

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 June 15, 1999.

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
Michael Reynolds, City Treasurer
Jim Bueermann, Police Chief
Mel Enslow, Fire Chief
(afternoon session only)
John Habant, Deputy Fire Chief
(evening session only)
Bonnie Johnson, Finance Director
Ronald C. Mutter, Public Works Director
Gary G. Phelps, Municipal Utilities Director
Jeffrey L. Shaw, Community Development Director

ABSENT None

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

RECOGNITION

Public Education Award - National Fire Protection Association - Fire Chief Enslow announced Fire Marshal Leonard Temby received the prestigious *Rolf H. Jensen Partner in Public Education Award* from the National Fire Protection Association on May 17, 1999, in Baltimore, Maryland. Acknowledging this was well desired recognition, Mayor Cunningham said he was immensely proud of Mr. Temby and his accomplishments, his most recent being the development of the Fire Demonstration Park located within Ford Park.

PRESENTATION

CVP 365 Club - Mayor Cunningham, Police Chief Bueermann, and Civilian Volunteer Patrolman James Stellar presented "365 Club" membership certificates to its 35 members. Mayor Cunningham thanked Mr. Stellar for his ability and willingness to serve the community in this capacity and expressed his pride that the Redlands Police Department is so involved in the community.

CONSENT CALENDAR

Minutes - On motion of Councilmember Gilbreath, seconded by Councilmember Banda, the minutes of the regular meeting of June 1, 1999, were approved as submitted.

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

Planning Commission Actions - Responding to neighborhood concerns, Councilmember George moved that the City Council appeal the Planning Commission's decision on June 8, 1999, to approve Conditional Use Permit No. 688 for a billiard room in the C-2 (Neighborhood Convenience) District at 1544 Orange Street (Ezequiel Ocampo, applicant). Motion seconded by Councilmember Banda and carried unanimously.

Environmental Review Committee - On motion of Councilmember Gilbreath, seconded by Councilmember Banda, the tentative agenda for the Environmental Review Committee meeting to be held on June 28, 1999, was acknowledged as received.

Funds - Contract - Resolution No. 5660 - ABC Grant - Police Chief Bueermann explained the Department of Alcoholic Beverage Control "Grant Assistance to Local Law Enforcement Project" is a grant made available to local law enforcement agencies to address issues involving alcoholic beverages. Councilmember Banda moved to adopt Resolution No. 5660, a resolution of the City Council of the City of Redlands accepting the Department of Alcoholic Beverage Control Grant Assistance to Local Law Enforcement Agencies Project Grant; authorized the Mayor and City Clerk to execute the contract allowing the Police Department to participate in the grant project; and authorized an additional appropriation of \$65,200.00 to the Police Department to fund the grant project activities. Motion seconded by Councilmember Freedman and carried unanimously.

Agreement - Colton Avenue and Wabash Avenue Right-of-Way - On motion of Councilmember Gilbreath, seconded by Councilmember Banda, the City Council unanimously approved an agreement regarding purchase of fee interest (Assessor's Parcel No. 299-011-19, 716 North Wabash Avenue, \$2,150.00) between Michael S. and Linda M. Palmer and the City of Redlands for acquisition of right-of-way at Colton Avenue and Wabash Avenue, and authorized the Mayor and City Clerk to sign the agreement on behalf of the City.

Settlement Agreement - South Mountain Water Company - On motion of Councilmember Gilbreath, seconded by Councilmember Banda, the City

Council unanimously ratified the settlement agreement between Roxanne Carpenter and Ray Rasmussen and South Mountain Water Company, Inc., City of Redlands and Michael L. Huffstutler, and authorized the Mayor and City Clerk to execute the agreement on behalf of the City. Mr. Rasmussen had brought suit against the South Mountain Water Company challenging his eviction from South Mountain's "Bibleland" property several years ago, but as the case was set to go to trial, he agreed to accept the standing offer of settlement for \$5,000.00.

