

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 September 15, 1998.

CLOSED SESSION

This being the time set for a regular meeting of the City Council of the City of Redlands and there being no quorum present, the City Clerk declared the meeting adjourned to 6:30 P.M. for a closed session for the following purpose:

Conferences with legal counsel - Existing litigation - Government Code Section 54956.9(a)

- Majestic Realty Company v. City of Redlands
(Case Nos. SCV 49347 and 51027)
- Majestic Realty Company v. City of Redlands
- Carillo v. Lockheed Martin Corporation (10 lawsuits)
- Holden v. City of Redlands

The meeting reconvened at 7:07 P.M. with an invocation by Mayor Pro Tem Banda followed by the pledge of allegiance.

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
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, Deputy Police Chief
Ronald C. Mutter, Public Works Director

ABSENT

None

CONSENT CALENDAR

Minutes - On motion of Councilmember Freedman, seconded by Councilmember George, the minutes of the regular meeting of September 1, 1998, were approved as submitted.

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

Planning Commission Actions - On motion of Councilmember Freedman, seconded by Councilmember George, the report of the Planning Commission meeting held on September 8, 1998, was acknowledged as received.

Conflict of Interest Code - On motion of Councilmember Freedman, seconded by Councilmember George, the City Council unanimously acknowledged review of its Conflict of Interest Code in accordance with Government Code Section 87306.5, finding the following amendments are necessary at this time, and directed staff to prepare the legislation necessary: Include Deputy City Attorney and Deputy Fire Chief as new positions; eliminate former positions Fire Division Chief and Legal Assistant; and amend Resolution No. 5518 to incorporate current provisions required by government Code Section 87302 (Political Reform Act of 1974 as amended to January 1, 1998).

Resolution No. 5558 - Traffic - On motion of Councilmember Freedman, seconded by Councilmember George, the City Council unanimously adopted Resolution No. 5558, a resolution of the City Council of the City of Redlands establishing the following traffic regulations pursuant to Title 10 of the Redlands Municipal Code: designate a passenger loading zone 50 feet long on the east side of Indiana Court fronting 1210 Indiana Court.

Resolution No. 5559 - Traffic - On motion of Councilmember Freedman, seconded by Councilmember George, the City Council unanimously adopted Resolution No. 5559, a resolution of the City Council of the City of Redlands establishing the following traffic regulations pursuant to Title 10 of the Redlands Municipal Code: Establish speed limit on Pioneer Avenue between Texas Street and 700 feet east of Occidental Drive.

Release of Lien - 121 South Center Street - On motion of Councilmember Freedman, seconded by Councilmember George, the City Council unanimously authorize the release of a Lien Agreement to Secure Construction of Public Improvements (dated December 20, 1971) for property located at 121 South Center Street (Assessor's Parcel No. 171-231-04), and to cancel all requirements for street improvements specified in the lien agreement.

Lease Agreement - Community Policing Station - On motion of Councilmember Freedman, seconded by Councilmember George, the City Council unanimously authorized the Mayor and City Clerk to sign a lease agreement with Center Development for the rental of property at 406 Orange Street (Orange Street Plaza, also known as Albertson's) for use as a Community Policing Station at \$1.00 a year for a two year lease.

JOINT PUBLIC HEARING - CITY COUNCIL AND REDEVELOPMENT AGENCY

Resolution No. 5554 - Sale of RDA Property - City Manager Luebbers reported that at its August 4, 1998, closed session, the Redevelopment Agency Board of Directors gave instructions to its negotiator regarding the proposed terms and price for sale of the property located at the southwest corner of Orange Street and Pearl Avenue (Assessor's Parcel No. 169-201-50) owned by the Redevelopment Agency to Golison Development. The details of the transaction were included in a purchase and sale agreement and escrow instructions provided to the City Council. Revenue to the Redevelopment Agency totals \$460,000.00 less escrow and recording fees. Mayor Cunningham declared the meeting open as a public hearing for any questions or comments regarding the sale of this property. None being forthcoming, the public hearing was declared closed. Councilmember George moved to adopt Resolution No. 5554, a resolution of the City Council of the City of Redlands approving the execution of a purchase and sale agreement and escrow instructions between the Redevelopment Agency of the City of Redlands and Golison Development. Motion seconded by Councilmember Banda and carried unanimously. Mayor Cunningham asked staff to bring back legislation for the City Council to consider at the October 6, 1998, meeting to declare this project exempt from provisions of Measure U. (Also see Redevelopment Agency minutes dated September 15, 1998.)

