

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 1, 2000.

PRESENT

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

Gary M. Luebbers, City Manager  
Daniel J. McHugh, City Attorney  
Lorrie Poyzer, City Clerk  
Beatrice Sanchez, Deputy City Clerk  
(evening session)  
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 Haws followed by the pledge of allegiance.

PRESENTATION

Police Department - Police Chief Bueermann, assisted by Lt. Pat Beaver, gave a PowerPoint presentation of the Redlands Police Department's Safe Community Initiatives.

CONSENT CALENDAR

Minutes - On motion of Councilmember George, seconded by Councilmember Freedman, the minutes of the special meeting of January 18, 2000, and regular meeting of January 18, 2000, were approved as submitted.

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

Planning Commission Actions - On motion of Councilmember George, seconded by Councilmember Freedman, the report of the Planning Commission meeting held on January 25, 2000, was acknowledged as received.

Environmental Review Committee - On motion of Councilmember George, seconded by Councilmember Freedman, the tentative agenda for the Environmental Review Committee meeting to be held on February 14, 2000, was acknowledged as received.

Ordinance No. 2428 - Zone Change No. 372 - Ordinance No. 2428, 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. 372, a change of zoning classification from A-1 (Agricultural - five-acre lots) District to R-E (Residential Estate - 14,000 square foot lots) District for 9.49 acres located on the north side of Lugonia Avenue, approximately 1,360 feet west of Wabash Avenue, was adopted on motion of Councilmember George, seconded by Councilmember Freedman, by the following vote:

AYES: Councilmembers George, Freedman, Pepler, Haws;  
Mayor Gilbreath

NOES: None

ABSENT: None

Ordinance No. 2429 - Sign Program - Albertson's Shopping Center - Ordinance No. 2429, an ordinance of the City of Redlands adopting Amendment No. 3 to Specific Plan No. 41, to modify the Sign Program to include sign size, height, colors and location for the Shopping Center known as "The Albertson's Shopping Center" (formerly "The Lucky's Shopping Center) located on the southwest corner of Redlands Boulevard and Cypress Avenue (Westar Associates, applicant), was adopted on motion of Councilmember George, seconded by Councilmember Freedman, by the following vote:

AYES: Councilmembers George, Freedman, Pepler, Haws;  
Mayor Gilbreath

NOES: None

ABSENT: None

Resolution No. 5722 - JAIBG Funding - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously adopted Resolution No. 5722, a resolution of the City of Redlands waiving its right to its entire Juvenile Accountability Incentive Block Grant (JAIBG) award and contributing its JAIBG funding to a Regional Crime Enforcement Coalition (RJCEC).

Resolution No. 5723 - Conflict of Interest Code - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously adopted Resolution No. 5723, a resolution of the City Council of the City of Redlands adopting an amended Conflict of Interest Code pursuant to the Political Reform Act of 1974 and amending Resolutions Nos. 3290, 5553, 5623,

and 5675, by deleting the title "Chief of Water Resources and Utilities Operations" and adding the title "Water Resources Chief" within Exhibit A.

Proclamation - Boy Scouts of America - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously authorized issuance of a proclamation congratulating the California Inland Empire Boy Scouts of America Council for 90 years of service to our region's youth.

Agreement - California Street Landfill - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously authorized an agreement with Janechek & Associates to furnish engineering services for the California Street Landfill gas control system.

Public Safety Funds - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously approved the use of Citizens' Option for Public Safety (COPS) funds from AB 3229 as follows:

Four part-time Administrative Clerks for sub-stations	\$ 44,839.73
Cadet Program	43,931.00
Portable Computing Systems	11,609.00
Dialogic Communicator Software and Networking	16,250.00
Minolta Multiple Disk Storage "Jukebox" and five licenses	17,550.00
Linear Systems Video Enhancements and Capture System	3,500.00
Directed patrol overtime	<u>11,000.00</u>
Total COPS expenditures	\$ 148,679.73

Lease-Purchase Agreement - Police Car - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously approved a lease-purchase agreement with Ford Motor Credit Company for the purchase of one Ford Crown Victoria police car.