Joint Defense Agreement Amendment - Cities Pavillion - On motion of Councilmember Gilbreath, seconded by Councilmember Banda, the City Council unanimously approved an amendment to the "Joint Defense Agreement" whereby Timberlake Group International Inc. (the Cities Pavillion project) would pay the defense for and indemnify the City against any damages in the third lawsuit filed by Majestic Realty against the City and Timberlake, and authorized the Mayor and City Clerk to execute the amendment on behalf of the City.

Pre-Annexation Agreement No. 98-03 - Tract No. 13768 - This item was removed from the agenda. (correction made June 21, 1999)

Resolution No. 5653 - Fees - On motion of Councilmember Gilbreath, seconded by Councilmember Banda, the City Council unanimously adopted Resolution No. 5653, a resolution of the City of Redlands establishing processing fees for the Community Development Department for surface mining and reclamation plan processing.

Contract Award - Airport Well No. 2 - Bids were opened and publicly declared on May 13, 1999, by the City Clerk for the construction of the pump and electric motor for Airport Well No. 2, Project No. 4-9981A; 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 for the City was Bakersfield Well and Pump in the amount of \$33,243.00, 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 Banda, this recommendation was unanimously approved and the Mayor and City Clerk were authorized to sign the contract on behalf of the City.

Grant Application - Public Housing Drug Elimination Funds - On motion of Councilmember Gilbreath, seconded by Councilmember Banda, the City Council unanimously authorized execution by the Mayor and City Clerk a grant application in collaboration with the Housing Authority of the County of San Bernardino enabling the Police Department to participate in the Public Housing Drug Elimination Funds Grant which will provide funds for above baseline services by the Police Department in Housing Authority projects.

Caltrans Proposal - Concrete Median Barrier - Caltrans has proposed to construct a concrete median barrier along the center of the I-10 Freeway between Orange Street and Wabash Avenue. The construction of the median barrier will include installation of a drainage structure in the center of the freeway and paving both sides of the median barrier out to the existing travel lanes. In order to install these improvements, the existing oleander bushes must be removed although the existing palm trees will be retained. Caltrans has asked if the City of Redlands has any objections to this project. Councilmember Freedman noted the concrete barrier would be a magnet for trash and dirt and that he would prefer to maintain the "green" look. Following brief discussion, Councilmember Freedman moved to express the City Council's stringent objection to this proposal and urged Caltrans to preserve the oleanders and palm trees. Motion seconded by Councilmember Banda and carried unanimously.

COMMUNICATIONS

City Manager's Report - City Manager Luebbers reported he and the Mayor met with representatives of ESRI, Krikorian Theatre, and the University of Redlands at which time they heard a lot of interest and support for a hotel in downtown. City Manager Luebbers also announced the County Board of Supervisors approved the General Plan Amendment relating to spheres of influence this morning. Councilmembers expressed their disappointment in this action.

Relocation of Regional Mall Site Designation - In light of the action taken earlier today by the County Board of Supervisors eliminating the cities' influence over development in their own spheres of influence, Councilmember Freedman moved to direct staff to undertake the appropriate process to affect the movement of the regional mall designation in the East Valley Corridor Specific Plan and, if appropriate, the General Plan from its current location on the 30 Freeway to that area north of the I-10 Freeway and west of California Street. Motion seconded by Councilmember Banda and carried with Councilmember Gilbreath voting NO.

Appointment - Recreation Commission - Mayor Cunningham moved to nominate Michael Schneider for reappointment to the Recreation Commission for another four-year term. Motion seconded by Councilmember Banda and carried unanimously.

Appointments - Mobile Home Rent Review Board - Mayor Cunningham moved to nominate Roger Thompson, currently an alternate member of the Mobile Home Rent Review Board, to regular member status, and Matthew J. Mailberger to the Mobile Home Rent Review Board. Motion seconded by Councilmember Banda and carried unanimously.

