

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 October 17, 2000.

PRESENT

Pat Gilbreath, Mayor
Gary George, Mayor Pro Tem
John L. Freedman, Councilmember
Susan Pepler, Councilmember
Karl N. "Kasey" Haws, Councilmember

Larry E. Burgess, Interim City Manager
Leslie E. Murad, II, Assistant 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 Mayor Pro Tem George followed by the pledge of allegiance.

CONSENT CALENDAR

Minutes - On motion of Councilmember Haws, seconded by Councilmember Freedman, the minutes of the adjourned regular meeting of October 3, 2000, the regular meeting of October 3, 2000, and the special meeting of October 10, 2000, were approved as submitted.

Bills and Salaries - On motion of Councilmember Haws, seconded by Councilmember Freedman, payment of bills and salaries was acknowledged.

Planning Commission Actions - Councilmember Freedman asked the Planning Commission to re-consider Conditional Use Permit No. 707 for the development of a 102 unit three-story apartment complex on approximately 4.74 acres located on the north side of Cypress Avenue, approximately 180 feet west of Redlands Boulevard (Galaxy Southbrook Holding, LLC, applicant) when all members were present as this project was recommended for approval on October 10, 2000, on a 3-2 vote with two members absent. On motion of Councilmember Freedman, seconded by Councilmember George, the report of the Planning Commission meeting held on October 10, 2000, was acknowledged as received.

Ordinance No. 2437 - Mountainview Power Development Agreement - Ordinance No. 2437, an ordinance of the City of Redlands approving a development agreement with Mountainview Power Company, LLC, was unanimously adopted on motion of Councilmember Haws, seconded by Councilmember Freedman.

Ordinance No. 2456 - Storm Drain Facilities - Councilmember Pepler expressed concern that this ordinance continued to require enclosure or coverage of drainage channels and asked staff to review adding other drainage channels to the list of "historic" facilities. Ordinance No. 2456, an ordinance of the City of Redlands deleting Chapter 12.24 and amending Chapter 17.28 of the Redlands Municipal Code storm drain facilities, was unanimously adopted on motion of Councilmember Haws, seconded by Councilmember Freedman.

Ordinance No. 2457 - Security Alarm Systems - Ordinance No. 2457, an ordinance of the City of Redlands amending Chapter 5.12 of the Redlands Municipal Code relating to security alarm systems, was unanimously adopted on motion of Councilmember Haws, seconded by Councilmember Freedman.

Senior/Disabled Transportation Program - Responding to Mayor Gilbreath, Police Chief Bueermann explained it was originally planned that the Senior/Disabled Transportation Program would be manned with volunteer drivers but that has proven to be impractical and staff is now seeking authorization to hire five part-time bus drivers and one part-time clerk/scheduler. The transportation component of the Never Alone Program will be reviewed in six months with a report to the City Council. On motion of Councilmember Gilbreath, seconded by Councilmember Pepler, the City Council unanimously approved the Police Department's proposed Senior/Disabled Transportation Program, authorized the Chief of Police to proceed with its implementation, and authorized acceptance of the donation of two Omnitrans vans for said program.

Proclamation - Red Ribbon Week - On motion of Councilmember Haws, seconded by Councilmember Freedman, the City Council unanimously authorized issuance of a proclamation declaring the week of October 23-31, 2000, as *Red Ribbon Week*.

Proclamation - Pioneer Hydroelectric Power Plants - On motion of Councilmember Haws, seconded by Councilmember Freedman, the City Council unanimously authorized issuance of a proclamation for the dedication of *Pioneer Hydroelectric Power Plants of the Inland Empire*, a new exhibit at the San Bernardino County Museum.

Subordination Agreement - 1713 Smiley Ridge - On motion of Councilmember Haws, seconded by Councilmember Freedman, the City Council unanimously approved a subordination agreement for 1713 Smiley Ridge.

