

MINUTES

of a regular meeting of the City Council of the City of Redlands held in the Council Chambers, Civic Center, 35 Cajon Street, on November 16, 1999, at 3:00 P.M.

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
Jeffrey L. Shaw, Community Development Director
Afternoon Session:
Michael Reynolds, City Treasurer
Jim Bueermann, Police Chief
Mel Enslow, Fire Chief
Bonnie Johnson, Finance Director
Gary G. Phelps, Municipal Utilities Director
Evening session:
Beatrice Sanchez, Deputy City Clerk

ABSENT

None

The meeting was opened with an invocation by Mayor Pro Tem Banda followed by the pledge of allegiance.

CONSENT CALENDAR

Minutes - On motion of Councilmember Gilbreath, seconded by Councilmember Freedman, the minutes of the regular meeting of November 2, 1999, were approved as submitted.

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

Planning Commission Actions - On motion of Councilmember Freedman, seconded by Councilmember Banda, the report of the Planning Commission meeting held on November 9, 1999, was acknowledged as received with the correct date for continuance of the Chevron Products Company's applications.

Environmental Review Committee - On motion of Councilmember Gilbreath, seconded by Councilmember Freedman, the report of the Environmental

Review Committee meeting held on November 8, 1999, was acknowledged as received.

Ordinance No. 2524 - Aerosol Paint Containers and Marker Pens - Ordinance No. 2524, an ordinance of the City of Redlands adding Chapter 8.44 to the Redlands Municipal Code to regulate the sale of aerosol paint containers and felt-tip marker pens, was adopted on motion of Councilmember Gilbreath, seconded by Councilmember Freedman, by the following vote:

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

NOES: None

ABSENT: None

Contract Award - Community Center Renovations - Bids were opened and publicly declared on October 28, 1999, by the City Clerk for construction of the Community Center Renovations, Phase III project; 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 NBI General Contractors in the amount of \$32,469.00, 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 Freedman, this recommendation was unanimously approved and the Mayor and City Clerk were authorized to sign the contract on behalf of the City.

Resolution No. 5708 - Traffic - On motion of Councilmember Gilbreath, seconded by Councilmember Freedman, the City Council unanimously adopted Resolution No. 5708, a resolution of the City Council of the City of Redlands establishing the following traffic regulations pursuant to Title 10 of the Redlands Municipal Code: remove a no parking zone and install a passenger loading and unloading zone on Church Street, south of Citrus Avenue, and on Citrus Avenue, east of Church Street.

Resolution No. 5709 - Traffic - On motion of Councilmember Gilbreath, seconded by Councilmember Freedman, the City Council unanimously adopted Resolution No. 5709, a resolution of the City Council of the City of Redlands establishing the following traffic regulations pursuant to Title 10 of the Redlands Municipal Code: expand passenger loading zone along the east side of Indiana Court.

Resolution No. 5710 - Traffic - On motion of Councilmember Gilbreath, seconded by Councilmember Freedman, the City Council unanimously adopted Resolution No. 5710, a resolution of the City Council of the City of Redlands establishing the following traffic regulations pursuant to Title 10 of the Redlands Municipal Code: establish no parking zone in front of Orangewood High School and on west side of Texas Street near Stuart Avenue.

Workers' Compensation Administration Services - On motion of Councilmember Gilbreath, seconded by Councilmember Freedman, the City

Council unanimously approved an addendum to the existing service agreement between the City of Redlands and Southern California Risk Management Associates (SCRMA), Inc. for workers' compensation administration services and approved a new service agreement between the City of Redlands and SCRMA for workers' compensation administration services.

Hydroelectric Licensing Procedures - WaterPower - On motion of Councilmember Gilbreath, seconded by Councilmember Freedman, the City Council unanimously approved staff to advise local Federal Representatives of support for United States Senate Bill 740 and United States House of Representatives Bill 2335 which will improve the Federal Energy Regulatory Commission hydroelectric licensing procedures and approve a request for membership in WaterPower, the Clean Energy Coalition.