Handicapped Seating - Redlands Bowl - The Redlands Community Music Association (RCMA) has requested the City approve and expedite the removal of the extreme right and left front seats at the Redlands Bowl to accommodate use by handicapped individuals utilizing wheelchairs. The RCMA suggested these locations as they are in the front of the amphitheater and would be better than the existing seating near the rear. RCMA also requested that the row of seats immediately to the rear of the seating removed be painted blue for use by individuals accompanying or attending the handicapped individuals. Public Works Director Mutter reported the Park Commission unanimously recommended support of this request at their June 10, 1999, meeting. Councilmember Cunningham moved to approve this request. Motion seconded by Councilmember Banda and carried unanimously.

Brickhouse Brewery & Restaurant Fee Payment - City Manager Luebbers presented a proposal from the owners of the Brickhouse Brewery & Restaurant to make interest-only payments on their debt to the City for a period of one year and then begin full payments commencing one year from the date of this proposal. Following brief discussion, Councilmember Banda moved to approve an agreement with the owners of the Brickhouse to pay interest only on their debt to the City for a period of one year commencing on the date of the next payment due, and return to principal and interest payments one year from that date. Motion seconded by Councilmember Gilbreath and carried unanimously.

Subordination Agreement - 1624 Alessandro Road - A request has been received from Fred and Diane Kasischke to subordinate an existing lien providing for future improvement of portions of Sunset Drive and Alessandro Road, including street construction, sidewalk, street lights and sewer facilities as required under the conditions of approval of Tract No. 12808. Public Works Director Mutter reported the City Council adopted Resolution No. 4743 on February 19, 1991, establishing a policy on subordination agreements. The policy provides that the City Council review such requests and determine if the improvement lien is to be subordinated. Staff has considered an alternative to this policy of subordinating liens, especially in light of the relatively small amount of the lien versus the amount of the refinancing. Staff suggested that the City Council adopt a policy of requiring liens to be paid in full at the time of refinancing or other action that would require a subordination agreement. Funds would be deposited into the appropriate development impact account and the lien on the subject property would be released. Mr. and Mrs. Kasischke urged approval of their request. Mayor Cunningham noted the likeliness of installing sewers in this tract is minimal and suggested holding that portion of the lien in abeyance and collecting the remainder of the lien for the other improvements. This was agreeable to the Kasischkes. Councilmember Cunningham moved to collect the differential and subordinate the remainder portion for sewer. Motion seconded by Councilmember Banda and carried unanimously. Councilmember George asked staff to develop a policy to collect

these funds and place them in an interest-bearing fund so that future costs could be covered.

Agreement - Neighborhood Initiative Program Funds - City Manager Luebbers reported that San Bernardino County has been awarded \$15,000,000.00 in Federal Initiative Funds to preserve and revitalize neighborhoods in the Cities of San Bernardino, Redlands, and Highland. These funds are to be used to implement the Neighborhood Initiative Program. San Bernardino County shall serve as the lead agency for implementation where they have existing programs. Mr. Luebbers noted we are the only city to receive funds for infrastructure (Herald Street) as we already have a program in place. As a matter of procedure, the County requires the appointment of a Neighborhood Initiative Program Administrator and fiscal contact. It was recommended Community Services Division Manager Marjie Pettus serve in this capacity. Councilmember George moved to approve the Cooperative/Delegate Agency Agreement between the County of San Bernardino and the City of Redlands for use of Neighborhood Initiative Funds, and authorized the Mayor and City Clerk to execute the agreement on behalf of the City. Motion seconded by Councilmember Banda and carried unanimously.

Ballot Measures - General Plan Amendment - Mayor Cunningham presented several issues to amend the General Plan that he felt should be placed on the ballot for the voters consideration in November, 1999: restoration of the annual limitation on residential development as contained in Measure N; trading higher density in Planned Residential Developments; allowing four-fifths vote, without findings, to rezone the area north of the I-10 Freeway and east of Mountain View Avenue and west of California Street, to density other than R-E; confirm the R-L designation and require findings to change; confirm protection of historic and scenic streets; traffic concerns to address preservation of the Sunset Drive/Alessandro Road intersection and Alessandro Road as a local collector, rural street standards in rural areas, traffic calming street design, designation of downtown as a destination not a commuter route, and not allow new streets to connect to Sunset Drive from the south; adoption of historic preservation incentives for properties identified by the Historic and Scenic Preservation Commission; and consideration to allow a "reader board" exclusively for an auto mall. Councilmember Gilbreath expressed dismay that she had not received this information until after the meeting convened and stated she needed more time to evaluate these issues. Councilmembers discussed each item concurring that the "reader board" question should be a separate ballot measure. Staff was directed to prepare the necessary documentation for the City Council's review on June 29, 1999.

