

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 September 19, 2000, at 3:00 P.M.

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
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
(evening session)
John Jaquess, City Planner
(afternoon session)

ABSENT

None

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

CONSENT CALENDAR

Minutes - On motion of Councilmember Freedman, seconded by Councilmember Haws, the minutes of the regular meeting of September 5, 2000, were approved as submitted.

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

Planning Commission Actions - On motion of Councilmember Freedman, seconded by Councilmember Haws, the report of the Planning Commission meeting held on September 12, 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 continued at the request of the applicant to October 17, 2000, on motion of Councilmember Freedman, seconded by Councilmember Haws.

Ordinance No. 2442 - Zone Change No. 374 - Ordinance No. 2442, an ordinance of the City of Redlands amending Title 18 of the Redlands Municipal Code by adopting a revised land use zoning plan as part of the Official Land Use Zoning Map and effecting Zone Change No. 374, was adopted on motion of Councilmember Gilbreath, seconded by Councilmember George, by the following vote:

AYES: Councilmembers George, Pepler, Haws; Mayor Gilbreath

NOES: Councilmember Freedman

ABSENT: None

Ordinance No. 2452 - Nuisance Abatement - Ordinance No. 2452, an ordinance of the City of Redlands amending Chapter 8.04 of the Redlands Municipal Code relating to nuisance abatement and will allow the City to recover attorneys' fees in any action, administrative proceeding or special proceeding to abate a nuisance in accordance with Government Code Section 38773.5, was unanimously adopted on motion of Councilmember Freedman, seconded by Councilmember Haws.

Ordinance No. 2454 - Water Service Prepayment - Ordinance No. 2454, an ordinance of the City of Redlands amending Chapter 13.12 of the Redlands Municipal Code relating to prepayments for domestic water service, was unanimously adopted on motion of Councilmember Freedman, seconded by Councilmember Haws.

Ordinance No. 2455 - Adult-Oriented Businesses - Ordinance No. 2455, an ordinance of the City of Redlands amending Chapter 8.76 of the Redlands Municipal Code relating to adult-oriented businesses, was unanimously adopted on motion of Councilmember Freedman, seconded by Councilmember Haws.

Emergency Operations Center - Change Order - On motion of Councilmember Freedman, seconded by Councilmember Haws, the City Council unanimously approved Change Order No. 1 to the contract for the Emergency Operation Center Tenant Improvements Project in the amount of \$3,737.50.

Funds - Orange Street Electrical Improvements Project - On motion of Councilmember Freedman, seconded by Councilmember Haws, the City Council unanimously appropriated \$9,500.00 and awarded a contract for construction of the Orange Street Electrical Improvements Project to Rymax Electric, Inc., Upland.

Funds - Wastewater Vehicle - On motion of Councilmember Freedman, seconded by Councilmember Haws, the City Council unanimously authorized replacement of a GMC pickup (Unit No. 760) and an additional appropriation of \$22,000.00 from the Wastewater Enterprise Fund Equipment Replacement Reserve.

RDA No. 2000-III-1 - On motion of Councilmember Freedman, seconded by Councilmember Haws, the City Council unanimously accepted the recommendations of the Planning Commission, Historic and Scenic Preservation Commission, staff, and the Redlands Unified School District for points to be awarded to Residential Development Allocation (RDA) No. 2000-III-1 for 9 single family homes in Tract No. 15382 located on the southwest corner of Cypress and Sunnyside Avenues (BHS, Inc., applicant), and approved RDA No. 2000-III-1.

Proclamation - Constitution Week - On motion of Councilmember Freedman, seconded by Councilmember Haws, the City Council unanimously authorized issuance of a proclamation declaring the week of September 17-23, 2000, as Constitution Week.

Proclamation - American Business Women's Association - On motion of Councilmember Freedman, seconded by Councilmember Haws, the City Council unanimously authorized issuance of a proclamation extending best wishes to the American Business Women's Association, Redlands Chapter.

