

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 February 2, 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
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 Gilbreath followed by the pledge of allegiance.

CONSENT CALENDAR

Minutes - On motion of Councilmember Banda, seconded by Councilmember Freedman, the minutes of the regular meeting of January 19, 1999, were approved as submitted.

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

Planning Commission Actions - On motion of Councilmember Banda, seconded by Councilmember Freedman, the report of the Planning Commission meeting held on January 26, 1999, was acknowledged as received.

ERC Agenda - On motion of Councilmember Banda, seconded by Councilmember Freedman, the tentative agenda for the Environmental Review Committee meeting to be held on February 8, 1999, was acknowledged as received.

Ordinance No. 2394 - Dry Sewers - Ordinance No. 2394, an ordinance of the City of Redlands amending Chapter 13.44 of the Redlands Municipal Code relating to sewers, was scheduled for adoption at this time. Paragraph D.2 was missing a word and should read: "If residential in character, the development project is proposed as very low density as defined in the Redlands General Plan and will not adversely impact local groundwater quality." With this correction, Ordinance No. 2394 was adopted on motion of Councilmember Freedman, seconded by Councilmember George, by the following vote:

AYES: Councilmembers Banda, Gilbreath, Freedman, George;
Mayor Cunningham

NOES: None

ABSENT: None

Ordinance No. 2395 - Zone Change No. 367 - Ordinance No. 2395, an ordinance of the City of Redlands amending Title 18 of the Redlands Municipal Code by adopting an additional land use zoning plan as part of the Official Land Use Zoning Map and effecting Zone Change No. 367, a change of zone from R-1 (single family residential - 7,200 square foot lots) District and A-1 (Agricultural - five acre lots) to E (Educational) District on four parcels generally located along the north side of Brockton Avenue at the intersection of Grove Street (Assessor's Parcel Nos. 168-231-08 and 12, 168-241-07 and 17) for the University of Redlands, was adopted on motion of Councilmember Banda, seconded by Councilmember Freedman, by the following vote:

AYES: Councilmembers Banda, Gilbreath, Freedman, George;
Mayor Cunningham

NOES: None

ABSENT: None

Ordinance No. 2396 - Juvenile Curfew - Ordinance No. 2396, an ordinance of the City of Redlands amending Chapter 9.24 of the Redlands Municipal Code relating to juvenile curfew, was unanimously continued to February 16, 1999, on motion of Councilmember Banda, seconded by Councilmember Freedman.

Resolution No. 5600 - Traffic Safety Grant Application - Following brief discussion, on motion of Councilmember Banda, seconded by Councilmember Freedman, the City Council unanimously adopted Resolution No. 5600, a resolution of the City Council of the City of Redlands to support and approve the application to the State of California, Office of Traffic Safety, a grant proposal from the Fire Department to apply for funding to purchase two mass casualty medical supply trailers and caches.

Resolution No. 5601 - Traffic Safety Grant Application - Following brief discussion, on motion of Councilmember Banda, seconded by Councilmember Freedman, the City Council unanimously adopted Resolution No. 5601, a resolution of the City Council of the City of Redlands to support and approve

the application to the State of California, Office of Traffic Safety, a grant proposal from the Public Works Department to apply for funding to develop a continual data collection and analysis program.

Resolution No. 5602 - Traffic Safety Grant Application - Following brief discussion, on motion of Councilmember Banda, seconded by Councilmember Freedman, the City Council unanimously adopted Resolution No. 5602, a resolution of the City Council of the City of Redlands to support and approve the application to the State of California, Office of Traffic Safety, a grant proposal from the Public Works Department to apply for funding to purchase a trailer, and associated supplies, to undertake an emergency road closure.

Contract Award - Curb Ramps - Bids were opened and publicly declared on December 10, 1998, by the City Clerk for the construction of curb ramps at various intersections throughout the City; a bid opening report is on file in the Office of the City Clerk. It was the recommendation of the Public Works Department that the responsible bidder submitting the bid for said project which will result in the lowest cost for the City was KAS Equipment and Rental, Inc., Ontario, and it would be in the best interest of the City that this contract be awarded to said firm, and that Change Order No. 1 be authorized which would set the new contract price at \$35,065.00, within this year's budget. The original bid, in the amount of \$56,305.00, was to install 50 curb ramps, but by deleting 20 curb ramps, the budget can be maintained. On motion of Councilmember Banda, seconded by Councilmember Freedman, the City Council unanimously awarded the contract for the construction of the Curb Ramp Project to KAS Equipment and Rental, Inc. and authorized staff to execute Change Order No. 1 as described above.