Councilmember Banda presented another issue for the November ballot regarding the San Timoteo Canyon. Citing a possible of interest, Mayor Cunningham left the Council Chambers. Mayor Pro Tem Banda suggested a change in Measure U to establish a designated residential density to R-L in the

Resource Preservation area from the west end of the San Timoteo bridge south with the exception of Sector 2 of the Southeast Specific Plan. Mrs. Banda felt this would better meet the goals of preservation while allowing for appropriate development. Following her presentation, Councilmember Banda moved to direct staff to prepare the necessary documentation for inclusion as a separate issue on the November, 1999, ballot. Motion seconded by Councilmember Freedman and carried with Councilmember Gilbreath voting NO and Councilmember Cunningham abstaining.

JOINT MEETING - CITY COUNCIL AND REDEVELOPMENT AGENCY -

Resolution No. 5661 - Great Neighborhoods Program - Councilmember Banda moved to adopt Resolution No. 5661, 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 for the Great Neighborhoods Program to implement an additional four participant agreements which will be acted upon by the Board of Directors of the Redevelopment Agency. Motion seconded by Councilmember Freedman and carried unanimously. (Also see Redevelopment Agency minutes for June 15, 1999.)

CLOSED SESSION

The City Council meeting recessed at 4:42 P.M. to continue the Redevelopment Agency meeting and reconvened at 4:43 P.M. to a closed session for the following purpose:

1. Conference with legal counsel: existing litigation - Government Code Section 54956.9(a) - Claim of Mark and Karen Osburn

The meeting reconvened at 7:00 P.M.

LATE BREAKING ITEM

City Manager Luebbers reported the League of California Cities called during the afternoon session, and he desired to inform Councilmembers of the message. Councilmember Banda moved to add this matter to the agenda which arose subsequent to the agenda being posted. Motion seconded by Councilmember Freedman and carried unanimously. City Manager Luebbers was informed by telephone that the City should monitor Assembly Bill 1553, sponsored by Calderon, which is scheduled to be discussed in the Senate on July 14, 1999. Although there is no language at this time relating to the "donut hole" it is thought that this will be the vehicle to change LAFCO legislation which will affect the "donut hole" and all cities' spheres of influence. Following discussion, Councilmember Banda moved to direct staff to monitor this bill and take any actions necessary that would be in the best interest of the City. Motion seconded by Councilmember Freedman and carried unanimously.

PUBLIC HEARINGS

Resolution No. 5612 - Landscape Maintenance District No. 1 - Public hearing was advertised for this time and place to consider Resolution No. 5612, a resolution of the City Council of the City of Redlands ordering the maintenance of improvements in Landscape Maintenance District No. 1, giving final approval of the Engineer's Report, and confirming the assessment for the 1999-2000 fiscal year. Public Works Director Mutter reported that Section 22525 of the Streets and Highways Code of the State of California requires that an Engineer's report be prepared and filed annually outlining the assessments to be levied against benefiting properties. The process requires that two meetings be held by the City Council. One is a public meeting to review the report in concept and the other is a noticed public hearing. The preliminary report for the Landscape Maintenance Assessment District No. 1 was presented to the City Council on April 20, 1999. The City Council adopted Resolution No. 5610, granting preliminary approval to the Engineer's Report, and Resolution No. 5611, declaring its intention to levy and collect assessments for fiscal year 1999-2000, pursuant to the Lighting and Landscaping Act of 1972. On May 18, 1999, the City Council held a public meeting which gave the City Council an opportunity to review the Engineer's Report and receive questions and input from the public. Mayor Cunningham declared the meeting open as a public hearing for any questions or comments. None being forthcoming, the public hearing was declared closed. Councilmember Banda moved to adopt Resolution No. 5612. Motion seconded by Councilmember Freedman and carried unanimously.

