilmember Gilbreath moved to adopt Resolution No. 5445, a resolution of the City Council of the City of Redlands determining that Chris Woodin, a local safety member of the Public Employees Retirement system, is incapacitated within the meaning of the Public Employees' Retirement Law for performance of his duties in the position of Police Lieutenant. Motion seconded by Councilmember Freedman and carried unanimously.

Funds - Heisner Pool - Community Services Manager Pettus reported the City's aquatics program, operated through the Recreation Division, offers a variety of water activities using pool facilities owned by the Redlands Unified School District. In addition to swimming lessons, polo and supervised swimming, therapeutic courses are offered for individuals suffering from arthritis and/or recovering from injuries and in need of physical therapy. Therapeutic classes are held at the Heisner pool, a warm water (88° - 92°) facility located at Mission

Elementary School. Over the past year, 55 percent of the classes offered have been canceled due to equipment breakdowns or malfunctions; since July 1997, the pool has only been open 30 days. Staff has attempted to replace parts and service the pool as time and budget permit. This has allowed the program to limp along, but has done nothing to resolve the real problem -- outdated equipment. Staff contacted school district personnel for assistance and was informed the City is the sole user of the facility. Teri Shira authorized the City to make repairs and upgrades as necessary; however they cannot commit to any long-term agreement for the future use of the pool. The City is responsible for all pool maintenance and operation. There are 40 participants in this program, 23 are residents of the City. It is estimated the program's net lost will be over \$20,000.00 this year. Estimates have been obtained for both equipment replacement and a monthly pool service. An additional appropriation in the amount of \$7,450.00 is necessary to repair and maintain the Heisner pool facility. Suzanne Dezah urged the City Council to continue funding this program. Councilmember Gilbreath moved to deny the additional appropriation request and discontinue subsidizing the program. The motion was seconded by Councilmember Freedman. Councilmember Cunningham desired to explore alternatives to provide the therapeutic classes. Following this discussion, the motion failed with Councilmembers Banda, George, and Cunningham voting NO. Councilmember George then moved to direct staff to study alternate sites or arrangements for this program. Motion seconded by Councilmember Banda and carried unanimously.

COMMUNICATIONS

Appointment - Library Board - Mayor Cunningham moved to nominate William T. Hardy, Jr. to a second three-year term on the Library Board. Motion seconded by Councilmember Banda and carried unanimously.

Investment Policy - This item was continued to January 20, 1998, as requested by the City Treasurer.

Redlands Crime Stoppers - Acting Police Chief Hyman explained that the *Redlands Crime Stoppers* program process is a community-policing initiative in that the Police Department provides the crime information and receives tipsters' information and a board of directors or panel, consisting of community volunteers, deciding reward amounts. In addition, the cash rewards are made possible through community donations - not City funds. Expressing her appreciation to staff for their efforts to implement this program, Councilmember Banda moved to approve the Police Department's creation of the *Redlands Crime Stoppers* program. Motion seconded by Councilmember George and carried unanimously.

JOINT MEETING - CITY COUNCIL AND REDEVELOPMENT AGENCY

Resolution No. 5444 - RDA Loan - Finance Director Johnson explained that as part of the funding plan for the Eureka Street Improvement Project, approved by the City Council on April 1, 1997, and in accordance with the 1996-97 adopted budget, the Redevelopment Agency was to contribute \$1,217,940.00 towards the Project. These funds were to be made available from the proceeds relating to the sale of two pieces of Redevelopment Agency-owned land. The sales were completed; however, the Redevelopment Agency is holding a note receivable on the Abrams property (Orange Street and Pearl Avenue) that was originally due April 23, 1997, and extended to January 15, 1998. As a result, on June 30, 1997, the Redevelopment Agency Capital Project Fund, having paid its full commitment, had a cash deficit of \$383,650.00. Historically, the General Fund has covered any cash deficiency in the form of a loan. This loan will have no financial or cash flow impact on the General Fund in as much as during 1996-97, the Redevelopment Agency Debt Service Fund repaid the General Funds \$383,650.00 of outstanding loans. It is recommended the City loan the Redevelopment Agency this amount in accordance with The California Committee on Municipal Accounting's white paper entitled "Accounting and Financial Reporting for Loans between California Cities and Related Redevelopment Agencies" issued in May 1996. The adoption of Resolution No. 5444 will alleviate an audit finding for the year ended June 30, 1997. Councilmember Gilbreath moved to adopt Resolution No. 5444, a resolution of the City Council of the City of Redlands documenting a loan from the City to the Redevelopment Agency. Motion seconded by Councilmember Banda and carried unanimously. (Also see Redevelopment Agency minutes for January 6, 1998.)

