

MINUTES

of a regular meeting of the City Council, City of Redlands, held in the Council Chambers, Safety Hall, 212 Brookside Avenue, on November 16, 1976, at 7:00 P.M.

PRESENT

Charles G. DeMirjyn, Mayor
Chresten M. Knudsen, Vice Mayor
Ellsworth E. Miller, Councilman
Bertha Rose Grace, Councilwoman
Warren R. Elliott, Councilman

PRESENT (Continued)

Robert H. Mitchell, Acting City Manager
 Robert Ziprick, Deputy City Attorney
 Peggy A. Moseley, City Clerk
 Erwin S. Hein, Redlands Daily Facts
 Pat Sheeran, San Bernardino Sun
 Russ Van Arsdale, KCAL

ABSENT

None

The meeting was opened with the pledge of allegiance, followed by the invocation by Dr. Ellsworth E. Miller.

The minutes of the regular meeting of November 2, 1976, were approved as submitted.

Mayor DeMirjyn stated that Vice Mayor Knudsen would like the minutes to reflect that he was absent from the meeting of November 2 for the purpose of appearing before the Fontana City Council in behalf of Redlands' efforts to bring about the completion of Route 30 at Tennessee Street.

PUBLIC HEARING

Stating that Council would adjust the agenda in order that members of the Los Angeles District Office of Corps of Engineers might make their presentation, Mayor DeMirjyn introduced Lt. Col. Reinen, Harry Howard, Dino DePietro, Harry Ely, Chuck Laird, and Arthur Sidler who were present in the audience.

Flood
Control
Presentation

Col. Reinen addressed the Council and audience stating that he was a former San Bernardino resident and particularly enjoyed the beautiful trip to Redlands this day. Col. Reinen is the Deputy District Engineer of the Los Angeles District Office of the Corps of Engineers.

He gave a brief background view of the basin-side flood problem, including the results of a study made between 1940 and 1946. He stated that four projects were completed following that study, one being the Mill Creek Levee.

Changing population and increased land development brought about authorization, in May, 1964, of another study of the Santa Ana River, including the Zanja which is one of its tributaries. In 1973, to launch the study, several meetings were held by the Corps with the San Bernardino County Flood Control District people and a citizens' committee. Col. Reinen described the study in detail which divided the Zanja between Wabash Avenue and the Santa Ana River into five separate areas and made individual recommendations for each. He added that these recommendations were not made entirely by the citizens' committee but were the result of joint input by the three groups.

Col. Reinen outlined the guidelines by which the Corps tests projects and by which Congress established priorities and funding. He also explained the time factor of the planning of the project, the State review, and the final presentation to Congress. He stated that economic viability, environmental acceptability, and public support were three absolute requisites. He added that public approval and cooperation were of the utmost importance in obtaining approval for Corps of Engineers' projects and stressed that without public support, no amount of solid engineering will succeed.

Col. Reinen described the requirements placed on local governments to provide right-of-way, re-location, and bridges, and urged that the City needed public support and active involvement to create ideas and

PUBLIC HEARING (Continued)

to decrease costs. He urged the City to obtain rights-of-way in undeveloped areas and spoke at length on the possibility of the City obtaining the right-of-way which may be abandoned by the Southern Pacific Railroad.

On motion of Councilman Miller, seconded by Councilwoman Grace, Council unanimously voted to authorize Vice Mayor Knudsen and the staff to communicate with the Southern Pacific Railroad concerning the abandonment of their property and have input in the forthcoming public hearing on this matter.

Col. Reinen answered questions from members of the audience. Speaking were Mr. Russell Wilmot, 1201 Brookside Avenue; Holly Bass, 1471 Laramie Avenue; Mr. Rocky Ridge, 30 Ryan Street; and Mr. H. A. Durrell, 924 Central Avenue. Council explained that both Mr. Ridge and Mr. Durrell had suffered loss from flooding of many of the units in their apartment developments. Mr. Durrell requested some immediate work be done to build up the Zanja.

Following the discussion, Council thanked Col. Reinen and the other members for attending the meeting.

BIDS

The following bid for cleaning of large diameter sewer mains was opened and publicly declared in the office of the City Clerk at 10:00 A.M., November 15, 1976:

Rodding-Cleaning Machines, Inc.	
Los Angeles, California	\$14,512.25

Sewer
Cleaning

The Department of Public Works believes that this bid is high and recommends it be rejected. They further request that the department be authorized to contract with Rodding-Cleaning Machines on a daily basis for this work at the rate of \$585.00 per day, not to exceed the budgeted amount of \$9,000.00. Following discussion, on motion of Councilman Knudsen, seconded by Councilman Miller, the bid was rejected and the department authorized to contract on a daily basis as outlined above. The motion was adopted unanimously.

The bids for construction of the Joslyn Senior Center, which were opened and publicly declared in the office of the City Clerk on November 2, 1976, have been reviewed by HUD and the County Office of Community Development and approval given for award.

Bid Award
Joselyn
Senior
Center

On motion of Councilwoman Grace, seconded by Councilman Miller, award for the construction of the Joselyn Center was made to Harry Martin Inland Contractors in the amount of \$259,982.00 by unanimous approval of the Council. It was pointed out that this is a local firm.