Resolution No. 5616 - Street Lighting District No. 1 - Public hearing was advertised for this time and place to consider Resolution No. 5616, a resolution of the City Council of the City of Redlands ordering the maintenance of improvements in Street Lighting District No. 1, giving final approval of the Engineer's Report, and confirming the assessment for the 1999-2000 fiscal year. Public Works Director Mutter reported that Section 22525 of the Streets and Highways Code of the State of California requires that an Engineer's report be prepared and filed annually outlining the assessments to be levied against benefiting properties. The process requires that two meetings be held by the City Council. One is a public meeting to review the report in concept and the other is a noticed public hearing. The preliminary report for the Street Lighting Assessment District No. 1 was presented to the City Council on April 20, 1999. The City Council adopted Resolution No. 5614, granting preliminary approval to the Engineer's Report, and Resolution No. 5615, declaring its intention to levy and collect assessments for fiscal year 1999-2000, pursuant to the Lighting and Landscaping Act of 1972. On May 18, 1999, the City Council held a public meeting which gave the City Council an opportunity to review the Engineer's Report and receive questions and input from the public. Mayor Cunningham declared the meeting open as a public hearing for any questions or comments. None being forthcoming, the public hearing was declared closed.

Councilmember Banda moved to adopt Resolution No. 5616. Motion seconded by Councilmember Freedman and carried unanimously.

Resolution No. 5648 - 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 "Miss Hester Leaverton House" located at 155 West Palm Avenue as Historic Resource No. 99. Community Development Director Shaw reviewed the recommendation of the Historic and Scenic Preservation Commission. 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 adopt Resolution No. 5648, a resolution of the City Council approving this recommendation based on the following findings in accordance with Section 2.62 of the Redlands Municipal Code:

1. It has unique design or detailing: The building is a Colonial Revival with features such as a side gable roof, side porch, portico with tapered columns and a broken pediment, double hung symmetrical windows and sidelights.
2. It has significant character, interest, or value as part of the development heritage or cultural characteristics of the City of Redlands, State of California, or the United States: The house was occupied by Miss Hester Leaverton who was a prominent art teacher in both San Bernardino and Redlands.
3. It is a particularly good example of period architecture: The structure is a good example of Colonial Revival Architecture which was popular in 1913 when the house was built.

Motion seconded by Councilmember Freedman and carried unanimously. Mayor Cunningham extended his appreciation of the owners of the house for their preservation efforts.

Resolution No. 5656 - Appropriations Limit - Public hearing was advertised for this time and place to consider Resolution No. 5656, a resolution of the City Council of the City of Redlands, California, establishing an appropriations limit for the fiscal year 1999-2000 pursuant to Article XIIIB of the California Constitution. Finance Director Johnson reported that each year, the City of Redlands has consistently maintained an exceedingly wide and comfortable margin between its limits and its proceeds of taxes subject to the limit established by Proposition 4 (approved by the voters in November, 1979) and Proposition 111 (adopted in June, 1990). This is attributed to annual increases to the limit based upon California Per Capita Income and population growth which are in excess of the increases in proceeds of taxes received each year. Mayor Cunningham declared the meeting open as a public hearing for any questions or comments. None being forthcoming, the public hearing was declared closed. Councilmember Gilbreath moved to adopt Resolution No. 5656; motion seconded by Councilmember Freedman and carried unanimously.

Ordinance No. 2405 - Uniform Housing Code - Public hearing was advertised for this time and place to consider Ordinance No. 2405, an ordinance of the City of Redlands amending Chapter 15.24 of the Redlands Municipal Code relating to the adoption of the Uniform Housing Code, 1997 Edition, and making amendments thereto. Community Development Director Shaw explained that the reference model code and applicable State amendments will become effective at the local level on July 1, 1999, if not adopted by local jurisdictions. Staff recommended adoption while maintaining those more restrictive provisions that are currently in the Redlands Municipal Code as it pertains to hazardous buildings, accessory buildings, fences and walls, roofing, fire protection systems, and awnings. Mayor Cunningham declared the meeting open as a public hearing for any questions or comments regarding this ordinance. None being forthcoming, the public hearing was declared closed. Ordinance No. 2405 was read by title only by City Clerk Poyzer, and on motion of Councilmember Banda, seconded by Councilmember Freedman, further reading of the ordinance text was unanimously waived, and Ordinance No. 2405 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for June 29, 1999.