RDA No. 81-1B - Change of Ownership - On motion of Councilmember Banda, seconded by Councilmember Freedman, the City Council unanimously approved the transfer of ownership and change of elevations for Residential Development Allocation No. 82-1B to Link World Development for 13 lots located west of La Salle Street and south of Herrington Drive.

Funds - Ford Park Safety Demonstration Garden - Noting this was a draw on the grant, Councilmember Cunningham moved to approve an additional appropriation in the amount of \$2,711.00 in the 52 Fund to pay for costs associated with the Ford Park Safety Demonstration Hazard Mitigation Grant. Motion seconded by Councilmember Banda and carried unanimously.

Contract - Internet Service Provider - On motion of Councilmember Banda, seconded by Councilmember Freedman, the City Council unanimously authorized the Mayor and City Clerk to execute a contract with the County Information Services Department to be the City's Internet Service Provider and to phase out the current vendor which is EEE.

Fee Waiver - The Mission Gables-Bowl House Project - Following brief discussion, on motion of Councilmember Cunningham, seconded by Councilmember Freedman, the City Council unanimously waived the Community Development fees including both Planning and Building and Safety, and Development Impact Fees that may be applicable to The Mission Gables-Bowl House Project, located at 168 South Eureka Street, for the Redlands Conservancy and the Redlands Community Music Association.

PUBLIC HEARINGS

Resolution No. 5592 - Multifamily Housing Revenue Refunding Bonds - Public hearing was continued to this time and place to consider Resolution No. 5592, a resolution of the City Council of the City of Redlands approving the issuance of Multi-Family Housing Revenue Refunding Bonds by the California Statewide Communities Development Authority (Parkview Terrace Club Apartments). Finance Director Johnson explained the Statewide Communities Development Authority intends to refinance the debt related to two multifamily housing projects located within the City of Redlands. The Internal Revenue Code of 1986 requires that the "applicable elected representative" with respect to the geographical area in which the multifamily housing project is located to hold a public hearing with respect to the refinancing and, if appropriate, approve the issuance of the bonds for the purpose of refinancing the project. The debt does not constitute a debt or obligation of the City of Redlands. As requested at the last meeting, certifications were provided showing that this project is in compliance with the applicable low- and moderate-income housing covenants. A representative of the development company and the project were present to answer any questions. Mayor Cunningham declared the meeting open as a public hearing for any questions or comments. None being forthcoming, the public hearing was closed. Councilmember Banda moved to adopted Resolution No. 5592. Motion seconded by Councilmember Freedman and carried unanimously.

Resolution No. 5593 - Multifamily Housing Revenue Refunding Bonds - Public hearing was continued to this time and place to consider Resolution No. 5593, resolution of the City Council of the City of Redlands approving the issuance of Multi-Family Housing Revenue Refunding Bonds by the California Statewide Communities Development Authority (Redlands Lawn and Tennis Apartments). Finance Director Johnson explained the Statewide Communities Development Authority intends to refinance the debt related to two multifamily housing projects located within the City of Redlands. The Internal Revenue Code of 1986 requires that the "applicable elected representative" with respect to the geographical area in which the multifamily housing project is located to hold a public hearing with respect to the refinancing and, if appropriate, approve the issuance of the bonds for the purpose of refinancing the project. The debt does

not constitute a debt or obligation of the City of Redlands. As requested at the last meeting, certifications were provided showing that this project is in compliance with the applicable low- and moderate-income housing covenants. A representative of the development company and the project were present to answer any questions. Mayor Cunningham declared the meeting open as a public hearing for any questions or comments. None being forthcoming, the public hearing was closed. Councilmember Banda moved to adopted Resolution No. 5593. Motion seconded by Councilmember Freedman and carried unanimously.

