MINUTES of a regular meeting of the City Council, City of Redlands, held in the Council Chambers, Safety Hall, 212 Brookside Avenue, on June 19, 1973 at 7:00 P.M.

Planning Commission Items 3:00 P.M. Regular Agenda 7:00 P.M.

PRESENT

Jack B. Cummings, Mayor
Charles G. DeMirjyn, Vice Mayor
Chresten M. Knudsen, Councilman
Ellsworth E. Miller, Councilman
Sam S. Sewall, Councilman

R. P. Merritt, Jr., City Manager
Edward F. Taylor, City Attorney
Peggy A. Moseley, City Clerk
Erwin S. Hein, Redlands Daily Facts
Chuck Palmer, San Bernardino Sun

ABSENT None

The meeting was opened with the pledge of allegiance, followed by the invocation by Reverend Donald Shockley, Chaplain of the University of Redlands.

The minutes of the regular meeting of June 5, 1973 were approved as submitted.

PUBLIC HEARINGS

Resolution No. 3023
Mall Project

The public hearing on Resolution No. 3023, the Mall project, was continued from the meeting of June 5, 1973 to this time. Mayor Cummings now declared the meeting open as a public hearing on the mall project. City Attorney Taylor stated that the case is still being considered on Friday afternoons by the court and that testimony is still being taken. Mr. Taylor added that this is the only civil action being heard at present in the Superior Court in San Bernardino. City Attorney Taylor expressed the hope that he will have a report for Council at the next regular Council meeting. Mayor Cummings asked if there was anyone present who wished to speak to this matter. No one came forward. The public hearing was declared continued to the next regular Council meeting, July 3, at 3:00 P.M., on motion of Councilman DeMirjyn, seconded by Councilman Knudsen, by unanimous vote.

Mayor Cummings requested that Mr. Taylor express the Council's appreciation to the judge for his consideration in hearing this case.

Resolution No. 3046, a resolution declaring real property (the old Hall of Justice) no longer needed for municipal purposes, which was adopted at the Council meeting of June 5, set this time and place for public hearing upon any protests to the proposed sale of this property. Mayor Cummings at this time declared the meeting again open as a public hearing for the purpose of hearing protests or comments on the sale of the old Hall of Justice. No comments being forthcoming, the public hearing was declared closed. Unanimous approval was given, on motion of Councilman Miller, seconded by Councilman DeMirjyn, to the sale of the property specified.

At this time City Manager Merritt presented the bid from the Veterans of Foreign Wars, Post #2062 of Redlands, which was as follows:

Bid
Hall of Justice

Total bid price, $40,000; 10% deposited with bid in the form of two cashier's checks. Bidder proposes to pay the balance of $36,000 within one year; interest at 7%. Bidder will also make monthly payments of $323.62 per month or more, including interest, during the one-year period.

PUBLIC HEARINGS (Continued)

City Manager Merritt recommended that the bid be accepted as follows:

1. That the 10% deposit be forfeited if escrow fails to close; escrow to be for 90 days or less.
2. That the $36,000 balance be paid over a twelve-month period.
3. That monthly payments delinquent more than 30 days be penalized by a charge of 1% on the unpaid balance.
4. That the Council accept the one-year First Trust Deed Note with interest at 7%.
5. That the letter from C. W. Kelly, Jr., of Investment-Mortgage Company, San Bernardino, fulfills the requirement of a loan commitment as stated in Council minutes of June 5, provided that it be amended to show validity to August 1, 1974.

Sale Hall of Justice

Reaffirming that no protests to the sale had been registered, Council unanimously approved this sale, on motion of Councilman Miller, seconded by Councilman Sewall, and authorized the Mayor and City Clerk to sign the documents in behalf of the City.

BIDS

On March 20, 1973, the Council received bids for the modification of traffic signals at Redlands Boulevard and Cypress Avenue, Redlands Boulevard and Citrus Avenue, and Citrus Avenue and Orange Street, in the following amounts:

Bid Award Traffic Signals

Steiny and Company, Inc. Los Angeles, California	$83,647.00
Smith Electric Stanton, California	84,809.00
Paul Gardner Corporation Ontario, California	85,987.00
Paige Electric Company San Bernardino, California	86,600.00

At this time authorization has been received from the Division of Highways for award of the contract to Steiny and Company, on the basis of their low bid, and it is the recommendation of the Department of Public Works that this award be made by the Council. On motion of Councilman Knudsen, seconded by Councilman Sewall, unanimous approval was given to award of the bid for modification of traffic signals to Steiny and Company in the amount of $83,647.00.