Resolution No. 5442 - Great Neighborhoods Program - Community Services Manager Pettus reported that staff has qualified additional participants in the Great Neighborhoods Program. Councilmember George moved to adopt Resolution No. 5442, 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 unanimously. (Also see Redevelopment Agency minutes for January 6, 1998.)

CLOSED SESSION

The City Council meeting recessed at 4:35 P.M. to a Redevelopment Agency meeting and reconvened at 4:36 P.M. to a closed session to discuss the following:

1. Conference with legal counsel: Existing litigation - Government Code Section 54956.9(a)
 - Leopold Wenezel et al v. City of Redlands et al - SCV 43189
 - Brickley et al v. City of Redlands
2. Conference with real property negotiator - Government Code Section 54958.8
Property - APN Nos. 294-111-08 and 176-121-02
Negotiating Parties - Brian Buoye, Eric K. Naftzer and Gary Phelps
Under Negotiation - Terms and Price
3. Conference with legal counsel: Personnel matter - Government Code Section 54957 (added by motion made under Consent Calendar)
4. Councilmember Gilbreath moved to add the following closed session items to the agenda which arose subsequent to the agenda being posted and with there being a need to take immediate action: "Conferences with legal counsel: Existing litigation - Government Code Section 54956.9(a): City of Redlands v. Majestic (SVC 38504) and City of Redlands v. County of San Bernardino/Majestic (SVC 34737 and SVC 33330)." Motion seconded by Councilmember George and carried unanimously.

The meeting reconvened at 7:00 P.M.

UNFINISHED BUSINESS

Barton House Renovation - In a memorandum dated December 30, 1997, Public Works Director Mutter reported he has recently spoken with Tom Ramirez of the County to determine the status of CDBG funds for the design and construction of improvements to the Barton House. The County has been holding this allocation for about two years. However, they are required to maintain no more than 1.5 times the authorized grants in reserve. If the funds are not spent, they are reallocated. A total of \$50,000.00 in CDBG funds is allocated: \$33,000.00 from the County and \$17,000.00 from the City's allotment. These funds can only be used for the purpose of design and construction of improvements to the Barton House. They cannot be used for master-planning of the grounds surrounding the house nor the Van Grouw Dairy. If these funds are used for the design of improvements, actual construction of improvements must occur within one year. The total estimate for improvements to the Barton House is currently in excess of \$1.0 million. The City will be required to commit to the completion of improvements to the house if the CDBG funds are used. Since all CDBG funding is subject to

Davis-Bacon Act provisions, any local funds used as a part of this project would also be subject to these provisions. Over the past year, staff has researched the potential of other grants for rehabilitation of the Barton House. No substantial grants have been available; even if some were available, a local share commitment would be necessary. Mayor Cunningham announced he had received a proposal from Leon Armantrout earlier in the day (copies were not available at this meeting) to initiate work on the Barton House. Mr. Armantrout, Ken King, and Paul McKelvey volunteered to work on this project, pro bono, and asked for \$5,000.00 to cover out-of-pocket expenses. Councilmember Cunningham moved to authorize Mr. Armantrout to proceed with the retro-fit for the Barton House utilizing the CDBG funds allocated for said project. Motion seconded by Councilmember Freedman. City Manager Luebbbers reminded Councilmembers of the restriction of the CDBG funds and advised them the \$5,000.00 would need to be an additional appropriation. Councilmember Cunningham's motion carried unanimously.