Resolution No. 5807 - Traffic - On motion of Councilmember Haws, seconded by Councilmember Freedman, the City Council unanimously adopted Resolution No. 5807 setting speed limits on Grove Street between Citrus and Highland Avenues.

Resolution No. 5808 - Traffic - On motion of Councilmember Haws, seconded by Councilmember Freedman, the City Council unanimously adopted Resolution No. 5808 setting speed limits on Fifth Avenue between Ford Street and Wabash Avenue.

Funds - Year-End Encumbrances - On motion of Councilmember Haws, seconded by Councilmember Freedman, the City Council unanimously approved additional appropriations to the 2000-01 budget year for the 1999-2000 year-end encumbrances and carry-overs.

Funds - Airport Public Lobby - On motion of Councilmember Haws, seconded by Councilmember George, the City Council unanimously approved an appropriation of funds to the Aviation Operating Account from the General Fund in the amount of \$4,627.53 to cover the increased expenses incurred by the approval of the new sublease agreement which was approved on October 3, 2000, for the lobby and covered patio at the Redlands Municipal Airport.

Water Company Stock Certificates - Citing a potential conflict of interest, Mayor Gilbreath left the City Council Chambers and Mayor Pro Tem George conducted the meeting. Municipal Utilities Director Phelps explained the City of Redlands currently holds ownership of 65,992 shares in the Bear Valley Mutual Water Company. This ownership is carried on over 100 different stock certificates ranging in value from three shares to over 10,000 shares. In an effort to simplify the bookkeeping associated with these stock certificates, it was recommended the City Council authorize the consolidation of these certificates into a single certificate. Councilmember Haws moved to approve the consolidation of all Big Bear Valley Mutual Water Company stock certificates owned by the City of Redlands into a single certificate for 65,992 shares and authorized the Municipal Utilities Director to sign each existing certificate to facilitate the consolidation. Motion seconded by Councilmember Freedman and carried with Councilmember Gilbreath abstaining.

Lease Parcel Line - Redlands Aviation - Noting the City of Redlands has taken on the financial responsibility of providing janitorial services for the Redlands Municipal Airport lobby and covered patio in accordance with a sublease agreement with Redlands Aviation approved by the City Council on October 3, 2000, Councilmember Haws did not feel it was appropriate to approve the

requested adjustment of the lease parcel line between lease Parcels 2 and 3 for Redlands Aviation without any compensation, and moved to postpone action on this request until Lloyd Janzen, or his designee, from Redlands Aviation can attend a Council meeting to address this concern. Motion seconded by Councilmember George and carried unanimously.

Resolution No. 5809 - Measure I - On motion of Councilmember Haws, seconded by Councilmember Freedman, the City Council unanimously adopted Resolution No. 5809 adopting a five year capital improvement plan and 20 year transportation plan related to Measure I.

Agreement - Metropolitan Water District - On motion of Councilmember Haws, seconded by Councilmember Freedman, the City Council unanimously approved an agreement for a temporary water service connection with the Metropolitan Water District of Southern California for the Blessed Hope Property located at Wabash Avenue and the I-10 Freeway in connection with the Inland Feeder Project that delivers water from the Devil Canyon area in North San Bernardino to Diamond Valley Lake near Hemet.

PLANNING AND COMMUNITY DEVELOPMENT

Sign Code Amendment - John James, Chairman of the Redlands Chamber of Commerce sign committee, presented a revised summary of their recommended changes which now include issues pertaining to the Omnitrans bus stop amenity program and a request from the Redlands Auto Center for display of helium balloons. He reported this committee, comprised of members of the Chamber of Commerce, met a minimum of every other week for approximately three months. Mr. James expressed appreciation to Community Development Director Shaw for his expertise and assistance in this effort. A letter was also received from Andy Jones, Customm Signs, expressing concerns about the square footage required to meet the current definition of "major tenant" as it applies to the Tri-City Center. Mr. Jones and his partner, Roger Byers, addressed the City Council at length. Community Development Director Shaw explained that a lot of thought was given to multiple tenant signs when the Sign Code was last revised and that perhaps the current City Council needed to review policy issues. Councilmember Freedman moved to direct staff to initiate and process a ordinance text amendment to Chapter 15 of the Redlands Municipal Code pertaining to signs specifically examining the requests identified by the Chamber of Commerce, the Redlands Auto Center, Omnitrans, and Tri-City Center. Motion seconded by Councilmember Gilbreath and carried unanimously.