ORAL PETITIONS FROM THE FLOOR

Crossing Guard

Mr. Charles Turner, principal of Smiley School, addressed Council with a request for a crossing guard for three hours each day at Fern Avenue and San Mateo Street. On motion of Councilman Knudsen, seconded by Councilman DeMirjyn, after lengthy discussion, approval was given for this guard because of high student-load crossing at Fern Avenue and San Mateo Street, the speed of vehicles using these two streets, and the traffic volume.

Mr. Patrick Faulstich, 1446 Henrietta Street, the student member of the Park Commission, requested that matters relating to parks be referred to the Park Commission, and spoke particularly about the proposed road in Ford Park.

City Manager Merritt explained to Mr. Faulstich that this road was being considered at the request of the police department as a stated security measure.

Mr. Leon Armantrout questioned the expenditure for restrooms in Sylvan Park and City Hall repairs.

ORAL PETITIONS FROM THE FLOOR (Continued)

Acquisition of Disposal Site

Mrs. Carolyn Hudspeth, of 1025 Roosevelt Road, read a letter to the Council questioning the recent purchase of property for a disposal site. Councilman DeMirjyn and Councilman Knudsen reiterated their statements of disapproval of this purchase and cited the present assessed valuation of the property and the reported fair market value.

Mayor Cummings re-summarized the reasons detailed at the last Council meeting explaining the need by the City of Redlands for such a site. He reminded Council of the eight-year search during which consideration was given to properties selling for more than twice the per-acre price paid for the present site. Mayor Cummings brought reports from Mr. William Mortimer, Manager, and Mr. Gardner, Assistant Manager, of the Bureau of Land Management, who agreed that there was some public land available at $50 per acre near Beaumont and this was being considered by both the City and County of Riverside. Mr. Cummings mentioned the continuing effort which San Bernardino County is presently making to locate a similar site. The costs in carrying refuse to the Colton site were again quoted. Mayor Cummings again described the efforts of Mr. Magnus Mead, Disposal Superintendent, three years ago to assemble a plot of land for the city and his experience with price escalation.

City Manager Merritt stated that the present property acquisition is in escrow totally conditioned upon approvals by the Regional Water Quality Control Board, the L.A.F.C., Environmental Statement by County of San Bernardino, change of zone by the Planning Commission, and added that there will be public hearings in connection with each decision.

The City Manager pointed out that an escalation in land price is also possible on the six blocks of property which are being sought by the Consortium. Dr. Miller questioned whether any member of the audience would be willing to sell his property for the assessed valuation or the reported fair-market value as relates to the assessed valuation.

Councilman Sewall restated his strong conviction in favor of the purchase. He stressed that Mr. Magnus Mead's recommendation, his knowledge acquired from 40 years in disposal management in San Bernardino County, and Mr. Mead's conviction that the City of Redlands can operate this site at a profit, carried great weight in his decision.

Councilman Miller stated: "I feel that at this point maybe we should have an investigation. I would request that the County Grand Jury investigate Council, City Manager, and see if there is any improperness in buying of dump site."

Mr. DeMirjyn questioned whether the Grand Jury has power in this matter. City Attorney Taylor explained the scope of the Grand Jury.

Dr. Miller stated: "If it is possible that this Council, upon my request, asks that the Grand Jury investigate this particular point and have it publicly cleared up, I so move." Motion seconded by Councilman Knudsen.

City Attorney Taylor expressed the opinion that a decision to investigate would rest with the District Attorney, the Grand Jury Foreman and the Court Judge, and further stated that he saw no basis for an investigation.

ORAL PETITIONS FROM THE FLOOR (Continued)

Following further discussion the motion carried by the following roll call vote:

AYES: Councilmen DeMirjyn, Knudsen, Miller, Mayor Cummings
NOES: Councilman Sewall
ABSENT: None

COMMISSION REPORTS

Planning Commission Recommendations as considered by the City Council at a regular meeting thereof held June 19, 1973 at 3:00 P.M.

