

MINUTES

of a special meeting of the City Council of the City of Redlands held in the Council Chambers, Civic Center, 35 Cajon Street, at 2:00 P.M. on Wednesday, August 11, 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
Ronald C. Mutter, Public Works Director
Michael L. Huffstutler, Acting Municipal Utilities Director
Jeffrey L. Shaw, Community Development Director

ABSENT

None

Lowe's Referendum Petition - A petition entitled *Referendum Against a Legislative Act Passed by the City Council* was filed in the City Clerk's Office on August 10, 1999. The legislative act is described as an agreement for construction and operation of a home improvement center and the provision of unrelated off-site improvements between the City of Redlands and Lowe's HIW, Inc. Mayor Cunningham asked City Attorney McHugh if this was a valid referendum issue. City Attorney McHugh replied that generally legislative acts are ordinances or resolutions; this referendum is on an agreement and there is no reference to the resolution. He will look into this further and report back to the City Council on September 7, 1999. At the request of the petitioners, City Clerk Poyzer is processing a sample examination of the signatures as permitted by Section 9115 of the California Election Code. Councilmember Freedman moved to direct the City Clerk to check all signatures on the petition and bill the costs of the signature verification to the petitioners. Motion seconded by Councilmember Banda and carried unanimously. On behalf of the petitioners, Mark Bulot explained that their purpose behind this referendum was to stop a taxpayers' subsidy and the statistical sampling seemed to be the most cost effective method and that they did not wish to have this matter voted on at a special election. It was noted that this referendum was too late to be placed on the November 2, 1999, ballot.

The City Council briefly recessed at 2:07 P.M. to allow the City Clerk to contact the Registrar of Voters and notify that office of the change of the method of signature verification. The City Council meeting reconvened at 2:11 P.M.

AB 1553 - City Manager Luebbers reported we received the text of AB 1553 on Monday, August 9, 1999. City Attorney McHugh reviewed its contents. City Manager Luebbers updated Councilmembers on the activities of our lobbyist who highly recommended someone from the City Council be in Sacramento each of the three days (August 16-18, 1999). Councilmember George reported Senator Baca has offered to act as mediator and is willing to hold a meeting on Tuesday in his office. Councilmember George requested the Redlands Professional Firefighters attend as they were instrumental in setting this up; he also thought City Manager Luebbers and City Attorney McHugh should also attend. President of the Redlands Professional Firefighters Dan Crow said he would be proud to go with the City Council at this time. Discussion followed as to who was available when and whether or not a special meeting would be necessary to comply with the Brown Act if three or more Councilmembers congregated together for the purpose of discussing City business. City Council candidates were also invited to join the effort.

Annexation - "Donut Hole" and REV - Councilmember Cunningham moved to direct staff to revive the application to LAFCO for annexation of the minimum needed for the Redlands East Valley High School and the 1,200 acres referred to as the "Donut Hole." Motion seconded by Councilmember Freedman and carried unanimously.

County Spheres of Influence Amendment - On July 27, 1999, the County of San Bernardino approved an amendment to their General Plan regarding Spheres of Influence. Councilmember Banda noted that all but two cities within the County object to this amendment. A meeting of representatives from the cities will be held Thursday evening to discuss this matter.

Utilities - "Donut Hole" - City Attorney McHugh reported staff has defined our facilities in this area and the cost of \$5½ million which is in jeopardy and the lawsuit has been filed.

Re-Zoning of "Regional Center" - Councilmember Freedman moved to direct staff to prepare an amendment to the General Plan to remove the "Regional Center" designation from the current site and then relocate the designation to another site. The motion was seconded by Councilmember Banda. Mayor Cunningham felt this was necessary to allow other developers the opportunity to develop. Councilmember Gilbreath felt it was an inappropriate move and that the message from this City Council was wrong. Councilmember George strongly felt this issue should be considered in September after our efforts in Sacramento regarding AB 1553. Following much discussion, Councilmember Freedman agreed to remove his motion and continue the discussion to September 7, 1999. In concurrence, Councilmember Banda agreed to withdrawal of the first motion, and seconded the motion to continue this

matter. The motion carried with Councilmember Gilbreath voting NO as she would be opposed to the motion to change the designation now or in September.

Tie-Down Permits - Redlands Municipal Airport - City Attorney McHugh reported that over the past few weeks a number of persons have approached the Public Works Department and requested tie-down rental agreements for their aircraft at the Redlands Municipal Airport. In the past, staff has regularly approved such tie-down agreements without City Council approval and based upon the provisions of a "form" rental agreement which has been used for some time. With the recent activity at the airport, and with increased scrutiny from representatives of the Federal Aviation Administration, City staff wishes to ensure that the City Council approves of the provisions of the tie-down rental agreement and formally agrees that City staff has been delegated the authority to approve and sign these agreements. Expressing their concerns were: Scott Jones, Trish Peterson, Robert O'Connor, Larry Foutier, Mike Marko, and Andy Testman. Mr. Testman asked for a interim permit so that he could rent his planes and conduct flight training from the west ramp; he also asked to be allowed to keep a mobile home on the premises during the day for restroom facilities. He also noted he is in contact with interested parties who wish to add facilities at the airport. Public Works Director Mutter said it has never been staff's intent to stop rentals or flight instruction but that we do not want fixed based operators. He noted that Mr. Testman's mobile home can be parked in the tie-down space as long as it is not being used as an office. Following discussion, Councilmember Gilbreath moved that the Public Works Director be delegated the authority to negotiate, review and execute tie-down rental agreements on behalf of the City, with the City Attorney's approval of the form of the agreement. Motion seconded by Councilmember George and carried unanimously. Mayor Cunningham encouraged negotiations with persons interested to add further facilities at the Redlands Municipal Airport.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 3:26 P.M. The next regular meeting will be held on September 7, 1999.

City Clerk