Agreement - Joslyn Senior Center - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously approved an Independent Contractor Agreement between the City of Redlands Recreation Bureau and Floyd Sampson to provide stress management classes in the Joslyn Senior Center and further authorized the Mayor and City Clerk to execute the agreement on behalf of the City.

Settlement Agreement - CNB Excavating, Inc. - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously acknowledged a settlement agreement with CNB Excavating, Inc. which was agreed to in a closed session.

Settlement Agreement - Jean Freeman/PERS - Councilmember Haws asked for clarification of the settlement agreement and release with Jean Freeman and the Public Employees' Retirement System to address an e-mail received today

which indicated a feeling of unfairness by granting benefits to a retiree who chose not to participate in the lawsuit. He then moved to authorize the Mayor and City Clerk to execute a settlement agreement and release with Jean Freeman and the Public Employees' Retirement System as agreed to in a closed session. Motion seconded by Councilmember George and carried unanimously.

Tree Removal Policy - Public Works Director Mutter reported the City Council formed the Street Tree Committee to review various policies and procedures that may be in place for the overall management of the City's urban forest. The committee has spent a considerable amount of time reviewing current City practices and identifying problem areas. Work has been completed on policies regarding tree versus hardscape conflicts and root pruning specifications. The policy currently under consideration establishes procedures for removal of street trees. He noted this policy does not include private trees on private property. Approval of implementation of the various policies will require a commitment on the part of the City to both enforce and abide by the various policies as necessary. One significant change over current procedures would require that City crews remove stumps at City expense for trees removed by utility company crews. The current position of the City is to require whoever removes a tree to remove the stump as well and dispose of all debris at their own expense. Staff also believes that whoever removes a tree should provide for the replacement of the tree. Councilmember Freedman said the contractors for Southern California Edison are killing our palm trees and asked the Street Tree Committee to address the utility clearance issue. He then moved to approve the policy for Tree Removals amending the policy to delete provisions requiring the City to grind and remove stumps resulting from removal of trees by utility companies and requiring the party removing the tree to remove the stump, with the understanding that implementation of the policy is contingent on funding being authorized through the normal budget process. Motion seconded by Councilmember Pepler and carried unanimously.

Settlement Agreement - Lockheed Martin - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously authorized the Mayor and City Clerk to execute a settlement agreement with Lockheed Martin which conforms to the terms and conditions agreed to by the City Council in a closed session.

Contract - The Legendary Ink Spots Foundation - On motion of Councilmember George, seconded by Councilmember Freedman, the City Council unanimously approved a contract with The Legendary Ink Spots Foundation for the implementation of musical education and coaching classes for children and senior citizens through the Community Development Block Grant Program.

## COMMUNICATIONS

Legislative Bulletin - No discussion.

City Manager's Report - City Manager Luebbers boasted that we have proven over the past five years that a movie theater would be a success in Redlands, and during past couple of weeks, with the opening of Starbucks, Rubio's Baja Grill, and Togo's, proven again that new business can and will succeed in town. The same challenge is now before us with the proposed hotel development.

IVDA Meeting - City Manager Luebbers reported that he and City Attorney McHugh recently met with representatives of the Inland Valley Development Agency (IVDA) to talk about what each side is doing. It was a positive meeting and it was evident the IVDA is very interested in the success of the development of the "donut hole."

Commission Appointment Procedure - Mayor Gilbreath expressed concern that our Code contains at least three different ways of selecting commissioners, depending upon which commission is at issue. She felt the method for selecting commissioners for a majority of our commissions vests too much power in the Mayor and also creates a potential problem if the City Council never ratifies the Mayor's choices. Mayor Gilbreath suggested rotating appointments by each Councilmember. By consensus, the City Council agreed and directed the City Attorney to prepare the necessary legislation.

"Voir Dire" Process - Councilmember George asked the City Council for support of his proposal to implement a "Voir Dire" process in which each Councilmember or Planning Commissioner, prior to the opening of a public hearing, notes for the public record whether he or she has had any preliminary talks or contact with either the project applicant, or representative, or the project site. By consensus, the City Council asked staff to check with other cities who use this process to see how it works and report back to the City Council.