Present: Councilmen DeMirjyn, Knudsen, Miller, Sewall; Mayor Cummings; Deputy City Attorney Brunick

1. R.P.C. No. 391 - Zone Change No. 157 - City of Redlands

That R.P.C. No. 391, a resolution of the Planning Commission recommending a change of zone classification for various properties in the City of Redlands to bring about General Plan consistency as outlined on map on file in the office of the Planning Department, be approved. General Council discussion followed, including the statement by Mr. Schindler that the owners of the "Pratt Property" were aware of the T zoning, had discussed it and were satisfied.

On motion of Councilman Sewall, seconded by Councilman DeMirjyn, R.P.C. No. 391 was unanimously adopted, and Ordinance No. 1517, an ordinance of the City Council for adoption of Zone Change No. 157, was given first reading of the title and laid over under the rule with public hearing thereon set for July 3, 1973 at 7:00 p.m.

2. Job Site and Vehicular License

It is the recommendation of the Planning Commission that the City Council adopt an ordinance regulating job site and vehicular business licenses with the limitations listed in Planning Commission Minutes of June 12, 1973. Following Council consideration of the original intent of the job site permit and an explanation by Mr. Schindler of the violations of this intent and resulting commercial infringement in residential neighborhoods, on motion of Councilman Sewall, seconded by Councilman Miller, unanimous approval was given to study and preparation by staff of an ordinance as recommended by the Planning Commission for consideration at the next Council meeting.

3. Conditional Use Permit No. 196 - Hagen-Coussoulis - Time Extension

The request of Hagen and Coussoulis for a time extension for Conditional Use Permit No. 196 from June 6, 1973 to June 6, 1974 was approved on motion of Councilman Knudsen, seconded by Councilman Miller, subject to a ten-day waiting period as required by the Environmental Review Committee.

4. Appeal to Denial of Variance No. 176 - Gulf Oil Corporation

At the Planning Commission meeting of May 8, 1973 the Commission denied a request of the Gulf Oil Corporation for permission to continue use of the existing sign upon a change of management. The sign is 212 square feet. The City allowance is 180 square feet.

At this time the appeal filed by Gulf Oil on June 5, 1973 was considered by the City Council. A Gulf representative explained the Gulf Corporation's lack of signs of the City's specifications; the next smaller Gulf sign is 106 square feet. Following lengthy Council discussion, which included an explanation of the requirements of the City's sign ordinance and statement that this is enforced throughout the City, on motion of Councilman DeMirjyn, seconded by Councilman Sewall, the appeal was denied by unanimous Council vote.

5. Commission Review and Approval No. 297 - Appeal to Requirements - Don W. Wilcott

The Advisory Committee on June 8, 1973 authorized the signing of an improvement agreement for a portion of the engineering requirements in conjunction with C.R.A. No. 297 as outlined in Planning Commission Minutes of May 22, 1973.

At this time Mr. Wilcott has appealed by letter requesting relief from requirements for the northerly 560 feet of property on California Street.

Following Council discussion of the requirements and consideration of Mr. Wilcott's reasons for requesting relief, Council authorized delay in compliance with these requirements for a period up to one year subject to the filing of a second improvement agreement.

PLANNING COMMISSION RECOMMENDATIONS (Continued)

All dedications on both sections of California Street and on Lugonia Avenue will be made at this time, and all requirements related to that portion to be developed as Phase I will be made at this time.

The drainage water on California Street will be handled by installation of a dry well. The street tree requirements outlined in the same Planning Commission Minutes, May 22, 1973, will be handled in like manner by signing of an agreement.

The above actions were handled by several motions, each of which received unanimous vote of approval.

Mrs. Ruth Cranmer Patton addressed the Council and praised Mr. MacKenzie and the Street Tree trimming crew who are trying to save the dying Oak trees on Buena Vista. Council thanked Mrs. Patton for her words.

Park Commission - Vice Mayor DeMirjyn reported on the last meeting of the Park Commission.

Recreation Commission - Councilman Knudsen announced the retirement of Dr. Klausner and invited the Council and public to the June 22 luncheon in his honor. Councilman Knudsen added that consideration is being given by the Schools and the City to a replacement for Dr. Klausner on the Commission.