COMMUNICATIONS

Smart & Final - Alcohol Permit - On behalf of Smart & Final, Store No. 318, located at 1720 West Redlands Boulevard, Allan Borley urged the City Council to make a finding of public necessity and/or convenience for an off-sale general alcohol license. Currently they possess an off-sale beer and wine license. Following brief discussion and based on the information provided by Smart & Final, Councilmember Freedman moved to make a finding that public necessity and/or convenience will be served as a result of the issuance of an off-sale general alcohol license for the Redlands' Smart & Final store. Motion seconded by Councilmember Banda ad carried unanimously.

Legislative Bulletin - The City Council directed staff to send letters to our State legislators urging opposition of AB83: Home Based Businesses; urging support of SB15: Firearms; and directed the City manager to represent the City regarding fiscal impacts at future meetings relating to ERAF mitigation.

Appointments - Historic and Scenic Preservation Commission - Mayor Cunningham moved to reappoint Ruth Cook to another four-year term on the Historic and Scenic Preservation Commission to January 18, 2003. Motion seconded by Councilmember Freedman and carried unanimously. Mayor Cunningham moved to nominate Daniel J. Elizeusan and Jan Korfmacher to serve four-year terms on the Historic and Scenic Preservation Commission to January 18, 2003. Motion seconded by Councilmember Freedman and carried unanimously.

Legal Expenses - At the behest of Councilmember Gilbreath, Finance Director Johnson prepared a recap of legal expenses incurred by the City in relation to proposed development for the period July 1, 1995, through January 25, 1999, reflecting the following totals: Majestic/County, \$626,119.63 and Redlands Crossing, \$316,512.44. Councilmember Gilbreath asked where the funds for these expenses are charged; staff replied the Redlands Crossing expenses are charged against the Liability, Self-Insurance Fund under the General Fund and the Majestic/County lawsuits are charged against the Water Fund. Councilmember Gilbreath then asked at what point would we jeopardize our

bond indebtedness and rate charges. City Manager Luebbbers reported a mid-year budget review is scheduled for the February 16, 1999, meeting at which time this information will be presented. City Attorney McHugh reviewed the status of the lawsuits.

Traffic Signal - Public Works Director Mutter explained that on November 12, 1998, a single vehicle hit-and-run accident occurred at the intersection of Redlands Boulevard and Highland Avenue. The vehicle involved totally destroyed the traffic signal controller unit at the southwest corner of the intersection, and a new replacement unit was required. Temporary stop signs at the intersection were put in place by City crews until they were able to restore power to the traffic signal to operate in a flash-red mode. A new traffic signal controller has been ordered at a cost of \$17,028.00 and it was estimated by the contractors that the new controller would be delivered and installed by the end of this week or the first of next week. The Redlands Police Department was able to apprehend the suspect involved in this accident, and the City has been seeking recovery of costs for the damages.

UNFINISHED BUSINESS

Lisa Marie Lane - Public Works Director Mutter reported staff has identified the City limit/Riverside County line on Lisa Marie Lane in San Timoteo Canyon and that no work has been done on the City's side. Mayor Cunningham expressed concern that the development of the Tremont project is opening a new road into Moreno Valley and will cause many traffic problems for the south side of Redlands, and moved to make this a cul-de-sac road at the end of the dedication until the County of Riverside is willing to assist in mitigating the traffic concerns. Motion seconded by Councilmember Banda. Councilmember Gilbreath did not think this was appropriate; Councilmember George expressed safety concerns. The motion carried with Councilmembers Gilbreath and George voting NO. Public Works Director Mutter explained that plans would be prepared for bids and cost estimates and brought to the City Council for their approval.

CLOSED SESSION

The City Council meeting recessed at 3:54 P.M. to a Redevelopment Agency meeting and reconvened at 3:55 P.M. to a closed session to discuss the following:

1. Conference with real property negotiator
Property: APN 171-342-170
Negotiating parties: Gary Luebbers and Jose Herrera
Under negotiation: Terms and price
2. Conference with legal counsel: Existing litigation - Government Code Section 54956.9(a) - Majestic Realty Company v. Timberlake and City of Redlands (SCV 49347 and 51027)
3. Conference with labor negotiator
Agency negotiator: Gary Luebbers
Employee organization: Redlands Professional Fire Fighters Association

The meeting reconvened at 7:00 P.M.