Barton House - Councilmember Freedman has learned from the Redlands Heritage Park Committee of their conception of a need for emergency security fencing around the City-owned Barton House to secure it from vandalism and unlawful entry. Liz Beguelin, member of the Committee, says a construction fence would cost approximately \$6,400.00. Councilmember Freedman moved to ask the City Manager to return on February 15, 2000, with a report suggesting a source of the funds and the cost for the necessary security. Motion seconded by Councilmember George and carried unanimously.

Cable Television Franchise Agreement - City Attorney McHugh provided a copy of the City's franchise agreement with its cable television operator and an outline of its performance terms as directed at the last meeting. The City's cable television consultant, Mr. Gerald Hanson, reported that 79 channels are now available surpassing the 75 channel requirement of Section 4.2 of the franchise agreement; 40 of those channels are digital channels requiring a conversion box. He has requested a \$1 million Certificate of Insurance and \$25,000.00

performance bond be provided by the new owners, Adelpia, and said they should be delivered shortly. Mr. Hanson happily reported that Adelpia has promised to have a whole new system installed in the next two years to replace the aging and obsolete system now in use.

Bear Valley Mutual Water Company - Mayor Gilbreath abstained from this item and Mayor Pro Tem George conducted the meeting. City Manager Luebbers asked that the request to authorize Douglas Headrick, Chief of Water Resources, as the City's primary representative to the Bear Valley Mutual Water Company, and to authorize the Mayor Pro Tem to request that the Board of Directors of the Bear Valley Mutual Water Company consider the appointment of Douglas Headrick to their Board of Directors as a representative for the City of Redlands be deferred. The City's Water Policy Committee will meet prior to the Bear Valley Mutual Water Company's annual meeting scheduled for February 15, 2000.

Municipal Utility Fiscal Requirements - Municipal Utilities Director Phelps reported the last substantial update study of fiscal requirements and rates and charges for water, sewer, and solid waste was accomplished in 1991. In 1996, the City initiated master planning for water, wastewater, and solid waste, followed by preparation of capital improvement programs which was completed in 1998. At that time, it was planned to follow the master planning and capital improvement programming with a study of fiscal requirements and a study of rates and charges to ensure fiscal responsibility, to ensure that rates and charges were updated to allow a managed approach rather than a reactive approach to setting rates and charges, and to also insure that a full review of compliance with all State laws with respect to development impact fees were being followed as originally enacted under AB 1600 in 1987. In 1999, efforts were focused on refunding of the water and sewer certificates of participation to restructure them to take advantage of low fixed interest rates. Staff believes that it is now appropriate to proceed with a study of fiscal requirements, and rates and charges which can be done "in house". Councilmember George moved to authorize staff to proceed with a review of water, wastewater, and solid waste fiscal requirements and development impact fees. Motion seconded by Councilmember Haws and carried unanimously.

Resolution No. 5724 - Credit Card Payment - Justifying the need to offer the service of credit cards for our residents to make payments, City Treasurer Reynolds also explained that the City does not receive as many bad checks since the credit card machine informs us immediately if funds are available. Credit cards can be used in the Treasurer's Office, Hillside Memorial Park and the Recreation Division. Councilmember Freedman moved to adopt Resolution No. 5724, a resolution of the City Council of the City of Redlands authorizing the acceptance of payments to the City by credit card; directing that all necessary contracts with appropriate credit card issuers be reviewed by the City for conformity with Government Code Section 6159 and be approved by the

City Council and executed by the Mayor and City Clerk; and establish a fee to be charged to persons who use credit cards for City payments in an amount equal to the cost incurred by the City in making payment by credit cards available. Motion seconded by Councilmember George and carried unanimously.

#### JOINT MEETING - REDEVELOPMENT AGENCY AND CITY COUNCIL

Resolution No. 5720 - Habitat for Humanity - Councilmember Freedman moved to adopt Resolution No. 5720, 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 Habitat for Humanity. Motion seconded by Councilmember George and carried unanimously. This resolution provides for the acquisition of a vacant lot located at 1140 Sixth Street. (Also see Redevelopment Agency minutes dated February 1, 2000.)