Resolution No. 5441 - Redlands Crossing Commercial Project - Resolution No. 5441, a resolution of the City Council of the City of Redlands certifying the Final Environmental Impact Report prepared for the Redlands Crossing Commercial Project has been completed in compliance with the California Environmental Quality Act (CEQA) and adopting a Statement of Facts, Findings and Overriding Considerations and Reporting and Monitoring Program for the project pursuant to CEQA, was continued to this time and place. City Attorney McHugh explained that earlier discussions by the City Council (see minutes of special meeting held on January 6, 1998, at 2:00 P.M.) indirectly affected consideration of this matter at this time in regards to Measure U. He explained that one of the issues discussed in the special meeting of the City Council was whether or not this project was subject to the Measure U requirement for the preparation of a socio-economic impact report and that there be a noticed public hearing on that report. The City Council decided that there should be a noticed public hearing which expressly made reference to Measure U and set a time frame in which that requirement must be noticed. Discussion among Councilmembers indicated it might be appropriate to withhold consideration of the EIR at this meeting and continue the matter until the Measure U hearing took place.

On behalf of Majestic Realty, Robert D. Crockett, Latham & Watkins, referenced a letter dated January 6, 1997(1998) which reiterated the objections raised to the Redlands Crossing project on December 16, 1997. Not understanding another delay, Ben Reiling, Redlands Crossing, stated he felt their socio-economic impact report had already been done and was included in their EIR, and that the EIR had been adequately noticed. Apologizing for the mechanics, Councilmember Freedman moved to continue this matter to January

20, 1998. Motion seconded by Councilmember Banda and carried unanimously.

PUBLIC HEARINGS

Ordinance No. 2369 - Redlands Crossing Development Agreement - Public hearing was continued to this time and place to consider approval of Development Agreement No. 10 for the proposed Redlands Crossing retail development which consists of approximately 460,000 square feet of building area on approximately 47 acres generally located at the northeast corner of the Interstate 10 and Route 30 Freeways, south of Lugonia Avenue and west of New York Street. Mayor Cunningham declared the meeting open as a public hearing for any further comments. None being forthcoming, Councilmember Cunningham moved to continue this public hearing to January 20, 1998. Motion seconded by Councilmember Banda and carried unanimously.

Resolution No. 5439 - Historic Resource - Public hearing was advertised for this time and place to consider the recommendation of the Historic and Scenic Preservation Commission to designate The Wheeler House, now located at 505 South Fourth Street, as Historic Resource No. 97. Community Development Director Shaw explained the applicant is requesting a historic designation on the house that was recently moved from 631 East Citrus Avenue to 505 South Fourth Street. This request would make the structure a Historic Resource as defined by Section 2.62 of the Redlands Municipal Code. Mayor Cunningham declared the meeting open as a public hearing for any questions or comments concerning this matter. None being forthcoming, the public hearing was declared closed. Councilmember Banda moved to approve the designation of Historic Resource No. 97 subject to the required findings and to adopt Resolution No. 5439, a resolution of the City Council designating a historic property (Historic Resource No. 97). Motion seconded by Councilmember George and carried unanimously.

Ordinance No. 2368 - Specific Plan No. 40 Amendment - Public hearing was advertised for this time and place to consider an amendment to Section 4.0201 of the East Valley Corridor Specific Plan which pertains to the parking requirements for theaters, auditoriums, stadiums, sports arenas, gymnasiums, and other places of public assembly. Community Development Director Shaw explained the applicant, Timberlake Properties, has submitted a proposal to change the East Valley Corridor Specific Plan's parking standards for theaters to make it consistent with Specific Plan No. 45 (Downtown Specific Plan) and the Redlands Municipal Code. The applicant has an approved Planning Commission Review and Approval (Cities Pavillion) for a theater complex which is part of Concept Plan No. 4, located west of Karon Street and south of San Bernardino Avenue. Concept Plan No. 4 refers to the East Valley Corridor

Specific Plan for parking requirements. Therefore, the applicant is desirous of modifying the Specific Plan so that it reflects requirements for multi-plex theaters rather than single screen facilities. This change will also provide for consistency between the East Valley Corridor Specific Plan, the Redlands Municipal Code, and Specific Plan No. 45. On December 9, 1997, the Planning Commission recommended approval of Amendment No. 11 to Specific Plan No. 40. Mr. Shaw then explained in detail the applicant's request.

Mayor Cunningham declared the meeting open as a public hearing for any questions or comments. Robert D. Crockett, Latham & Watkins, stated that an adequate environmental review should have been taken on this amendment. Community Development Director Shaw explained that the staff's review of the Environmental Negative Declaration was appropriate under the General Rule exemption as staff found no adverse impact on the environment. There being no further comments, Mayor Cunningham declared the meeting closed as a public hearing.