Ordinance No. 2406 - Uniform Code for Building Conservation - Public hearing was advertised for this time and place to consider Ordinance No. 2406, an ordinance of the City of Redlands amending Chapter 15.52 of the Redlands Municipal Code relating to the adoption of the Uniform Code for Building Conservation, 1997 Edition, and making amendments thereto. Community Development Director Shaw explained that the reference model code and applicable State amendments will become effective at the local level on July 1, 1999, if not adopted by local jurisdictions. Staff recommended adoption while maintaining those more restrictive provisions that are currently in the Redlands Municipal Code as it pertains to hazardous buildings, accessory buildings, fences and walls, roofing, fire protection systems, and awnings. Mayor Cunningham declared the meeting open as a public hearing for any questions or comments regarding this ordinance. None being forthcoming, the public hearing was declared closed. Ordinance No. 2406 was read by title only by City Clerk Poyzer, and on motion of Councilmember Banda, seconded by Councilmember Freedman, further reading of the ordinance text was unanimously waived, and Ordinance No. 2406 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for June 29, 1999.

Ordinance No. 2407 - Uniform Building Codes - Public hearing was advertised for this time and place to consider Ordinance No. 2406, an ordinance of the City of Redlands amending Chapter 15.04 of the Redlands Municipal Code relating to the adoption of the Uniform Building Code, 1997 Edition, Uniform Administrative Code, 1997 Edition, Uniform Code for Abatement of Dangerous Buildings, 1997 Edition, and making amendments thereto. Community Development Director Shaw explained that the reference model code and

applicable State amendments will become effective at the local level on July 1, 1999, if not adopted by local jurisdictions. Staff recommended adoption while maintaining those more restrictive provisions that are currently in the Redlands Municipal Code as it pertains to hazardous buildings, accessory buildings, fences and walls, roofing, fire protection systems, and awnings. Mayor Cunningham declared the meeting open as a public hearing for any questions or comments regarding this ordinance. None being forthcoming, the public hearing was declared closed. Ordinance No. 2407 was read by title only by City Clerk Poyzer, and on motion of Councilmember Banda, seconded by Councilmember Freedman, further reading of the ordinance text was unanimously waived, and Ordinance No. 2407 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for June 29, 1999.

Ordinance No. 2408 - National Electric Code - Public hearing was advertised for this time and place to consider Ordinance No. 2408, an ordinance of the City of Redlands amending Chapter 15.12 of the Redlands Municipal Code relating to the adoption of the National Electric Code, 1996 Edition, and making amendments thereto. Community Development Director Shaw explained that the reference model code and applicable State amendments will become effective at the local level on July 1, 1999, if not adopted by local jurisdictions. Staff recommended adoption while maintaining those more restrictive provisions that are currently in the Redlands Municipal Code as it pertains to hazardous buildings, accessory buildings, fences and walls, roofing, fire protection systems, and awnings. Mayor Cunningham declared the meeting open as a public hearing for any questions or comments regarding this ordinance. None being forthcoming, the public hearing was declared closed. Ordinance No. 2408 was read by title only by City Clerk Poyzer, and on motion of Councilmember Banda, seconded by Councilmember Freedman, further reading of the ordinance text was unanimously waived, and Ordinance No. 2408 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for June 29, 1999.