Resolution No. 5721 - Multi-Unit Rehabilitation - Councilmember Freedman moved to adopt Resolution No. 5721, 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 multi-unit rehabilitation. Motion seconded by Councilmember George and carried unanimously. This resolution provides for the rehabilitation of a tri-plex located at 6 East Lugonia Avenue as requested by Mr. William Miller and the rehabilitation of six apartment buildings (21 units) located on Post and Tribune Streets as requested by Mr. David Waters. (Also see Redevelopment Agency minutes dated February 1, 2000.)

#### CLOSED SESSION

The City Council meeting recessed at 4:26 P.M. to a Redevelopment Agency meeting and reconvened at 4:30 P.M. to a closed session to discuss the following:

- a. Conference with legal counsel: Existing litigation - Government Code Section 54956.9(a)
  - City of Redlands v. Roberts and Morgan - SCV 54179
  - Janzen v. City of Redlands - SRE 29448
  - City of Redlands v. County of San Bernardino and Majestic Realty Case Nos. SCV 38504 and EO 21447
- b. Conference with real property negotiator Government Code §54956.8
  - Property: APN 298-061-19
  - Negotiating parties: Ron Mutter and Bear Valley Mutual Water Company and Bill Locklin
  - Under negotiation: Terms and price
- c. Conference with labor negotiator - Government Code § 54957.6
  - City Negotiator: Gary Luebbers
  - Employee organizations:

Redlands Association of Safety Management Employees,  
General Employees Association of Redlands  
Redlands Association of Mid-Management Employees  
Redlands Professional Fire Fighters Association  
Redlands Police Officers Association

The meeting reconvened at 7:00 P.M.

## PRESENTATIONS

Student Commissioners - Certificates of appreciation for service for the past year were presented to the following student commissioners: Najwa Chowdhury, Human Relations Commission; Maile Takahara, Recreation Commission; Jana Heywood, Parks Commission; and Matthew Rathbun, Traffic and Parking Commission. Councilmember Freedman moved to appoint Megan Ball, Redlands East Valley High School, Human Relations Commission; Monique Sotelo, Redlands East Valley High School, Recreation Commission; Danielle Terrazas, Redlands High School, Parks Commission; and Hannah McAnespie, Redlands High School, Traffic and Parking Commission. Motion seconded by Councilmember George and carried unanimously. Mayor Gilbreath presented Commissioner's lapel pins to each new student commissioner.

## PUBLIC HEARINGS

Sign Conditional Use Permit No. 2 - Public hearing was continued to this time and place to consider Sign Conditional Use Permit No. 2 and an accompanying Negative Declaration for two freeway signs with an area of 608 square feet each located in the existing Tri-City Shopping Center in the EV/CG (General Commercial) District of the East Valley Corridor Specific Plan (National Signs, applicant). Community Development Director Shaw explained the applicant is proposing two freestanding signs at the Tri-City Shopping Center which exceed 120 square feet; therefore, final action must be taken by the City Council in accordance with the General Plan and Redlands Municipal Code. He described the signs and text and reviewed the Planning Commission's recommendation for approval. Mayor Gilbreath declared the meeting open as a public hearing for any questions or comments. Andy Jones, National Signs, addressed the City Council and responded the Councilmember Haws' questions. There being no further comments, the public hearing was declared closed. Councilmember Freedman moved to approve the Environmental Review Committee's Negative Declaration for Sign Conditional Use Permit No. 2 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 Peppler and carried unanimously. Councilmember Freedman moved to approve Sign Conditional Use Permit No. 2 based on the following findings and requirements:

1. The sign conditional use permit applied for at Tri-City Center is proper for a conditional use permit;
2. The freeway signs are not detrimental to existing or permitted uses in the General Commercial District of the East Valley Corridor Specific Plan where they would be located;

3. On May 19, 1999, a flag test was conducted to establish the maximum height of eighty (80) feet for the signs included in this proposal;
4. The proposal will not obscure the view of any other sign which could be visible from the freeway;
5. The freeway signs are a minimum of one-hundred (100) feet away from any other freeway sign;
6. The City Council finds that the consolidation of tenants on the same freestanding sign is architecturally and aesthetically superior to allowing another freestanding sign for Mervyn's which would otherwise be permitted;
7. The signage meets all criteria of the East Valley Corridor Specific Plan, Redlands Municipal Code, and the City of Redlands' General Plan; and
8. Prior to the issuance of a building permit, the applicant shall complete the following: (a) obtain a staff Sign Review from the Planning and Building and Safety Divisions of the Community Development Department and (b) all existing Tri-City Center freestanding signs shall be removed prior to final inspection of the proposed signs.