APPLICATIONS AND PETITIONS

City Manager Merritt brought to Council for information purposes a notice of transfer of off-sale general license to Lucky Stores at 450 Cypress Avenue, and a notice of a new license for on-sale beer and wine at Los Jarritos, 1026 Orange Street.

COMMUNICATIONS

Mayor Cummings requested that Councilman Sewall be appointed SCAG representative. He already represents the City on the SCAG Environmental Committee. On motion of Councilman DeMirjyn, seconded by Councilman Miller, unanimous approval was given to the appointment of Mr. Sewall as SCAG representative. He will replace Councilman Knudsen.

Councilman Sewall reported receipt of a letter from Mr. Hartwick of Lucky Stores stating that a pedestrian walkway had been left in the wall adjacent to Cypress Avenue as requested by Mr. Sewall. Mr. Hartwick expressed the hope that this would be satisfactory to the Traffic Department. Mr. Sewall stated that this was not exactly the location he had suggested.

Mr. Sewall presented two letters from the Ecological Task Force, one urging steps be taken to set up a smog-alert system; the second approving of the * ~~purchase~~ of the disposal site and expressing the hope that recycling will be in effect by thirty years hence.

Councilman Sewall presented a letter from Donald Cronkite requesting a public hearing at the time that extension of Ford Street to Garden is considered by the City. Council discussed this matter briefly and were reminded that this gas tax project is budgeted for this year. Council briefly discussed the urgency of this project and the dangerous situation on Eucalyptus Drive and Franklin Avenue, which now carry the traffic.

UNFINISHED BUSINESS

Ordinance No. 1513
Public Works Commission

Upon direction of the Council, Public Works Commission members and staff met to study and discuss the scope of the Public Works ordinance, and at this time City Manager Merritt presented Ordinance No. 1513, which is satisfactory to both. This ordinance was again discussed at very great length, given first reading, and laid over under the rules with second reading set for July 3.

* See correction in minutes of July 3, 1973, on Page 438.

UNFINISHED BUSINESS (Continued)

Mayor Cummings apologized to Chuck Palmer, who was leaving to meet his deadline, and explained that his comments regarding lack of press coverage at the last meeting were not applicable to Mr. Palmer, who was absent to meet a deadline, or to Mr. Hein, who was on vacation.

Ordinance No. 1510

Tax for Park Acquisition

Mayor Cummings gave a brief synopsis of the several first readings given to Ordinance No. 1510, which Council considered for the first time on March 20. Ordinance No. 1510 is an ordinance of the City of Redlands establishing a tax for park purposes based on new dwelling units, and is scheduled to have second reading at this time.

Mr. Charles Juran of 108 West Highland Avenue spoke against the desirability of increasing the cost of building houses in the City of Redlands by the amount presently authorized in this ordinance.

Mr. Carl Doss spoke for the Chamber of Commerce Board and himself, stressing the inflationary aspect of the ordinance to new house buyers.

Building and Safety Director Mitchell replied to a question from Council, that it would be quite practical to establish a fee based on square footage of livable space, as this is specifically defined in the code.

Mr. Jack Dangermond reviewed his presentation of last Council meeting, which explained the reasons for the $225.00 fee, and added that the assessed values include the amenities in the City. He urged the Council to adopt this ordinance at this time. Council discussed this at great length, including several possible amendments, one being a section defining "Dwelling Unit" and "Mobile Home." Ultimately, on motion of Councilman Miller, seconded by Councilman Sewall, Ordinance No. 1510 was given second reading of the title and adopted by the following roll call vote, with waiver of the reading of the ordinance in full:

AYES: Councilmen Miller, Sewall, Mayor Cummings
NOES: Councilmen DeMirjyn, Knudsen
ABSENT: None

NEW BUSINESS

Sylvan Park Use

Council considered a request from the Multi-Services Community Center, which is housed in the Salvation Army Building, for permission to use the crafts area of Sylvan Park, located on High and Division Streets, on June 30, beginning at 9:00 A.M. and lasting until dusk. This use is to include a Flea Market, entertainment and concessions, and a Health Fair, with the funds to go to a Community Services Account under the Salvation Army. Following discussion, on motion of Councilman Miller, seconded by Councilman Sewall, unanimous approval was given to the use of the park by this group on the specified date.