Funds - Airport Improvement - On motion of Councilmember Freedman, seconded by Councilmember Haws, the City Council unanimously authorized staff to apply for federal assistance for airport improvement for the Redlands Municipal Airport in the amount of \$150,000.00 and authorized an expenditure of \$15,000.00 from the Airport Fund for the required 10 percent match.

Purchase and Sale Agreement - 1109 Herald Street - On motion of Councilmember Freedman, seconded by Councilmember Haws, the City Council unanimously approved a purchase and sale agreement with James Martin and Joyce Hughes as approved in a closed session, and authorized the Mayor and City Clerk to execute the documents on behalf of the City.

COMMUNICATIONS

Study Session - Mayor Gilbreath announced the City Council will adjourn today's meeting to a study session to be held on Tuesday, October 3, 2000, at 1:00 P.M. in the City Council Chambers to discuss housing density ratio as it applies to Measure U.

Paperwork Reduction - Noting the mammoth amount of paper used for a City Council meeting, Mayor Pro Tem George asked staff to come up with suggestions as to how we could reduce the amount of paperwork. As an example, he suggested architectural drawings could be reduced to one set which could be available for review in the City Clerk's Office.

Appointments - Housing Commission - Mayor Gilbreath moved to nominate Barbara Gallert to the Housing Commission to fill the unexpired term of

Charles Masuga to January 18, 2003, and Evelyn Martinez to the Housing Commission to fill the unexpired term of John Lujan to January 18, 2001. Motion seconded by Councilmember George and carried unanimously.

Funds - Fire Equipment - Councilmember Freedman moved to approve a special appropriation of up to \$73,500.00 for the purchase and installation of communication and emergency response equipment in six fire emergency response vehicles. Motion seconded by Councilmember Gilbreath and carried unanimously.

CLOSED SESSION

City Attorney McHugh presented a letter from Latham and Watkins, the attorneys for Majestic Realty Company, threatening a lawsuit over an alleged mis-appropriation of funds if certain monies are not returned to Majestic Realty by September 30, 2000. Noting that the need to take action was immediate, Councilmember George moved to add the following item to the agenda which arose subsequent to the agenda being posted: "Closed session: Conference with legal counsel: Government Code Section 54956.9(b): one case of anticipated litigation." Motion seconded by Councilmember Haws and carried unanimously.

The City Council meeting recessed at 3:11 P.M. to a Redevelopment Agency meeting and reconvened at 3:12 P.M. to a closed session to discuss the following:

1. Conference with legal counsel: Government Code Section 54957 - Public Employee Appointment
2. Conference with legal counsel: Existing litigation - Government Code Section 54956.9(a)
 - City of Redlands v. State of California - Sacramento Case No. OOCSSO1241
 - Raul Aspe v. City of Redlands - San Bernardino Case No. SCISS 61642
3. Conference with real property negotiator - Government Code Section 54956.8 - Church Street Widening Project:
 - Property: APN 0169-192-12
Negotiating parties: Carleton W. Lockwood Jr. and Ron Mutter
Under negotiation: Terms and Price
 - Property: APN 0169-244-36
Negotiating parties: John S. Hart and Ron Mutter
Under negotiation: Terms and Price
 - Properties: APN 0169-321-01, 02
Negotiating parties: Redlands Foothill Groves and Ron Mutter
Under negotiation: Terms and Price
 - Properties: APN 0169-321-04, 05
Negotiating parties: Mark W. Gorden and Ron Mutter
Under negotiation: Terms and Price