PRESENTATIONS

Appointments - Student Commissioners - Mayor Cunningham moved to appoint the following as student commissioners: Najwa Chowdhury, Human Relations Commission; Maile Takahara, Recreation Commission; Jana Heywood, Parks Commission; and Matthew Rathburn, Traffic and Parking Commission. Motion seconded by Councilmember Freedman and carried unanimously. Mayor Cunningham presented commissioner pins to the students and welcomed their service on these commissions.

Boys and Girls Club - Jennifer Shanklin and Leon Armantrout presented plans and renderings for a new facility for the Boys and Girls Club. They are applying for grant funds and hope to build this facility at Colton Avenue and Herald Street. Councilmembers expressed enthusiasm for this proposal and offered to assist by adopting a resolution of support for the Boys and Girls Club.

Sister City Memorabilia - On behalf of the Sister City Committee, Barbara Wormser asked for permission to display memorabilia received from our Sister Cities (Hino, Japan, and San Miguel Allende, Mexico) in a display case in the City Council Chambers so that more people could see the items that are currently on display on the second floor of the Civic Center near the elevator. Councilmembers concurred with her request and granted permission to the Sister City Committee to move the items to the City Council Chambers.

PUBLIC HEARINGS

Ordinance No. 2390 - Development Time Limits - Public hearing was advertised for this time and place to consider Ordinance No. 2390, an ordinance of the City of Redlands amending Chapters 18.12, 18.192, and 18.196 of the Redlands Municipal Code relating to time limits for development permits as follows: Section 18.12.130-revising the period of time from one year to two years before expiration of a Planning Commission Review and Approval and to

allow for three one-year extensions; amend Section 18.192.130 to establish a two year period of time before expiration of a Conditional Use Permit; amend Section 18.196.120 (A)(1) and (2) to revise the period of time from 180 days to two years before a Variance becomes null and void prior to permit issuance and occupancy; amend Section 18.196.120(B) to revise the period of time an approved variance can be extended from 90 days to three one-year extensions; and add Section 18.196.140 to provide that Variances accompanied by projects requiring a Socio-Economic Cost/Benefit Study shall be approved by the City Council. Community Development Director Shaw explained this item was continued from the January 19, 1999, City Council meeting in order for staff to prepare a final draft of this ordinance. The City Council deliberated on alternatives provided by staff relative to the review of time extensions on approved non-legislative land use applications. This draft reflects the City Council's direction to incorporate the alternative in which all three one-year extensions are to be approved by the City Council. Mayor Cunningham declared the meeting open as a public hearing for any questions or comments. None being forthcoming, the public hearing was declared closed. Ordinance No. 2390 was read by title only by City Clerk Poyzer, and on motion of Councilmember Gilbreath, seconded by Councilmember Freedman, further reading of the ordinance text was unanimously waived, and Ordinance No. 2390 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for February 16, 1999.

Appeal - Conditional Use Permit No. 617 - Public hearing was continued to this time and place for an appeal of the Planning Commission decision of October 13, 1998, to consider revocation of Conditional Use Permit No. 617 pertaining to Pharaoh's Lost Kingdom Amusement Park on approximately 16.88 acres of land in the CG (General Commercial) District of Concept Plan No. 3 located on the southwest corner of California Street and Lugonia Avenue. At the request of the applicant, this public hearing was unanimously continued to February 16, 1999, on motion of Councilmember Banda, seconded by Councilmember Freedman.

Socio Economic Cost Benefit Studies - Mayor Cunningham announced the City Council will hold a workshop/study session on February 9, 1999, at 9:00 A.M. regarding Socio Economic Cost Benefit Studies, and recommended the following matters be continued to that session.

Conditional Use Permit No. 674 - Public hearings were advertised for this time and place to consider the Socio Economic Cost Benefit Study and Mitigated Negative Declaration for a conditional use permit to establish a recycling facility for concrete and asphalt rubble within an existing surface mining and concrete batch plant operation in the "O" (Open Land) District, located east of Alabama Street, approximately 2,000 feet south of Fifth Street (Robertson's Ready Mix, applicant). This public hearing was unanimously continued to

February 9, 1999, at 9:00 A.M. on motion of Councilmember Banda, seconded by Councilmember Freedman.