CITY MANAGER

Budget

Tax-Supported Funds

City Manager Merritt presented the 1973-74 City Budget in detail, and presented for tentative approval the tax-supported funds: the General Fund, Library Fund, Retirement Fund, Park and Street Tree Fund, Recreation Fund, Sewer Rental Fund. Council discussed these in detail. In the General Fund Councilman DeMirjyn took exception to the Administrative Analyst's salary, the labor negotiation expenditure and the sum of $10,000 to the Chamber of Commerce. Councilman Sewall defended these uses. City Manager Merritt gave recognition to Garry Brown, Administrative Assistant, for his excellent preparation of the HUD grant, which was accepted at the last Council meeting. Mr. Knudsen

CITY MANAGER (Continued)

requested a drainage study, a water line study and sewer study. Following further discussion, on motion of Councilman Miller, seconded by Councilman Sewall, tax-supported funds were adopted tentatively, subject to receipt of 1973-74 tax information, by the following roll call vote:

AYES: Councilmen Miller, Sewall, Mayor Cummings
NOES: Councilmen DeMirjyn, Knudsen
ABSENT: None

Mayor Cummings expressed appreciation and thanks to the Chamber of Commerce for their service to the City.

Budget Final Approval

The following funds - Traffic Safety Fund, Gas Tax Fund, Public Building Fund, Sewer Bond Redemption Fund, Cemetery Fund, Parking District Fund, Special Aviation Fund, Disposal Fund, Water Fund, Legal and Capital Fund, Water Construction Fund - were given unanimous final approval as submitted on a motion of Councilman Knudsen, seconded by Councilman DeMirjyn, with inclusion of the following minute note authorized. City Manager Merritt explained that the Disposal Fund contained in the budget is predicated upon the present operation. If the San Timoteo site is opened and used within the year, there will be a different set of figures. If it is necessary to use the County dump at Colton, the costs will increase appreciably.

Council at this time considered the Revenue Sharing Fund, as presented by City Manager Merritt. Mr. Ismael Soto, of 1003 Calhoun Street, reminded Council of his request on May 15 for approximately $20,000 for social services. He added that he had returned May 30 with a finalized proposal.

Revenue Sharing Fund

Mayor Cummings explained to Mr. Soto that in the budget discussion there was a feeling of frustration and disagreement among the Councilmen as to what path to take in funding social services, and further explained that Council agreed on an ad hoc committee to consider and report back to Council on this matter. Mayor Cummings added that in Phase II of the President's program, special revenue sharing grants are expected to be available with direction that they be used for social services.

Vice Mayor DeMirjyn suggested a cooperative program with the County as exists in the Veterans' Office. Council also pointed out that accountability of funds is a problem which concerns them, as they don't know how revenue sharing funds have to be accounted for. Also mentioned was giving the funds to the State in exchange for responsible information, particularly concerning jobs.

Mr. Manuel Lopez, of 804 Orchard Drive, also addressed Council on this matter. Following further discussion, on motion of Councilman DeMirjyn, seconded by Councilman Knudsen, unanimous approval was given to the Revenue Sharing Fund as outlined in the budget.

City Manager Merritt presented three Memoranda of Understanding which recommend increase in the approved salary schedule and compensation plan, effective December 16, 1973, incorporating realignment and reclassification of positions with a cost of living increase of approximately 5%.

CITY MANAGER (Continued)

Memorandum of Intent Police

The Memorandum between the Redlands Police Officers' Association, Inc. and the City, in addition to the above, included uniform allowance of $100 to all sworn police personnel through the rank of lieutenant, to be paid bi-annually, January 1, 1974 and July 1, 1974; second, holidays be increased from 80 hours per year to 100 hours per year for fiscal 1973-74 for all sworn police personnel through the rank of lieutenant assigned to patrol division; and third, that the City contribute not in excess of $1,250 toward the purchase of physical exercise apparatus for installation at Safety Hall. This memorandum was given unanimous approval on motion of Councilman DeMirjyn, seconded by Councilman Knudsen.