COMMUNICATIONS

Legislative Bulletin - No discussion.

909 Area Code - In recent years, a combination of new technologies, increased consumer demand, and the opening of local telephone markets to competition has strained existing telephone number resources. Each new request for telephones, pagers, fax machines, cellular phones, PCS, modems, or other services depletes the existing supply of telephone numbers. As a result, telephone number shortages have occurred and area code relief is required. This unprecedented demand for more numbers will require the 909 area code to be split with a new number becoming available as early as February 2000. Councilmember Freedman attended a public meeting and shared the information he had received and briefly explained the complicated process involved to split

the 909 area code and the six proposed plans presently under consideration by the California Public Utilities Commission. Alternative 9B will leave the largest portion of the County of San Bernardino boundaries, including Redlands, with the 909 area code. It will add a new area code to the Upland, Ontario, and Chino area and will have the least impact to the County and its constituents. Councilmember George moved to direct staff to write to the Public Utilities Commission and Lockheed Martin IMS to advise them the City of Redlands' preference and endorse Alternative 9B. Motion seconded by Councilmember Freedman and carried unanimously.

Measure U - Fern Lodge Project - The American Baptist Homes of the West (ABHOW) requested a City Council interpretation of Measure U as it applies to the Fern Lodge project. This proposed project is a 62-unit one-bedroom apartment complex for low and very low income seniors to be located at the southwest corner of Redlands Boulevard and Fern Avenue. ABHOW has received a 202 grant from the Housing and Urban Development in the amount of \$4,967,000.00 and an allocation of \$566,285.00 in Redevelopment Agency set-aside funds (see Resolution No. 5552 approved September 1, 1998). Mayor Cunningham reviewed the allowable exemptions of the socio-economic study and traffic requirements under Measure U, and felt that this non-profit project for congregate care with common dining room qualified for the exemption and moved to approve ABHOW's request. Motion seconded by Councilmember Banda and carried unanimously.

UNFINISHED BUSINESS

Citrus Plaza - Tim Chaikovsky, Redlands Joint Venture, and Brook Morris, Majestic Realty Company, presented an overview of their proposed Citrus Plaza project which is to be located between San Bernardino and Lugonia Avenues, and Alabama Street and State Route 30. Mr. Morris reviewed the project and the enhancements made to its design and landscaping reflecting comments received (less palm trees, more shade trees, decorative tile, upgrade of light fixtures, and other architecture treatments). Mr. Chaikovsky reviewed the specifics of the proposed development agreement, noting their two major concerns were the implementation of Measure U and resolution of the donut hole pre-annexation agreements. He explained that inclusion of a movie theater is necessary for a good quality project. He showed charts showing the estimate of development fees to be derived by the City totaling \$9,744,079.00 and estimate of annual revenues to be derived by the City totaling \$3,600,000 (based on 1994 dollars) and their proposed distribution of the Phase I voluntary incentive contribution (AYSO soccer fields: \$300,000.00; Fire Station No. 1: \$200,000.00; Community Field Restrooms: \$20,000.00; the Redlands Community Music Association's Mission Gables restoration project:

\$200,000.00; and downtown revitalization: \$280,000.00 for a total of \$1,000,000.00.)

Hampton Heights Development Agreement Proposal - The developers of the Hampton Heights project, a development of a master planned residential/golf course community consisting of approximately 527 units on 465 acres of property located in the Crafton Hills within the Redlands' sphere of influence, presented a draft development agreement and schedule for its negotiation and implementation. Mayor Cunningham stated he has not seen any details of the project and that it seemed premature to start negotiating a development agreement prior to processing the environmental review. Community Development Director Shaw reported the environmental application was not complete as filed. Councilmember Freedman said he would like to see a concept presentation first.