Prioritization of Projects - Mayor Pro Tem George asked the City Council to again consider prioritizing projects at a study session at the next City Council meeting.

COMMUNICATIONS

Appointment - Trails Committee - Mayor Gilbreath moved to nominate Ted Balph and Anne Mohnike as recommended by Councilmember Haws to four year terms on the Trails Committee. Motion seconded by Councilmember Haws and carried unanimously.

Appointment - Human Relations Commission - Mayor Gilbreath moved to nominate Vivian Lauer as recommended by Councilmember Pepler to the Human Relations Commission to a four year term to October 17, 2004. Motion seconded by Councilmember Haws and carried unanimously. Mayor Gilbreath moved to nominate Randall N. Brown as recommended by Councilmember Haws to the Human Relations Commission to a four year term to October 17, 2004. Motion seconded by Councilmember Pepler and carried unanimously.

JOINT MEETING - CITY COUNCIL AND REDEVELOPMENT AGENCY

Resolution No. 5802 - Neighborhood Initiative Program - Councilmember Pepler moved to adopt Resolution No. 5802, 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 Neighborhood Initiative Program to implement an additional participant agreement which will be acted upon by the Board of Directors of the Redevelopment Agency. Motion seconded by Councilmember George and carried unanimously. (Also see Redevelopment Agency minutes for October 17, 2000.)

CLOSED SESSION

The City Council meeting recessed at 3:49 P.M. to continue the Redevelopment Agency meeting and reconvened at 3:50 P.M. to a closed session to discuss the following:

1. Conference with labor negotiator - Government Code § 54957.6
 - Agency negotiator: Renée Mayne, Labor Management Success
 - Employee organizations: Redlands Association of Management Employees, Redlands Association of Mid-Management Employees, Redlands Police Officers Association, Redlands Association of Safety Management Employees, Redlands Professional Fire Fighters Association, General Employees Association of Redlands
2. Conference with legal counsel: Government Code § 54957 - Public Employee Appointment

The meeting reconvened at 7:00 P.M. Mayor Gilbreath acknowledged the presence of Amy Noehsen. Ms. Noehren is a Fire Explorer Scout and a volunteer camera operator.

PUBLIC HEARINGS

Resolution No. 5764 - Housing Element Update - Public hearing was continued to this time and place to consider Resolution No. 5764, an update of the Housing Element of the City of Redlands General Plan. Community Development Director Shaw explained the City Council continued this public hearing on September 5, 2000, to allow interested Councilmembers the

opportunity to discuss this matter in more detail with staff and the consultant. In the course of a meeting with an interested Councilmember and staff, it was determined that a modification to the document was needed to provide some clarification on the relationship of the Housing Element to the Land Use Element in the General Plan. That modification is being made by the consultant. It is, therefore, recommended that the public hearing be continued to November 7, 2000, in order to complete the necessary revisions and include them in a staff report to the City Council. This will still provide sufficient time for the required State review and final adoption by the City Council prior to the legislatively imposed deadline of December 31, 2000. Councilmember Freedman moved to continue this public hearing until November 7, 2000, at 3:00 P.M. Motion seconded by Councilmember Haws and carried unanimously.