Motion seconded by Councilmember Haws and carried unanimously.

Donut Hole - Public hearing was advertised for this time and place to review and discuss planning proposals for the "donut hole" and the East Valley Corridor Specific Plan. Notices were mailed to property owners within the "Donut Hole" advising them of this meeting. Mayor Gilbreath declared the meeting open as a public hearing for the following matters.

East Valley Corridor Specific Plan - Community Development Director Shaw reviewed the boundaries of the East Valley Corridor Specific Plan (EVCSP) and the "donut hole" property within the EVCSP and its history since the beginning of the public meetings in 1980 which resulted in establishing policy guidelines which were adopted by ordinances by the three jurisdictions involved: the County of San Bernardino, City of Loma Linda, and City of Redlands. He then reviewed the specific plan in detail and its amendments which has been approved as needed. On behalf of the United Donut Hole Owners Property Association (UDHOPA), Attorney John Mirau addressed the City Council noting the property owners had felt adoption of the EVCSP was a commitment of the City to provide water and sewer service.

UDHOPA Proposals - Councilmember Haws was not present during this discussion due to a possible conflict of interest. Councilmember Freedman expressed disappointment that only five to seven property owners were present at this meeting and felt that UDHOPA was asking for very special treatment and saw no reason to give them any special treatment as he felt everyone should follow the rules under the EVCSP guidelines. Councilmember George directed staff to agendaize these items on all future agendas until negotiations were complete. Mayor Gilbreath read a letter dated January 26, 2000, from Supervisor Dennis Hansberger who was

invited to this meeting but was unable to attend due to a prior commitment. In this letter, Mr. Hansberger encouraged the parties to work cooperatively with the goal of reaching an equitable decision of the development and annexation to the City. Lucy Negin read a message from her husband, Gary Negin, urging negotiations be open to the public to insure equitable treatment. Representing property owner Loren Geib, attorney Bryant MacDonald urged the City Council to give all property owners equitable treatment. Representing the owners of approximately 43 acres of property in the EVCSP, a portion of which is in the "donut hole," Louis Fletcher asked the City to authorize City staff to work with him on development agreements for the properties along with a pre-annexation agreement for the "donut hole" property. After public comments were received, Councilmember Gilbreath moved to grant Mr. Fletcher's request; motion seconded by Councilmember George and carried by AYE votes of all present with Councilmember Haws. Attorney John Mirau noted he had not understood this meeting was going to be a negotiating session and asked if the negotiating team has been disbanded. Mayor Gilbreath and Mayor Pro Tem George indicated the negotiating team would continue to meet with Majestic Realty Company but that the "donut hole" issue would be dealt with in public in these Council Chambers. Mr. Mirau did not think this process would be productive. Jon Harrison felt individual annexations would make it difficult to plan for the entire area; he also felt open space was an important issue and addressed the traffic level and its impacts. City Manager Luebbers noted that Jim Roddy from LAFCO was present at this meeting. The public hearing was continued by consensus to February 15, 2000. Copies of the proposals will be available at that meeting.

Majestic Realty Company - Councilmember Haws was not present during this discussion due to a possible conflict of interest. At the request of the City Council, City Attorney McHugh reviewed the status of the lawsuits with the County of San Bernardino and Majestic Realty Company. Councilmember Gilbreath moved to direct staff to ask Majestic Realty Company and San Bernardino County to dismiss their lawsuits without prejudice, maintain the status quo, and negotiate out of court. Motion seconded by Councilmember George and carried by AYE votes of all present with Councilmember Haws abstaining.