Ordinance No. 2409 - Uniform Plumbing Code - Public hearing was advertised for this time and place to consider Ordinance No. 2409, an ordinance of the City of Redlands amending Chapter 15.08 of the Redlands Municipal Code relating to the adoption of the Uniform Plumbing Code, 1997 Edition, and making amendments thereto. Community Development Director Shaw explained that the reference model code and applicable State amendments will become effective at the local level on July 1, 1999, if not adopted by local jurisdictions. Staff recommended adoption while maintaining those more restrictive provisions that are currently in the Redlands Municipal Code as it pertains to hazardous buildings, accessory buildings, fences and walls, roofing, fire protection systems, and awnings. Mayor Cunningham declared the meeting open as a public hearing for any questions or comments regarding this ordinance. None being forthcoming, the public hearing was declared closed.

Ordinance No. 2409 was read by title only by City Clerk Poyzer, and on motion of Councilmember Banda, seconded by Councilmember Freedman, further reading of the ordinance text was unanimously waived, and Ordinance No. 2409 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for June 29, 1999.

Ordinance No. 2410 - Uniform Mechanical Code - Public hearing was advertised for this time and place to consider Ordinance No. 2410, an ordinance of the City of Redlands amending Chapter 15.16 of the Redlands Municipal Code relating to the adoption of the Uniform Mechanical Code, 1997 Edition, and making amendments thereto. Community Development Director Shaw explained that the reference model code and applicable State amendments will become effective at the local level on July 1, 1999, if not adopted by local jurisdictions. Staff recommended adoption while maintaining those more restrictive provisions that are currently in the Redlands Municipal Code as it pertains to hazardous buildings, accessory buildings, fences and walls, roofing, fire protection systems, and awnings. Mayor Cunningham declared the meeting open as a public hearing for any questions or comments regarding this ordinance. None being forthcoming, the public hearing was declared closed. Ordinance No. 2410 was read by title only by City Clerk Poyzer, and on motion of Councilmember Banda, seconded by Councilmember Freedman, further reading of the ordinance text was unanimously waived, and Ordinance No. 2410 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for June 29, 1999.

NEW BUSINESS

Resolution No. 5649 - Fire Codes - Deputy Fire Chief Habant explained the Redlands Fire Department is charged with the protection of life and property in the City of Redlands. The most effective means to accomplish this is code enforcement through the adoption of the most current Uniform Fire Code in print. Proposed Ordinance No. 2402 (see below) and Resolution No. 5549 will accomplish this goal. Councilmember Banda moved to adopt Resolution No. 5649, a resolution of the City Council of the City of Redlands to comply with the State of California Health and Safety Code Sections 17958, 17958.5 and 17958.7 relating to the adoption of the 1997 Edition of the Uniform Fire Code and the 1998 Edition of the California Fire Code. Motion seconded by Councilmember Freedman and carried unanimously.

PUBLIC HEARINGS (continued)

Ordinance No. 2402 - Uniform Fire Codes - Public hearing was advertised for this time and place to consider Ordinance No. 2402, an ordinance of the City of Redlands amending Chapter 15.20 of the Redlands Municipal Code adopting and amending the 1997 Edition of the Uniform Fire Code and Uniform Fire Code Standards, and adopting and amending the 1998 Edition of the California

Fire Code. Deputy Fire Chief Habant explained the Redlands Fire Department is charged with the protection of life and property in the City of Redlands. The most effective means to accomplish this is code enforcement through the adoption of the most current Uniform Fire Code in print. Proposed Ordinance No. 2402 will accomplish this goal. Mayor Cunningham declared the meeting open as a public hearing for any questions or comments regarding this ordinance. None being forthcoming, the public hearing was declared closed. Ordinance No. 2402 was read by title only by City Clerk Poyzer, and on motion of Councilmember Banda, seconded by Councilmember Freedman, further reading of the ordinance text was unanimously waived, and Ordinance No. 2402 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for June 29, 1999.