Agreement - Xerox Corporation - Councilmember Freedman left the Council Chambers and abstained from this matter due to a possible conflict of interest. On motion of Councilmember Banda, seconded by Councilmember Gilbreath, the City Council approved, by AYE votes of all present, Amendment Nos. 1 and 2 to the services agreement dated October 22, 1999, with Xerox Corporation which will provide an additional copy machine in the Personnel Department and correct the equipment model name for eight of the new machines.

Funds - Recreation Scooter - On motion of Councilmember Gilbreath, seconded by Councilmember Freedman, the City Council unanimously authorized the purchase of a three-wheel scooter for the Recreation Bureau. It was noted salary savings in the adopted budget will be used the fund the purchase.

Funds - Field Lighting Expenses - On behalf of the youth sports organizations utilizing field lights, Dave Eason explained that he was seeking a subsidy for these groups due to the lack of timeliness in responding to his request to convert qualifying meters to the lower AL-2 electric rate. He explained the average savings expected with the conversion of the electrical meters. Thanking Mr. Eason for his efforts, Councilmember Cunningham moved to approve an additional appropriation, not to exceed \$15,000.00, to subsidize field lighting expenses for youth sports organizations as recommended by the Recreation Commission. Motion seconded by Councilmember Banda and carried unanimously.

Mortgage Revenue Bond Program - On motion of Councilmember Gilbreath, seconded by Councilmember Freedman, the City Council unanimously approved continued participation in the San Bernardino County Single Family Mortgage Revenue Bond Program and authorized the Mayor and City Clerk to execute the letter of intent on behalf of the City.

PLANNING AND COMMUNITY DEVELOPMENT

Minor Subdivision No. 236 - Time Extension - Councilmember Banda moved that the City Council determined that no subsequent environmental documents are necessary for the City Council's approval of a one year time extension of Minor Subdivision No. 236 (an application for the subdivision of approximately 65.5 acres of land into four parcels and a remainder parcel in the A-1 District located west of Lisa Marie Lane, south of San Timoteo Canyon Road; Terry Emershy, applicant) which is consistent with the previous Mitigated Negative Declaration approved by the City Council on March 11, 1996, subject to the following findings:

1. No substantial changes are proposed in the project which will require major revision of the previously approved Mitigated Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. No substantial changes have occurred with respect to circumstances under which the project was undertaken which will require major revisions of the previously approved Mitigated Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and
3. No new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous Mitigated Negative Declaration for Minor Subdivision No. 236, has been identified.

Motion seconded by Councilmember Freedman and carried unanimously. Councilmember Banda moved to approve a one year time extension for Minor Subdivision No. 236 extending approval until December 3, 2000. Motion seconded by Councilmember Freedman and carried unanimously.

Minor Subdivision No. 236 -Final Approval - Terry Emershy, the applicant, withdrew his request for final approval of Minor Subdivision No. 236, an application for the subdivision of approximately 65.5 acres of land into four parcels and a remainder parcel in the A-1 District located west of Lisa Marie Lane, south of San Timoteo Canyon Road.

COMMUNICATIONS

Krikorian Theatre - Transit Center - Mayor Cunningham reported he had met with SANBAG's Commuter Rail Committee to discuss their position regarding the Metrolink monies and learned that if these funds are not expended this year, they will probably be lost. He urged this matter be placed on the December 7, 1999, agenda for the new City Council's immediate attention.

San Timoteo Flood Control Project - Mayor Cunningham left the City Council Chambers due to a possible conflict of interest on this matter. Mayor Pro Tem Banda reported the Environmental Impact Report for the San Timoteo Reach

3B Flood Control Project was completed recently and she explained the project. Councilmember Freedman moved to direct the City Attorney to prepare a response to the EIR addressing the complete project to the Alessandro Bridge. Motion seconded by Councilmember Gilbreath and carried by AYE votes of all present.