Assembly Bill 1544 - State Assemblyman Brett Granlund has stated his intention to re-introduce Assembly Bill 1544 on Wednesday, February 2, 2000. Mayor Pro Tem George will go to the Senate Local Government Committee meeting in Sacramento on behalf of the City. Councilmember Freedman wanted to know what Assemblyman Granlund was doing by re-introducing this legislation so quickly. Attorney John Mirau read excerpts from the transcript of the Senate Local Government Committee meeting held on January 19, 2000, saying that AB 1544 was only delayed for a couple of weeks; he said they are looking for a quick solution to these

negotiations and this latest procedure will take months; therefore, AB 1544 was necessary. Mayor Gilbreath told Mr. Mirau that the City Council hoped to hear from them soon on the City's response as this City Council is committed to completing these negotiations.

The City Council recessed at 8:45 P.M. and reconvened at 8:50 P.M.

### UNFINISHED BUSINESS

Agreement - West Redlands Water Company - Councilmember Gilbreath was not present during this discussion due to a possible conflict of interest and Mayor Pro Tem George conducted the meeting. City Attorney McHugh reviewed the relevant principles of the West Redlands agreement. In regards to the "legality" of the West Redlands agreement, the City Attorney recommended that the agreement be revised to correct the inconsistencies in the existing agreement. The City has spoken to the President of the West Redlands Water Company and he has said the company is willing to execute a new agreement if that is the wish of the City Council. Bill Cunningham, President of the West Redlands Water Company, attempted to clarify what he felt was public misinformation and presented an information sheet as to the financial aspects of this agreement and the net effect for shareholders. He reiterated his water company continues to be willing to enter into this agreement. Bob Roberts felt this agreement provided for subsidized rates for the shareholders and was a bad deal for the City. Mr. Cunningham responded to Mr. Roberts' comments. Councilmember Freedman moved to direct staff to re-negotiate a new agreement with the West Redlands Water Company and to report to the City Council who gets the stock and who votes the shares when the agreement is brought back to the City Council for its action. Motion seconded by Councilmember Haws and carried by AYE votes of all present with Councilmember Gilbreath abstaining.

Mutual Water Companies Policy - Councilmember Gilbreath was not present during this discussion due to a possible conflict of interest and Mayor Pro Tem George conducted the meeting. In 1996, the City Council authorized the Municipal Utilities Department to enter into a "form" agreement with local water companies to save the cost of repairs for old water lines in exchange for connecting the water companies' shareholders to the City's domestic water system. The City Council further authorized the Municipal Utilities Department to negotiate the agreements and have them executed by the Mayor without further review by the City Council. It was noted by the City Attorney the City Council should also be aware that there is a possible financial benefit to the company shareholders which permits them to receive City domestic water at a reduced cost. Staff stands by its 1996 recommendation that the West Redlands agreement and other agreements entered into by the City, benefit the City. The Municipal Utilities Department also encourages the City Council to continue approving these types of arrangements with local mutual water companies. As requested by the City Council, Chief of Water Resources Doug Headrick reviewed and showed comparisons of agreements with mutual water companies. Bob Roberts felt there were substantial differences between the water companies and this process caused a duplication of costs. Bill Cunningham told the City Council these agreements are of significant benefit to the City.

Councilmember Freedman moved to continue to support the development of agreements to provide domestic and irrigation water with mutual water companies within the City's water service area when it is determined to be in the best interest of the City. With the understanding the City Council would approve all future agreements, Councilmember Haws seconded the motion which carried by AYE votes of all present with Councilmember Gilbreath abstaining.