Memorandum of Intent General Employees

The second Memorandum, between the San Bernardino Public Employees' Association, representing the City of Redlands general employees, and the City, in addition to the salary adjustment and cost of living adjustment described above, included:

1. Preventive medicine - typhoid and tetanus vaccination for persons whose jobs involve potential hazard;
2. Emergency meals to be provided for personnel called out unexpectedly or required to work unscheduled overtime for an extended duration of time;
3. Identification for each employee whose job responsibilities indicate realistic need for official identification.

This Memorandum was approved unanimously, on motion of Councilman DeMirjyn, seconded by Councilman Knudsen.

Memorandum of Intent Fire

The third Memorandum, between the Redlands Professional Firefighters Union and the City, in addition to the salary schedule realignment and cost of living increase, established a uniform allowance of $50 per year to all uniformed Fire Department personnel, allowance to be effective July 1, 1973, with 50% paid on January 1, 1974, and 50% paid on July 1, 1974.

This Memorandum was approved unanimously on motion of Councilman Sewall, seconded by Councilman DeMirjyn.

The City Manager was authorized to execute the agreements in behalf of the City.

Resolutions Nos. 3050, 3051 & 3052 Salaries

Three resolutions of the City of Redlands establishing a salary schedule and compensation plans for city employees, Resolution No. 3050, which will be effective on June 16, 1973; Resolution No. 3051, which will be effective on September 16, 1973; and Resolution No. 3052, which will be effective on December 16, 1973, and which were considered by Council in the budget session, were adopted on motion of Councilman Sewall, seconded by Councilman DeMirjyn, by unanimous vote.

Bid Call Water Main

On motion of Councilman DeMirjyn, seconded by Councilman Knudsen, the City Clerk was authorized to advertise for bids for construction of a 30-inch water main in Lugonia Avenue from Texas Street Reservoir to Alabama Street. The estimated cost is $155,000. This is a budgeted expenditure and was unanimously approved.

On motion of Councilman Sewall, seconded by Councilman DeMirjyn, unanimous approval was given to the City Clerk advertising for bids

CITY MANAGER (Continued)

Bid Call
Reservoir

for construction of the 5,000,000 gallon Fifth Avenue Reservoir. The bids are to be received on Thursday, July 12, at 10:00 A.M., with tentative award scheduled for July 17, 1973. Estimated cost is $625,000, with funds to come from Water Construction Fund.

Grant Deed
School District

A grant deed from the Redlands Unified School District to the City for street right-of-way purposes on Church Street in connection with Conditional Use Permit No. 201 was unanimously accepted, on motion of Councilman DeMirjyn, seconded by Councilman Knudsen, with the City Manager authorized to execute the certificate of acceptance in behalf of the City.

Grant
In-Service Training

The California Council on Criminal Justice has notified the City that a grant of $1,801 for Video TV Roll Call and In-Service Training Program is available. This grant was applied for January 2, 1973 and requires $603 in matching funds, and must be accepted prior to June 30, 1973. On motion of Councilman Knudsen, seconded by Councilman Miller, unanimous approval was given to authorization of transfer of $603 from General Fund prior year surplus to match these funds, and authorization of appropriation of $2,404 to fund the program, with the City Manager to accept the grant in behalf of the City.

Resolution No. 3053
TOPICS Project

Resolution No. 3053, a resolution of the City Council authorizing execution of Program Supplement No. 2, TOPICS Project No. T-3064-2, for improvement of intersections of Redlands Boulevard and Cypress Avenue, Redlands Boulevard and Citrus Avenue, and Orange Street and Citrus Avenue, and authorizing the Mayor to execute the documents in behalf of the City, was unanimously adopted on motion of Councilman Miller, seconded by Councilman DeMirjyn.

Bills and salaries were ordered paid as approved by the Finance Committee.

There being no further business, on motion, Council adjourned at 11:10 P.M. to an adjourned regular meeting on June 29 at 8:00 A.M. for the purpose of considering adoption of the Conservation and Open Space Elements of the San Bernardino County General Plan as elements of the Redlands General Plan, and for holding a public hearing on this matter.

Next regular meeting, July 3, 1973.

ATTEST:

Peggy A. Mosley
City Clerk

Jack B. Cummings
Mayor of the City of Redlands