Oak Grove Preservation - Mrs. Theodora Banta updated the City Council on her quest to purchase and donate to the City a live oak grove in San Timoteo Canyon. She stated the property owner's representative, Pat Meyer of Urban Environs, told her he wanted a public apology before he would meet with her regarding her statements at our prior meeting when she informed Councilmembers that Mr. Meyer would not return her phone calls. She clarified she meant the property owner had not returned her phone calls.

Roskamp Project - Mayor Cunningham noted a property owner down stream from the Roskamp Project (Tentative Tract No. 15469 located south of the terminus of Sutherland Drive, Ashforth Drive and South Lane Specific Plan No. 47) expressed concern to him about the drainage from this proposed project. Noting comments may not be appropriate at this time as the project is scheduled for public hearing on December 7, 1999, Councilmember Freedman asked staff to address the needs for the live oak trees.

Dial-A-Cab - Having recently spoken to a representative from Omnitrans, Mayor Cunningham reported the Dial-A-Cab program is likely to be phased out. He urged the new Omnitrans representative from the City Council to address this important issue and find a viable alternative for Redlands' residents.

Compensation Study - Councilmember Freedman asked the City Manager to communicate with the employee groups to address benefit issues in their upcoming salary proposals. Councilmember Freedman also moved to ask the City Attorney to advise the City Council if the \$3.7 million reimbursement for cleanup of groundwater from Lockheed could be put in the General Fund and used for employee expenditures, and what criteria should be used for a loan from utility funds. Motion seconded by Councilmember Banda and carried unanimously. Mayor Cunningham warned Councilmembers about the difficulty using one-time moneys for on-going costs.

Cemetery Endowment Task Force - A letter dated November 16, 1999, from the remaining members of the Cemetery Endowment Task Force explained their position that the task force has completed its charge and should be deactivated. With the recent concurrence of the City Council that a "Friends of Hillside Memorial Park" be established, fund raising to increase the Cemetery Endowment and raise additional funds for improvements at Hillside is now best left to a separate non-profit group. With the success of the Friends of Caroline Park and the Friends of Prospect Park, Public Works Director Mutter said it is anticipated that the Friends of Hillside Memorial Park will enjoy a similar

success with the appropriate efforts. Expressing appreciation to the members, Councilmember Cunningham moved to deactivate the Cemetery Endowment Task Force. Motion seconded by Councilmember Banda and carried unanimously.

CLOSED SESSION

The City Council meeting recessed at 4:03 P.M. to a Redevelopment Agency meeting and reconvened at 4:04 P.M. to a closed session to discuss the following:

- a. Conference with legal counsel: Existing litigation - Government Code Section 54956.9(a) - Claim of Patricia Bishop
- b. Conference with labor negotiator
Agency negotiator: Karen Olsen
Employee Organization: Redlands Association of Safety Management Employees (RASME)

The meeting reconvened at 7:00 P.M.

PUBLIC HEARINGS

Resolution No. 5697 - Street Vacation No. 116 - Public hearing was advertised for this time and place for the vacation of a portion of public right-of-way located on the west side of Iowa Street, south of Redlands Boulevard. Mayor Cunningham declared the meeting open as a public hearing for any questions or comments concerning this street vacation. A letter was received earlier today from Southern California Edison requesting reservation of an easement for public utilities over the entire area being vacated as they are in the process of working with the development on under-ground facilities. Section three of Resolution No. 5697 addresses this request. There being no comments forthcoming, the public hearing was declared closed. Councilmember Banda moved that the City Council determine that no subsequent environmental documents are necessary for Street Vacation No. 116 as it is consistent with the previous Mitigated Negative Declaration adopted by the City Council for Planning Commission Review and Approval No. 702 on April 19, 1999, subject to the following findings:

1. No substantial changes are proposed in the street vacation which will require major revisions of the previously approved Mitigated Negative Declaration due to the involvement of new significant environmental effects or substantial increase in the severity of previously identified significant effects;
2. No substantial changes have occurred with respect to circumstances under which the project was undertaken which will require major revisions of the previously approved Mitigated Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects; and

3. No new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous Mitigated Negative Declaration for Planning Commission Review and Approval No. 702, has been identified.