3. Conference with real property negotiator - Government Code Section 54956.8 - Church Street Widening Project (continued):
- Property: APN 0169-321-06
Negotiating parties: Darryl B. and Susan L. Hill and Ron Mutter
Under negotiation: Terms and Price
 - Property: APN 0169-321-07
Negotiating parties: David Buckley and Ron Mutter
Under negotiation: Terms and Price
 - Property: APN 0169-321-11
Negotiating parties: Alexander Terrazas and Ron Mutter
Under negotiation: Terms and Price
 - Property: APN 0169-321-34
Negotiating parties: San Bernardino Associated Governments and Ron Mutter
Under negotiation: Terms and Price
 - Property: APN 0169-321-37
Negotiating parties: Ruthann R. Evans and Ron Mutter
Under negotiation: Terms and Price
 - Properties: APN 0169-321-54 and APN 0170-181-43
Negotiating parties: San Bernardino County Flood Control District and Ron Mutter
Under negotiation: Terms and Price
 - Property: APN 0169-321-58
Negotiating parties: Atchison Topeka & Santa Fe RR Company and Ron Mutter
Under negotiation: Terms and Price
 - Property: APN 0170-071-01
Negotiating parties: Ellen R. Baum and Ron Mutter
Under negotiation: Terms and Price
 - Property: APN 0170-071-07
Negotiating parties: Richard R. Borman and Ron Mutter
Under negotiation: Terms and Price
 - Property: APN 0170-072-39
Negotiating parties: Church of Religious Science of Redlands and Ron Mutter
Under negotiation: Terms and Price
 - Property: APN 0170-181-28
Negotiating parties: Carlos and Danielle Segura and Ron Mutter
Under negotiation: Terms and Price
 - Property: APN 0170-181-34
Negotiating parties: Chad Cunningham and Ron Mutter
Under negotiation: Terms and Price
 - Property: APN 0170-231-20
Negotiating parties: Redlands Unified School District and Ron Mutter
Under negotiation: Terms and Price

3. Conference with real property negotiator - Government Code Section 54956.8 - Church Street Widening Project (continued):
- Property: APN 0171-086-07
Negotiating parties: Jim and Laura J. Blackwell and Ron Mutter
Under negotiation: Terms and Price
 - Property: APN 0171-086-08
Negotiating parties: James W. Barton and Ron Mutter
Under negotiation: Terms and Price
 - Property: APN 0171-086-09
Negotiating parties: William C. Torres III and Ron Mutter
Under negotiation: Terms and Price
 - Property: APN 0171-086-10
Negotiating parties: Benjamin G. and Theresa A. Mesa and Ron Mutter
Under negotiation: Terms and Price
 - Property: APN 0171-086-11
Negotiating parties: Lucille H. Gibson and Ron Mutter
Under negotiation: Terms and Price
 - Property: APN 0171-086-13
Negotiating parties: James W. Foster and Ron Mutter
Under negotiation: Terms and Price
 - Property: APN 0171-342-08
Negotiating parties: Andrew B. Jr. and Janet Lee and Ron Mutter
Under negotiation: Terms and Price
 - Property: APN 0171-382-04
Negotiating parties: Redlands Terrace LLC and Ron Mutter
Under negotiation: Terms and Price
 - Properties: APN 0171-382-05, 06
Negotiating parties: Charles F. Argon and Ron Mutter
Under negotiation: Terms and Price

Darryl Hill, who owns a residence on Church Street, asked why the City was widening Church Street. He said if this happens, he will not have a front yard and he saw no reason to widen the street to four lanes.

The City Council meeting recessed to the closed session at 3:13 P.M. The meeting reconvened at 7:00 P.M.

PRESENTATIONS

Medals of Distinction - Fire Chief Enslow presented Medals of Distinction to Eric Chappell, San Bernardino City Fire Department, and Roger Saindon, San Bernardino County Fire Department, for their heroic actions on the afternoon of June 5, 2000, and described their immediate response, while off-duty, to a brush fire in the area of Del Haven and Cambon Courts. Their quick actions proved critical to the prevention of extensive fire damage to the homes in the area. Also present at this meeting were Peter Hills, San Bernardino County Fire Chief;

Larry Pitzer, San Bernardino City Fire Chief; and Dan Wurl, San Bernardino County Division Chief.