Bear Valley Mutual Water Company Proxy - Councilmember Gilbreath was not present during this discussion due to a possible conflict of interest and Mayor Pro Tem George conducted the meeting. Municipal Utilities Director Phelps reminded Councilmembers that at the last City Council meeting, representatives of the San Bernardino Valley Municipal Water District (Muni) presented an offer to grant proxy on its shares of the Bear Valley Mutual Water Company to the City. An issue of consideration is the significant difference in service areas of the City and Muni. Muni, as a regional agency, represents a much larger area that spans from Yucaipa in the east to Fontana in the west. The water needs of this geographic area may be better served by Muni acting under its own authority. Mark Bulot, Muni Board Member, encouraged the City Council to accept this proxy. Councilmember Freedman asked for further clarification as to the advantage to the City to which Mr. Bulot responded. Councilmember Haws moved to accept the offer of January 18, 2000, from the San Bernardino Valley Mutual Water Company to the City of Redlands for their use at the annual meeting of the stockholders of Bear Valley Mutual Water Company scheduled for Tuesday, February 15, 2000. Motion seconded by Councilmember Pepler and carried with Councilmember Freedman voting NO and Councilmember Gilbreath abstaining. The City Council concurred to meet on Monday, February 14, 2000, at 10:00 A.M. to review the agenda for the Bear Valley Mutual Water Company's annual meeting and give directions to Municipal Utilities Director Phelps as how to vote at this annual meeting.

## NEW BUSINESS

Tentative Tract No. 15867 - Campbell Avenue - Councilmember Gilbreath was not present during this discussion due to a possible conflict of interest and Mayor Pro Tem George conducted the meeting. Noting we had received considerable correspondence pertaining to Tract No. 15867 and the requirements associated with the street improvements for Campbell Avenue, Councilmember Haws placed this matter on the agenda for discussion. Staff had conditioned this subdivision to widen Campbell Avenue with a standard street section, but following the presentation of an individual at the May 4, 1999, meeting, the City Council amended the street improvement requirements to retain the existing width on Campbell Avenue. Since that action, the City has received input from the residents in the neighborhood asking that the street be widened. On behalf of the neighbors present, John Terry informed the City Council they had not received notice of this change and had assumed the street

requirements recommended by the Planning Commission would prevail; he strongly urged the City Council to go back to the original plan to widen Campbell Avenue. Another neighbor, Dave Price, expressed appreciation for allowing the neighbors to appeal this decision. The following people were also present supporting this request: Medi Tehranchi, Shohreh Tehranchi, Neveen Todros, Tony Franjie, Annette Franjie, Joanne Pellis, Ed Pellis, Michael Kilkenny, Carol S. Kilkenny, Lorna Price, Karen Terry, Richard Applegate, Bob Allison, Linda Allison, Sheila Tenkin, Maureen Barich, and Paul Barich. Councilmember-emeritus Geni Banda also addressed the City Council stating she was on the City Council when the vote was taken for the narrower street and that she later found out about the misunderstanding; she hoped that the applicant's representative, Pat Meyer, could assist the City to make this change. Following discussion with staff, Councilmember George moved to ask the developer if he would be willing to revisit the conditions of approval with the offer from City to pay for the additional eight feet of asphalt costs and with the understanding the City Council would waive processing fees for the processing of a revised map for the purpose of revising a condition of approval pertaining to street improvements and promised to process the revised application as soon as possible; and directed staff to report back on February 15, 2000. Motion seconded by Councilmember Freedman and carried by AYE votes of all present with Councilmember Gilbreath abstaining. On behalf of the neighbors, Mr. Price thanked the City Council for their assistance.

Mayor Gilbreath returned to the City Council Chambers to conduct the remaining portion of the meeting.

ABC License - Chevron Gas Station - Representing the Chevron Gas Station Convenience Mart located at 1580 West Redlands Boulevard, Alain Bally asked the City Council to reverse the City Manager's decision to deny a "finding of public convenience and necessity" for the sale and dispensing of beer and wine for off-site consumption. He advised Councilmembers that they would only use four percent of their floor space for this purpose and expressed a willingness to place conditions on the sales. City Manager Luebbers explained the application process with Alcohol Beverage Control. Councilmember Freedman moved to uphold the City Manager's decision to deny this application. Motion seconded by Councilmember Haws and carried unanimously.

## ADJOURNMENT

There being no further business, the City Council meeting adjourned at 10:23 P.M. to an adjourned regular meeting to be held on Monday, February 14, 2000, at 10:00 A.M. in the Council Chambers, Civic Center, 35 Cajon Street, Redlands, California. The next regular meeting will be held on February 15, 2000.

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City Clerk