Planning Commission Review and Approval No. 713 (R-1) - Public hearing was advertised for this time and place to consider a Draft Mitigated Negative Declaration and Socio-Economic Cost/Benefit Study for Planning Commission Review and Approval No. 713 (R-1) for the construction of a 22,435 square foot structure containing sixteen (16) airplane hangars and two (2) offices located at the Redlands Municipal Airport, 1745 Sessums Drive, in the A-D, Airport, District (Coyote Aviation, applicant). Community Development Director Shaw described the project. Mayor Gilbreath declared the meeting open as a public hearing for any questions or comments. None being forthcoming, the public hearing was declared closed. Councilmember Freedman moved to approve the Negative Declaration for Planning Commission Review and Approval No. 713 (R-1) based on the finding that the project will not have a significant effect on the environment, determining this project will not individually or cumulatively have an adverse impact on wildlife resources as defined in Section 711.2 of the California Fish and Game Code and directed staff to file and post a Notice of Determination in accordance with the City's guidelines. Motion seconded by Councilmember Haws and carried unanimously. Councilmember Freedman moved to approve the Socio-Economic Cost/Benefit Study for Planning Commission Review and Approval No. 713 (R-1) as the project will not create unmitigable physical blight or overburden public services in the community; that no additional information or evaluation is needed; and that the proposed project is not a growth inducing development and therefore will not have a negative impact on the City's social services. Motion seconded by Councilmember Haws and carried unanimously. Councilmember Freedman moved to approve Planning Commission Review and Approval No. 713 (R-1) subject to the findings, conditions of approval, and all departmental recommendations contained in the staff report. Motion seconded by Councilmember Haws and carried unanimously.

Planning Commission Review and Approval No. 720 - Public hearing was advertised for this time and place to consider a Draft Mitigated Negative Declaration and Socio-Economic Cost/Benefit Study for Planning Commission

Review and Approval No. 720 for the construction of two 27,025 square foot concrete tilt-up buildings for light industrial/warehouse establishments on 4.22 acres located on the southwest corner of Park Avenue and Nevada Street in the EV-IC (Commercial Industrial) District of the East Valley Corridor Specific Plan (Pence Construction, applicant). Community Development Director Shaw described the project and noted the landscape plan will be reviewed by the Planning Commission prior to issuance of building permits. It was also noted the Nevada Street improvements will be paid by the developer. Mayor Gilbreath declared the meeting open as a public hearing for any questions or comments. None being forthcoming, the public hearing was declared closed. Councilmember George moved to approve the Negative Declaration for Planning Commission Review and Approval No. 720 based on the finding that the project will not have a significant effect on the environment, determining this project will not individually or cumulatively have an adverse impact on wildlife resources as defined in Section 711.2 of the California Fish and Game Code and directed staff to file and post a Notice of Determination in accordance with the City's guidelines. Motion seconded by Councilmember Freedman and carried unanimously. Councilmember George moved to approve the Socio-Economic Cost/Benefit Study for Planning Commission Review and Approval No. 720 as the project will not create unmitigable physical blight or overburden public services in the community, and no additional information or evaluation is needed. Motion seconded by Councilmember Freedman and carried unanimously. Councilmember George moved to approve Planning Commission Review and Approval No. 720 subject to the findings, conditions of approval, and departmental recommendations contained in the staff report. Motion seconded by Councilmember Freedman and carried unanimously.

Planning Commission Review and Approval No. 721 - Public hearing was advertised for this time and place to consider a Socio-Economic Cost/Benefit Study for Planning Commission Review and Approval No. 721 for the construction of a 9,980 square foot commercial building on approximately .70 acres located on the north side of Redlands Boulevard approximately 400 feet west of Texas Street in the C-4 (Highway Commercial) District (Allen Steward, Steward Development, applicant). Community Development Director Shaw described the project. Councilmember Freedman desired to continue this application as he would like the applicant to address the City Council about the location and competition of the proposed appliance business. Councilmember Pepler also expressed the same concern. Councilmember George noted Socio-Economic Cost/Benefit Study does not take into consideration the loss of revenue from competing businesses. Councilmember Freedman moved to continue this public hearing to November 7, 2000. Motion seconded by Councilmember Pepler and failed with Councilmembers George, Haws, and Gilbreath voting against it. Mayor Gilbreath then declared the meeting open as a public hearing for any questions or comments. None being forthcoming, the public hearing was declared closed. Councilmember Haws moved to approve the Socio-Economic Cost/Benefit Study for Planning Commission Review and