Fire Explorer Post - Fire Chief Enslow reported the Redlands Fire Department Explorer's Post began on June 1, 2000, and it has not taken this group of dedicated young people long to gel as an effective and cohesive team. He then reported about their recent activities and accomplishments. Firefighter/Paramedic Fred Clark introduced the Explorers as they accepted a City seal pin and congratulations from Mayor Gilbreath and Fire Chief Enslow.

PUBLIC HEARINGS

Ordinance No. 2449 - Garage Setbacks - Public hearing was advertised for this time and place to consider Ordinance No. 2449, Zoning Ordinance Text Amendment No. 270, to amend the Redlands Municipal Code pertaining to garages with an electrical door opener to have the same setbacks as carports in residential zones (David Waters, applicant). Community Development Director Shaw explained the applicant has an existing apartment project with carports facing an alley, and he would like to enclose the carports into garages for added security and improved aesthetics. The Code currently does not allow an enclosed garage that close to an alley. This ordinance would amend the Code to allow garages at the same setback as carports and staff has suggested that this only be considered if the garage is improved with an automatic garage door opener to address concerns for blocking alley use. Mayor Gilbreath declared the meeting open as a public hearing for any questions or comments. David Waters addressed the Council expressing his appreciation for the Planning Commission's recommendation and urged the City Council approve this amendment. He also addressed the Council regarding a recent decision regarding fence height and asked them to reconsider their decision. He was referred to the City Manager. There being no further comments, the public hearing was declared closed. Ordinance No. 2449, an ordinance of the City of Redlands amending Chapter 18.20 of the Redlands Municipal Code relating to accessory buildings in the A-1 Zone District, was read by title only by City Clerk Poyzer, and on motion of Councilmember Freedman, seconded by Councilmember Haws, further reading of the ordinance text was waived, and Ordinance No. 2449 was introduced with unanimous Council approval and laid over under the rules with adoption scheduled for October 3, 2000.

Planning Commission Review and Approval No. 716 - Public hearing was advertised for this time and place to consider Planning Commission Review and Approval No. 716 for the construction of a 6,855 square foot warehouse building located on a parcel with an area of 21,099 square feet located between Kansas and Iowa Streets on West State 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. 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 Haws moved to approve the Socio-Economic Cost/Benefit Study for Planning Commission Review and Approval No. 716 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. Motion seconded by Councilmember Freedman and carried unanimously. Councilmember Haws moved to approve Planning Commission Review and Approval No. 716 subject to the findings and all department conditions as contained in the staff report. Motion seconded by Councilmember Freedman and carried unanimously.

Planning Commission Review and Approval No. 719 - Public hearing was advertised for this time and place to consider Planning Commission Review and Approval No. 719 for the construction of a 46,595 square foot manufacturing facility on 7.47 acres located on the northwest corner of Iowa Street and Citrus Avenue in the EV/IC (Commercial Industrial) District of the East Valley Corridor Specific Plan (Caseworks, 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 Pepler moved to approve the Negative Declaration for Planning Commission Review and Approval No. 719 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 Pepler moved to approve the Socio-Economic Cost/Benefit Study for Planning Commission Review and Approval No. 719 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. Motion seconded by Councilmember Haws and carried unanimously. Councilmember Pepler moved to approve Planning Commission Review and Approval No. 719 subject to the findings and all department conditions as contained in the staff report. Motion seconded by Councilmember Haws and carried unanimously.