Conditional Use Permit No. 680 - Public hearings were advertised for this time and place to consider the Socio Economic Cost Benefit Study and Mitigated Negative Declaration for a conditional use permit to construct an 84,114 square foot multiple building senior care facility, consisting of an Alzheimer facility, an assisted living facility and eight senior apartment units with a total resident population of 140 people on 5.29 acres in the R-2 (Multiple Family Residential) District located south of Fern Avenue and east of La Verne Street (Regent Assisted Living, Inc., applicant). This public hearing was unanimously continued to February 9, 1999, at 9:00 A.M. on motion of Councilmember Banda, seconded by Councilmember Freedman.

Conditional Use Permit No. 682 - Public hearing was advertised for this time and place to consider the Socio Economic Cost Benefit Study for a conditional use permit to construct an 8,821 square foot multiple tenant commercial building for an automotive tire service business on an existing building pad within the Wal-Mart Shopping Center located in the EV/CG (General Commercial) District of the East Valley Corridor Specific Plan (Helix Development, applicant). This public hearing was unanimously continued to February 9, 1999, at 9:00 A.M. on motion of Councilmember Banda, seconded by Councilmember Freedman.

CRA No. 698 - Public hearing was advertised for this time and place to consider the Socio Economic Cost Benefit Study and Negative Declaration for a Planning Commission review and approval to construct an 15,819 square foot concrete tilt-up warehouse building on .92 acres in the IC (Commercial Industrial) District of the East Valley Corridor Specific Plan located on the west side of Amigos Drive, approximately 100 feet north of Park Avenue (Yocom-Baldwin Development, applicant). This public hearing was unanimously continued to February 9, 1999, at 9:00 A.M. on motion of Councilmember Banda, seconded by Councilmember Freedman.

PUBLIC COMMENTS

San Bernardino Valley Municipal Water District - On behalf of the San Bernardino Valley Municipal Water District, Bob Reiter and Director Mark Bulot presented the City Council a letter informing them their Board of Directors at their regularly scheduled board meeting held on February 2, 1999, approved granting its proxy for 21,180 shares of the Bear Valley Mutual Water Company to the Redlands City Council for their use at the annual meeting of the stockholders of Bear Valley Mutual Water Company to be held on February 16, 1999, at 10:00 A.M. at 101 East Olive Avenue in Redlands. The letter further stated "the SBVMWD and the City of Redlands own directly and indirectly

over 50% of the shares of stock in the Bear Valley. Therefore, it was requested that the Redlands City Council (or its designee) at the February 16th Bear Valley Annual Meeting seek the representation on Bear Valley's eleven member Board of Directors in proportion to both the City of Redlands and SBVMWD's direct and indirect ownership of shares in Bear Valley. Further, since the SBVMWD owns 8 and ½ % of the shares of Bear Valley, it requests that the Redlands City Council (or its designee) secure representation on the Bear Valley Board for the SBVMWD. " Signed by C. Patrick Milligan, President of SBVMWD Board of Directors, the letter stated that "both SBVMWD and the City of Redlands have made large investments in the Bear Valley Mutual Water Company with public funds. Proper representation on the Bear Valley Board of Directors by the City of Redlands and the SBVMWD is needed to provide assurance that this public investment is being properly managed for the public benefit."

Pornography - Reverend Don Wallace informed the City Council he was going to launch a campaign to rid our community of pornography and asked the City Council to take a stand against this filth and urged the adoption of a resolution, proclamation, or some sort of official vehicle.

Alabama Street - Theodora Banta asked the City Council to consider the closure of Alabama Street as she felt it was not necessary to have another road parallel to Route 30 (recently named Interstate 210). Closure of Alabama Street would provide more opportunity for mining activities and would allow more open space for our community.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 7:30 P.M. to an adjourned regular meeting to be held on February 9, 1999, at 9:00 A.M. in the City Council Chambers, 35 Cajon Street, Redlands, California.

City Clerk