Motion seconded by Councilmember Freedman and carried unanimously. Councilmember Banda moved to adopt Resolution No. 5697, a resolution of the City Council of the City of Redlands finding that a portion of public right-of-way located on the west side of Iowa Street, south of Redlands Boulevard, is unnecessary for present or prospective street purposes and approving Street Vacation No. 116. Motion seconded by Councilmember Freedman and carried unanimously.

Resolution No. 5702 - 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 University of Redlands Memorial Chapel located at 1200 East Colton Avenue as Historic Landmark No. 100. 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. Phillip Doolittle, University of Redlands, described the renovation project currently underway for the Memorial Chapel and urged the City Council to support their request. There being no further comments, the public hearing was declared closed. Councilmember Banda moved to adopt Resolution No. 5702, 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 is a notable work of an architect whose individual work has significantly influenced the development of the City;
2. It has unique location or singular physical characteristics representing an established and familiar visual feature of a neighborhood, community, or the City; and
3. It is a particularly good example of a period or style.

Motion seconded by Councilmember Gilbreath and carried unanimously.

CR&A No. 705 - Rockview Farms - Public hearings were advertised for this time and place to consider the Socio-Economic Cost Benefit Study for Planning Commission Review and Approval No. 705 for the addition of a 38,654 square foot building to an existing industrial center at 141 Kansas Street in the IC (Commercial Industrial) District of the East Valley Corridor Specific Plan. Community Development Director Shaw described the proposed project which is an infill development within an existing industrial park and will not require the installation of infrastructure or extension of existing infrastructure as all infrastructure was installed when the existing buildings adjacent to Kansas Street were constructed. Although the Cost Benefit Model shows a negative fiscal impact of 0.196 for this project, the Environmental Review Committee on October 12, 1999, still recommended approval of the Socio-Economic Cost

Benefit Study conducted on this project. Their recommendation is based on the fact that the Cost Benefit Model is more reflective of more intensive commercial land uses. It was noted that staff, with the assistance from both Fire and Police Departments, will be attempting to formulate a system that will render a more precise service cost analysis for the various/different non-residential land uses. Mayor Cunningham declared the meeting open as a public hearing for any questions or comments. None being forthcoming, the public hearings were closed. Councilmember George moved to approve the Socio-Economic Cost Benefit Study for Planning Commission Review and Approval No. 705 as the project will not create unmitigable physical blight or over burden public services in the community, and no additional information or evaluation is needed; the proposed project is an infill development within an existing light industrial park and will not require the installation of any infrastructure or street improvements; and the project is not a growth inducing development and will not have a negative impact on the City's social services. Motion seconded by Councilmember Freedman and carried unanimously. Councilmember George moved to approve Planning Commission Review and Approval No. 705 subject to the conditions of approval contained in the staff report and the following findings:

1. That the site for this proposed development is adequate in size and shape to accommodate the use and other features required in order to adjust the use to those existing or permitted future uses in the vicinity;
2. That the project site for this proposed infill development properly related to the adjacent public streets which are designed to carry the type and quantity of traffic generated or to be generated by this proposed use;
3. The proposed use is desirable for the development of the community, is consistent with the policies, goals, and objectives of the Redlands General Plan, and is not detrimental to existing or planned uses in the vicinity of the proposed project; and
4. That the conditions set forth in the permit and shown on the submitted site plan are necessary to protect the public health, safety, or general welfare.

Motion seconded by Councilmember Freedman and carried unanimously.