NEW BUSINESS

Resolution No. 5796 - Historic Preserve of Citrus - Community Development Director Shaw explained that staff recommended that the Historical Preserve of Citrus be amended by the removal of 10 acres (know as the Granite Grove) located on the north side of San Bernardino Avenue, east of Dearborn, and that a grove of similar size replace the designated Granite Grove. Staff also recommended retaining a portion of the Granite Grove along the west side of what will ultimately be Dearborn Street extended as a visible tribute of the

City's commitment to citrus preservation and as a valuable buffer to the single family homes on Cortez Court. The Citrus Commission recommended to the City Council that the entire Granite Grove be removed and no longer be a part of the City's operation as they did not feel it would be viable. Public Works Director Mutter explained the need to install a drainage line through this parcel and its effect on the Sports Park and San Bernardino Avenue. Councilmember Freedman expressed concern that we had not yet identified the replacement acreage and desired to continue this matter until that had been accomplished. Councilmember Haws indicated a firm commitment from the City Council to replace the acreage in the preserve. Bill Cunningham asked the City Council and staff why the developer needed to remove four rows of trees for the drainage line. Following much discussion relating to the preservation of citrus groves, both large and "pocket" size, Councilmember Haws moved to approve the Negative Declaration for Resolution No. 5796 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 Pepler and carried with Councilmember Freedman voting NO. Councilmember Haws moved to adopt Resolution No. 5796, a resolution of the City Council amending an historical preserve of citrus and rescinding Resolution No. 5505 by removing 10 acres located on the north side of San Bernardino Avenue, east of Dearborn Street. Motion seconded by Councilmember Pepler and carried with Councilmember Freedman voting NO. Councilmember Haws moved to maintain the citrus groves on the west side of Dearborn Street extended. Motion seconded by Councilmember Freedman and carried unanimously.

Prioritization of Projects - On behalf of staff, Community Development Director Shaw asked the City Council for direction as to prioritization of City projects in relation to staff workload, especially for environmental services related to the review and comment of the EIR for the Majestic Realty project. Each of the development departments (Community Development, Public Works, and Municipal Utilities) has indicated they are being overwhelmed by the significant workload and their inability to accomplish the significant number of projects currently identified in a timely manner. Much of the workload is being driven by private development activity. A list of private development projects being handled by the Community Development Department along with their schedules and a Public Works Department Capital Improvement Program - Project Status Report was provided. In addition to these projects, the City Council, Commissions, and staff have other projects which are important to the City. Staff requested direction from the City Council on which projects staff should focus on and if there are projects which may not be of high priority for the City Council. W. Robert Clark, President of the Redlands Conservancy; David Raff, President of the Redlands Community Music Association; and John Terry, member of the Redlands Conservancy, informed Councilmembers they

are very close to starting the renovation of Mission Gables (168 South Eureka Street) and asked them to keep their project at the front of the priority list. Councilmember Haws expressed delight staff was so busy as it showed the City was moving in a positive direction and asked staff what was needed for a long term fix and if more staff was needed, it should be brought to the attention of the City Council. Councilmember Freedman felt staff knew which projects were important. Councilmember Pepler suggested preparing annual plans setting our goals.

Contract - Environmental Services - Majestic Realty - Councilmember Gilbreath moved to authorize staff to enter into a contract with a consultant for environmental services related to the review and comment of the Environmental Impact Report currently submitted to the City by the County of San Bernardino relative to the Majestic Realty project and to authorize an appropriation of funds in the amount of \$10,000.00. Motion seconded by Councilmember Freedman and carried unanimously.

CLOSED SESSION REPORT

City Manager Search - Councilmember Haws reported the City Council met this afternoon with DMG-Maximus who is assisting in the search for a new City Manager; 61 applications were received and the quality of candidates is excellent. The City Council will continue with the process.

PUBLIC COMMENTS

School Board Candidate - Donna West, who is one of 12 candidates on the November ballot running to fill the vacant seat on the Redlands Unified School District Board of Education, addressed the City Council describing her goals as a candidate.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 8:30 P.M. to an adjourned regular meeting to be held at 1:00 P.M. on October 3, 2000, in the City Council Chambers, 35 Cajon Street, Redlands, California. The next regular meeting will be held on October 3, 2000, at 3:00 P.M.

City Clerk