Rideshare Budget - Finance Director Johnson presented an analysis showing a five year recap of the City's Air Quality funds received pursuant to AB 2766. These funds are currently being allocated to the City's Rideshare Program, the City Hall On-Line project, and a smog mechanic. These are all acceptable AB 2766 expenditures. Mayor Cunningham said the State is removing support of rideshare programs and he wanted more information regarding the City's program, i.e. how many participants and implementation in order to examine what we can do that would be most effective. Several letters from City employees were received urging the City Council to continue the rideshare program currently in use. On behalf of the Redlands Professional Fire Fighters and City rideshare participants, Darrell Feuerhahn told Councilmembers the program is quite successful in Redlands and participants feel they are contributing to smog reduction in our valley. He urged City Council to continue the rideshare program. Councilmember Freedman thanked the participants for their commitment. Councilmember George assured the employees he was not trying to pirate funds for the trolley car proposal as he is looking to other sources for funding. Councilmember Banda thanked employees for their input as it was very helpful. Councilmember Cunningham's motion to direct staff to survey neighboring cities to see what mechanisms they use and to prepare an informative report on Redlands' program and return to the City Council in one month was seconded by Councilmember Freedman and carried unanimously

NEW BUSINESS

Development Impact Fees Note - William Caronna, Donna Caronna, Rick Dischinger, and Debbie Dischinger have requested the City Council consider financing for water and sewer development impact fees for their micro brewery to be located at 19 East Citrus Avenue. Staff recommended the following terms: no down payment, payments to commence 30 days after opening of the business, a maximum amortization period of 36 months, and an interest rate equal to prime plus one percent (or 9.5 percent). Councilmember Freedman moved to approve a development impact fee financing agreement (a "note") between the City of Redlands and the tenants for the Brickhouse Brewery in the amount of \$88,800.00 to be amortized over a 36 month period as recommended by staff, subject to review and preparation by City Attorney. Motion seconded by Councilmember Cunningham and carried unanimously.

East Valley Corridor Specific Plan Amendment - Councilmember Cunningham moved to direct staff to examine the development standards of the City of Loma Linda and the County of San Bernardino in the CSA 110 area (East Valley Corridor Specific Plan) to see if the City of Redlands is consistent. Motion seconded by Councilmember Banda and carried unanimously.

Resolution No. 5560 - Nuisance Abatement - A hearing was advertised for this time and place to consider the declaration of the property located at 707 East Colton Avenue as a public nuisance and to order the abatement by the City of Redlands. Community Development Director Shaw said this matter should be continued for re-noticing for the October 6, 1998, meeting. This was agreeable to Councilmembers.

Resolution No. 5561 - Nuisance Abatement - A hearing was advertised for this time and place to consider the declaration of the property located at 107 East San Bernardino Avenue as a public nuisance and to order the abatement by the City of Redlands. Community Development Director Shaw said this matter should be continued for re-noticing for the October 6, 1998, meeting. This was agreeable to Councilmembers.

PUBLIC COMMENTS

United Donut Hole Owners Property Association - On behalf of the United Donut Hole Owners Property Association (UDHOPA), Keith Cunningham asked what the mechanism and procedure was to sit down and negotiate the proposed pre-annexation agreements presented at the last City Council meeting held two weeks ago. He did not want to procrastinate until it was too late to proceed at the continued LAFCO hearing.

Accolades - TV Crew - Councilmember George expressed appreciation to Bob Ettleman who is volunteering his time to direct the televising of the City Council meetings on cable television. Other members of tonight's TV crew were also recognized: Cheryl Entler, Assistant Director; Rod Laboni, Assistant Director, Cory Elgin, cameraman; Arron Godard, cameraman; and Jesse Ludikhuize, cameraman. Each member of the TV crew is volunteering their time. All were thanked for their efforts, especially Mr. Ettleman who has also, on his own time, interviewed and trained the high school students.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 8:23 P.M . The next regular meeting will be held on October 6, 1998.

City Clerk