Tentative Tract No. 16032 - Lawrence Luebbe - Public hearings were advertised for this time and place to consider the Socio-Economic Cost Benefit Study, Tentative Tract No. 16032, and an accompanying Negative Declaration for the subdivision of 4.52 acres into 15 single family residential lots generally located on the northeast corner of Citrus Avenue and LaSalle Street in the R-1 (Single Family Residential) District. Community Development Director Shaw described the proposed project. Mayor Cunningham declared the meeting open as a public hearing for any questions or comments concerning this project. None being forthcoming, the public hearings were closed. Councilmember Banda moved to approve the Environmental Review Committee's Negative Declaration for Tentative Tract No. 16032 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 Banda moved to approve the Socio-Economic Cost Benefit Study for Tentative Tract No. 16032 as the project will not create unmitigable physical blight or over-burden public services in the community, and no additional information or evaluation is needed, and that the proposed project, based on the overall Fiscal Impact Analysis, will provide the City with a positive annual revenue/cost ratio of 1.85. Motion seconded by Councilmember Freedman and carried unanimously. Councilmember Banda moved to approve Tentative Tract No. 16032 subject to the conditions of approval contained in the staff report and the following findings:

1. That the proposed map is consistent with the policies, land use designation, and density prescribed by the General Plan;
2. That the design and improvements of the proposed subdivision are consistent with City standards;
3. That the site is physically suitable for the type of development;
4. That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;
5. That the design of the subdivision or type of improvements will not cause any serious public health problems;
6. That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision; and
7. That pursuant to California Government code section 66474.6, the discharge of waste from this subdivision apparently will not result in violation of existing requirements prescribed by the Santa Ana Regional Water Quality Control Board pursuant to Division 7 of the California Water Code.

Motion seconded by Councilmember Freedman and carried unanimously.

NEW BUSINESS

Resolution No. 5707 - Traffic - Public Works Director Mutter reported the Traffic and Parking Commission, at its meeting held on October 28, 1999, voted unanimously to recommend to the City Council to establish an unrestricted time limit parking for the parking lot (27 parking spaces) located between an alley and Fifth Street, on the east side of the 200 block of Orange Street. Staff recommended denial of the request based on the availability of free, unlimited public parking in a parking facility in the immediate vicinity (Centennial Plaza). Councilmembers discussed the possible reasons why the Centennial Plaza parking facility is under-used. Councilmember Cunningham moved to adopt Resolution No. 5707, a resolution of the City Council of the City of Redlands establishing the following traffic regulations pursuant to Title 10 of the Redlands Municipal Code: establish an unrestricted time limit parking for the parking lot located between an alley and Fifth Street, on the east side of the 200

block of Orange Street, and directed that this matter be revisited in six months. Motion seconded by Councilmember Freedman and carried unanimously.

Resolution No. 5713 - PERS Contract - Councilmember Gilbreath moved to adopt Resolution No. 5713, a resolution of intention to approve an amendment to the contract between the Board of Administration of the California Public Employees' Retirement System, and the City Council of the City of Redlands, to provide credit for unused sick leave for local fire members only. Motion seconded by Councilmember Freedman and carried unanimously.

Ordinance No. 2427 - PERS Contract - Ordinance No. 2427, an ordinance of the City of Redlands authorizing an amendment to the contract between the City of Redlands and the Board of Administration of the California Public Employees' Retirement System to provide credit for unused sick leave for local fire members only, 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. 2427 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for December 7, 1999.

PUBLIC COMMENTS

Bicycle Riders - Thomas Worth, a student at Redlands High School, asked the City Council to consider providing an area for young people to ride their bikes such as what is available in Austin, Texas. Mayor Cunningham asked staff to review this request.

Theater Facility - Mr. James Hammond asked the City Council to urge Mr. Krikorian to provide better facilities for the handicapped when he designs the Krikorian Theatre expansion. Mayor Cunningham indicated Mr. Krikorian is sensitive to these issues and will take them into consideration in his expansion project.

Foreclosure Properties - Mr. David Waters asked for assistance to protect his property in Tribune Street. A number of properties adjoining his property have gone into foreclosure and there is no longer anyone responsible for the upkeep and safety of the neighborhood. City Manager Luebbbers offered the services of the Community Policing personnel to assist Mr. Waters.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 7:47 P.M. The next regular meeting will be held on December 7, 1999.

City Clerk