Approval No. 721 as the project will not create unmitigable physical blight or over-burden public services in the community; that no additional information or evaluation is needed; and that the proposed project is not a growth inducing development and therefore will not have a negative impact on the City's social services. Motion seconded by Councilmember George and carried unanimously. Councilmember Haws moved to approve Planning Commission Review and Approval No. 721 subject to the findings, conditions of approval, and all department recommendations as contained in the staff report. Motion seconded by Councilmember George and carried unanimously.

Planning Commission Review and Approval No. 722 - Public hearing was advertised for this time and place to consider a Draft Mitigated Negative Declaration and Socio-Economic Cost/Benefit Study for Planning Commission Review and Approval No. 722 for the construction of a 41,000 square foot fitness center on approximately 6.64 acres generally located at the northeast corner of Marshal Street and Parkford Road in the C-4 (Highway Commercial) District, and Variance No. 609 to allow a landscaped buffer area along the freeway right-of-way less than the required twenty-five (25) foot width for a proposal to construct a 41,000 square foot fitness center on approximately 6.64 acres located at the northeast corner of Marshal Street and Parkford Road in the C-4 (Highway Commercial) District (L. A. Fitness, applicant). Community Development Director Shaw reported the applicant has requested a continuance to November 21, 2000, in order to have the Planning Commission review revised site plans and elevations. Councilmember George asked that the applicant be advised by staff to address the need for another fitness center. Councilmember Haws asked that traffic and parking concerns be addressed on November 21, 2000. Mayor Gilbreath declared the meeting open as a public hearing for any questions or comments. None being forthcoming, the public hearing was declared closed. Councilmember Freedman moved to continue this public hearing to November 21, 2000, as requested. Motion seconded by Councilmember Haws and carried unanimously.

Ordinance No. 2459 - Side Yard Setbacks - Tentative Tract No. 16101 - Conditional Use Permit No. 713 - Public hearing was advertised for this time and place to consider a Draft Mitigated Negative Declaration for Ordinance No. 2459, Zoning Ordinance Text Amendment No. 273, for an amendment to Section 18.144 of the Redlands Municipal Code to allow a reduction in the required side yard setbacks for detached single-family dwellings within a Planned Residential Development; and a Draft Mitigated Negative Declaration and Socio-Economic Cost/Benefit Study for Tentative Tract No. 16101 for the subdivision of 55.91 acres into 150 single family lots generally located between Capri Avenue and Lugonia Avenue, west of Wabash Avenue in the R-E (Residential Estate) District; and Conditional Use Permit No. 713 for the construction of a 150-single-family lot planned residential development on approximately 55.91 acres generally located between Capri Avenue and Lugonia Avenue, west of Wabash Avenue in the R-E (Residential Estate)

District (Standard Pacific Homes, applicant). Community Development Director Shaw described the project in detail and reviewed additional conditions of approval related to the recommendation of the Citrus Commission. Interim City Manager Burgess suggested this public hearing be continued to November 21, 2000, to allow the Citrus Commission, the City Council and the public to review the proposed citrus policy which has only recently been prepared. Councilmember Haws supported that suggestion noting the preservation of citrus is important to this City Council. Mayor Gilbreath declared the meeting open as a public hearing for any questions or comments. Representing the applicant, Pat Meyer addressed the City Council stating there seems to be a misconception about citrus preservation in relation to this project, and that he was willing to speak to the Citrus Commission and explain their proposal. Councilmember Haws moved to refer this project to the Citrus Commission for review of the project and citrus preservation policy and to continue this public hearing to November 21, 2000. Motion seconded by Councilmember George and carried unanimously.