Resolution No. 5652 - Eminent Domain - A hearing was noticed for this time and place on the proposed resolution of necessity for acquisition of fee interests in certain real property by eminent domain for improvements to the intersection of Colton and Wabash Avenues. Mayor Cunningham declared the meeting open for this hearing. City Attorney McHugh explained the nature and scope of the hearing. City Clerk Poyzer stated that notices of this hearing were sent by Certified Mail on May 17, 1999, to all property owners affected by the proposed project; return receipts were received the four property owners. Public Works Director Mutter reported on how the real property proposed to be acquired relates to the City's purposes and the proposed project. The intersection of Colton and Wabash Avenues exists with a two-lane roadways with no significant improvements such as curbs and gutters, sidewalks, drainage facilities, and street lights. Each roadway is improved to ultimate or near ultimate standards several hundred feet in all directions from the intersection. Redlands East Valley High School is located one-quarter mile east of the intersection. Traffic from ongoing development in the east Redlands and Mentone areas, along with traffic from the high school, utilize this intersection. In order to address traffic and public needs, the City of Redlands, in conjunction with the County of San Bernardino and the Redlands Unified School District, is proposing to reconstruct and widen both Colton Avenue and Wabash Avenue through this intersection. Such improvements will be constructed to ultimate General Plan designated widths. Right-of-way and easements will be required from several parcels adjacent to the proposed improvements. Public Works Director Mutter then reviewed the issues to be addressed by the City Council: it is necessary to widen and reconstruct both Colton Avenue and Wabash Avenue through this intersection to improve traffic flow and circulation for traffic generated by residential and commercial development in the area, as well as traffic generated by Redlands East Valley High School; the Colton Avenue and Wabash Avenue plans were developed in a manner to require the least amount of developed private property to be acquired for street right-of-way and utility easements involving the least impact to existing businesses and residences along the streets; the plans provide for an effective and economical design; and the property described in the resolution of necessity is required to widen either

Colton Avenue and/or Wabash Avenue from the existing 66-foot width with two lanes of traffic to the ultimate master-planned width of 88 feet with four through lanes of traffic. Offers to purchase were sent to all effected properties on February 24, 1999. Staff has attempted to negotiate a settlement for the subject parcels without success. Without the acquisition of the subject property, the street improvement project cannot proceed. City Clerk Poyzer noted that a written request to be heard was received from Fred J. Stafford. Mayor Cunningham called upon all persons with an interest in the property who wished to be heard. Speaking for his parents, Fred J. and Anetha Stafford, Fred Stafford read a letter explaining why his parents do not wish to sell a portion of their property which is located at 728 North Wabash Avenue. The portion the City wishes to acquire for this street improvement project is used for parking for their recreational vehicle. Loss of this property will subject them to rent charges to store their recreational vehicle in another location, and the price offered is inadequate to cover this expense. Mr. Stafford offered the City Council a possible solution if an agreement could be negotiated for the Staffords to use the State property located across the street from their property. Public Works Director Mutter explained the process to acquire Caltrans property and stated he was meeting with the Staffords to assist them although it could take up to two years to complete the process with Caltrans. Mayor Cunningham then called upon all persons who wished to be heard on the proposed project. There being no further comments, the hearing was closed. Mayor Cunningham expressed the City Council's desire to assist the Staffords. Councilmember Freedman moved to adopt Resolution No. 5652, a resolution of the City Council of the City of Redlands declaring that the acquisition of fee interests in portions of certain real property by eminent domain (Assessor Parcel Nos. 299-011-23, Union Pacific Railroad; 170-311-06 and 299-011-22, State of California; 299-011-05, Fred J. and Anetha Stafford; and 298-061-16, William and Lavesta M. Locklin for an easement for the benefit of Bear Valley Mutual Water Company) is necessary for the construction of the City of Redlands' proposed Colton and Wabash Avenues Intersection Construction Project, with the understanding the City would not commence condemnation proceedings on the Stafford property and directed staff to continue dialog with the Staffords and Caltrans. Motion seconded by Councilmember Banda and carried unanimously.

PUBLIC COMMENTS

Year-Round Schools - Ms. Linda Cheril Bast, San Bernardino, addressed the City Council expressing her opposition to year-round school schedules in Redlands and the impact of developers for their fast growth impact.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 7:42 P.M. to an adjourned regular meeting to be held on June 29, 1999, in the City Council Chambers, 35 Cajon Street, Redlands, California.

City Clerk