Ordinance No. 2368, an ordinance of the City of Redlands amending Section 4.0201 of Specific Plan No. 40 relating to parking requirements for theaters and auditoriums, was read by title only by City Clerk Poyzer, and on motion of Councilmember George, seconded by Councilmember Banda, further reading of the ordinance text was unanimously waived, and Ordinance No. 2368 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for January 20, 1998.

Ordinance No. 2370 - Sign Code - Public hearing was advertised for this time and place to consider Ordinance No. 2370, an ordinance of the City of Redlands amending Chapter 15.36 of the Redlands Municipal Code relating to signs. On November 12, 1997, the Planning Commission unanimously recommended approval of the revised Sign Code. The majority of the Planning Commission (4-3) did not support provisions of freeway-oriented signs for theme parks and they are not part of this proposal. Community Development Director Shaw reported the City Council initiated the process of amending the City's Sign Code on March 19, 1996, by appointing a Sign Ad Hoc Committee with 14 members to review issues and make recommendations to be incorporated into a Draft Sign Code. The Committee consisted of two Councilmembers (Swen Larson and Bill Cunningham), two Planning Commissioners (Diane Christensen and George Webber), a sign representative (Tim Heemstra), and representatives from the business community, residents, and Chamber of Commerce (Ray Alexander, William Belden, Ann Bryan, Chris Glaze, James MacDonald, Rolland Moore, Rufus Moore, Tim Murone, and Steve Rieger). The Committee met from June 1996 to January 1997 in eleven workshops that were open to the public. The agendas were published in local newspapers and there were representatives from the public at most of the meetings. The Committee

reviewed policies and issues pertaining to signs in the following areas: are signs for identification or advertising; signage for regional malls; signs for power centers; sign for theaters; signs for entertainment/theme parks; code enforcement of sign regulations; temporary signs to include balloons and searchlights; flexibility in administering the Code; multi-tenant signs in shopping centers; signs for apartments; real estate signs; sign measurements; use of neon; signs for service stations; signs for the University of Redlands; and sandwich board signs. Community Development Director Shaw reviewed the committee's findings and recommendations. Staff took the recommendation from the Committee and incorporated these recommendations into a proposed draft sign ordinance. Staff made other changes to make the document easier to use and understand, clarified areas of the Code where ambiguities have existed in the past, and addressed legislative and legal changes that have occurred over the years. The draft sign ordinance was then presented to the Planning Commission at a number of study sessions and public hearings. The Planning Commission accepted most of the recommendations from the Sign Ad Hoc Committee, however it added a significant section as it pertains to regional shopping centers. The Sign Code, presented at this meeting, is the end result of the hearings and recommendations of the Sign Ad Hoc Committee and Planning Commission. Mr. Shaw recommended the City Council provide policy direction to staff regarding the proposed sign ordinance especially as it pertains to implementing the General Plan (in particular provisions of Measure U which was approved by the voters on November 4, 1997), and continue this public hearing to January 20, 1998, to allow staff to incorporate any modifications.

Mayor Cunningham declared the meeting open as a public hearing for any questions or comments regarding the proposed sign ordinance. Judy Miller, a local realtor, told Councilmembers that sign code enforcement was very important to have a level playing field for all realtors. Bryan Wolfe, architect for the Redlands Crossing project, showed examples of regional shopping center sign program and requested a modification of the proposed language. Pat Meyer, Urban Environs, thanked the Sign Code Ad Hoc Committee members and staff for a "real yeoman effort" on the preparation of this Sign Code. He also felt Community Development Director Shaw had come with an ideal resolution to comply with Measure U. Brook Morris, Majestic Realty, addressed several concerns for regional shopping centers. Councilmember Gilbreath asked for several clarifications. Councilmember Freedman moved to continue this public hearing to February 3, 1998. Motion seconded by Councilmember Banda and carried unanimously.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 8:04 P.M. to an adjourned regular meeting to be held on January 13, 1998, at

11:00 A.M. in the Council Chambers, Civic Center, 35 Cajon Street, Redlands, California.

City Clerk