CLOSED SESSION REPORT

Labor Negotiations - Mayor Gilbreath announced the City Council is continuing its discussions with its labor negotiator and the Redlands Association of Management Employees, Redlands Association of Mid-Management Employees, Redlands Police Officers Association, Redlands Association of Safety Management Employees, Redlands Professional Fire Fighters Association, and General Employees Association of Redlands. These negotiations will continue at an adjourned regular meeting to be held on Friday, October 27, 2000. The City Council expects to ratify the contract with the General Employees Association of Redlands on November 7, 2000.

City Manager Appointment - Mayor Gilbreath also announced the discussion regarding the appointment of a new City Manager will also continue on Friday, October 27, 2000.

NEW BUSINESS

Ordinance No. 2458 - Mobile Home Rent Control - Assistant City Attorney Murad explained that for the past several months, City staff has been in discussions with an owner of Sylvan Mobile Home Estates regarding a dispute he has with an owner of several mobile homes located in the park. The dispute is over the application of the City's mobile home rent stabilization laws to persons who own mobile homes as an investment and is subleasing them to other persons. Presently, this dispute is in Superior Court where the park owner and the mobile home investor are attempting to work out their differences. He explained the public policy reason for the City's adoption of a rent control ordinance which is to address the virtual monopoly a mobile home park owner has over a park. City staff does not believe the City's rent stabilization

ordinance applies to persons who do not occupy a mobile home as his or her principal residence. Accordingly, staff is submitting this ordinance for the City Council's consideration to change all references from "tenants" to "mobile home owner-occupants" to reflect the City's policy that rent stabilization applies only to mobile home owners. Dick Bessire, one of the owners of Sylvan Mobile Home Estates, expressed his appreciation to staff for addressing this unfair situation. Ordinance No. 2458, an ordinance of the City of Redlands amending Chapter 5.48 of the Redlands Municipal Code relating to mobile home rent control, was read by title only by City Clerk Poyzer, and on motion of Councilmember Freedman, seconded by Councilmember George, further reading of the ordinance text was waived, and Ordinance No. 2458 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for November 7, 2000.

Fee Waiver - The Compassionate Friends - Public Works Director Mutter explained The Compassionate Friends, a self-help support group for families who have suffered the death of a child, are requesting use of Smiley Park on December 10, 2000, for a candle lighting ceremony and vigil. They are also asking for a waiver of the fees. As has been the case in all past programs involving candles, wax is dripped on the pavement, sidewalks, and lawns causing a significant amount of clean up effort by staff. If this request is approved, the Public Works staff recommends that the \$300.00 clean-up deposit be required to be posted. Fire Chief Enslow has spoken with the responsible parties and they have agreed to utilize non-drip candles with a cup this year. Councilmember Haws noted he was proud to be associated with City staff willing to work with citizens in cases such as this. Councilmember Pepler moved to approve the request by The Compassionate Friends for waiver of the \$25.00 reservation fee for use of Smiley Park, for a memorial ceremony to be held on December 10, 2000, with the following conditions:

1. That the \$300.00 Public Works cash clean-up deposit be posted;
2. That any use of candles where the potential exists for hot wax to be dripped on the Lincoln Shrine walkways, steps, patios, etc. is prohibited; and
3. Participants may hold the candles during the services if placed in the Fire Department's approved, stationary containers.

Motion seconded by Councilmember George and carried unanimously.

PUBLIC COMMENTS

Mobile Home Rent Stabilization - Dick Bessire expressed his appreciation that staff was in the process of reviewing the entire mobile home rent stabilization ordinance and asked to be allowed to work with staff and provide input in the amendment process. He also express sorrow at the recent passing John Branigan, chairman of the Mobile Home Rent Review Board.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 8:01 P.M. to an adjourned regular meeting to be held on Friday, October 27, 2000, at 11:00 A.M. in the A. K. Smiley Public Library, 125 West Vine Street, Redlands.

City Clerk