PUBLIC HEARINGS

Ordinance
No. 1596
Zoning
Annexation
No. 52

As this was the time and place advertised for public hearing of Ordinance No. 1596, an ordinance of the City Council establishing I-P Industrial Zone classification for property included in Annexation No. 52, Mayor DeMirjyn opened the meeting as a public hearing for any comments or questions. None being forthcoming, the public hearing was declared closed, and Ordinance No. 1596 was adopted on motion of Councilman Elliott, seconded by Councilman Miller, with waiver of the reading of the ordinance in full, by the following roll call vote:

AYES:	Councilmembers Knudsen, Miller, Grace, Elliott, Mayor DeMirjyn
NOES:	None
ABSENT:	None

ORAL PETITIONS FROM THE FLOOR

Dry Sewer
Installation

Mr. Paul O'Brien of Orange Hill Investment Co. addressed Council concerning the engineering requirements relating to Minor Subdivision No. 18. Mr. O'Brien requested to be allowed to sign the improvement agreement for the installation of dry sewers along the frontage of property included in Minor Subdivision No. 18. The matter was discussed at length; Council concurred that the staff investigate the problem.

Merritt
Cases, Inc.
Business
License
Appeal

Mr. J. L. Merritt made a film presentation to Council in connection with his request for a change in the assessment for the business license of his firm. He also asked that the definition of gross receipts not include amounts which pass through his books; such as, travel and vehicular expense which is a fee paid by clients. Following his presentation, Mr. O'Donnell explained to Council that the gross receipts system is used by seven cities in the area and none of these cities provide any deduction for overhead expenses. Council discussed fees and sales tax. Following a brief discussion, on motion of Mayor DeMirjyn, seconded by Councilman Elliott, the Council unanimously moved to comply with the ordinance of the City and deny the appeal and follow the direction of the Treasurer.

Police
Association
Concerns

Officer Bruce Rouse of the Redlands Police Department addressed Council explaining that he had the following concerns to bring directly to Council. He stated that it had been brought to his attention that there has been conversation in town regarding what the fact finder will determine. It had also been brought to his attention it has been stated by a member of the Council that no matter what the fact finder decided, the matter was a dead issue, that Council would not review any recommendations. Officer Rouse asked whether the association is is spending \$300.00 per day for a fact finder, with the minds of the Council already made up.

Mayor DeMirjyn replied that the fact finder was asked to find facts, not make recommendations, and that he intended to make a motion to that effect this evening.

Dr. Miller stated that his mind is not made up.

Mr. Knudsen explained that the origin of the problem was that there was a difference of opinion concerning the validity of the facts provided by the City, with the sole purpose of the fact finder being the verification that the facts were the correct data.

Fact Finder

Councilman Knudsen then moved to restate the intent of engaging a fact finder, saying the intent and purpose of this Council is for the fact finder to substantiate the accuracy and authenticity of data presented by the City and by the Police and Fire Departments, and that he is not to make recommendations or suggestions, only to verify facts. The motion was seconded by Councilman Miller and carried by unanimous vote.

Mr. Rouse then asked if the facts substantiate money over and above that which was discussed at the meet and confer sessions, and over and above funds needed to operate, would the Council look at these funds to grant association requests.

Mrs. Grace replied that Council would certainly consider this; that it would have been unreasonable to spend staff time and their own time and the money for a fact finder, if they did not intend to study the results.

ORAL PETITIONS FROM THE FLOOR (Continued)

Mayor DeMirjyn commented that he had studied the financial reports and these show the City is spending more than it is taking in. This causes him concern. He added that Redlands has the finest police department and fire department, and Council wants to give raises, but does not want to "go down the tubes."

Dr. Miller added that his mind is open to look at the presentation.

Mr. Rouse concluded his comments to the Council with the statement that negotiations had been going on since February and seemed to be going to continue until next year. He expressed the feeling that if the police and fire association representatives could have sat down directly with the five councilmembers, the matters could have been handled in a briefer time. Mayor DeMirjyn stated that after this problem is settled, efforts will be made to do this very thing. Mayor DeMirjyn expressed appreciation for the members of the police and fire departments.

APPLICATIONS AND PETITIONS

Business
License
Waiver

Bou Scouts

Mrs. Leah Hickok brought two representatives of Troop 31, Pack 31, of the Boy Scout group of Jesus Christ of Latter day Saints and requested waiver of business license to sell boxed donuts door-to-door on Saturdays until the end of the year. On motion of Councilman Miller, seconded by Councilman Elliott, unanimous approval was given to this waiver of business license and permission to sell until the first of 1977.

COMMISSION RECOMMENDATIONS

Planning Commission - The following Planning Commission recommendations were considered by the City Council.

1. Minor Subdivision No. 12 (Revised) - Redlands Hills Country Club Estate, Inc.

That the application for revised Minor Subdivision map for property located at the southern terminus of Country Club Drive, R-A Zone, be approved subject to the recommendations of all departments as outlined in Planning Commission minutes dated November 9, 1976. Following discussion, on motion of Councilwoman Grace, seconded by Councilman Miller, unanimous approval was given to this recommendation of the Planning Commission.

2. Minor Subdivision No. 4 - E.G.S. Metro Construction Corp. - Final Approval

All requirements as outlined in Council minutes dated December 16, 1975, having been completed, it is the recommendation of the Planning Department that final approval be given for Minor Subdivision No. 4. On motion of Councilman Knudsen, seconded by Councilwoman Grace, unanimous approval was given this recommendation of the Planning Department.

3. Tract No. 9304 - W.J.E. Corporation - Final Approval

All requirements as outlined in Council minutes dated April 20, 1976, having been complied with, it is the recommendation of the Planning Department that final approval be given to Tract No. 9304. On motion of Councilwoman Grace, seconded by Councilman Knudsen, this recommendation of the Planning Department was unanimously approved.

Park Commission - Councilwoman Grace announced that the Park Commission will meet at 1:30 P.M., Thursday, November 18, in the Conference Room in City Hall, and that a discussion of park priorities will be held and an update of Prospect Park Phase I development.

COMMISSION RECOMMENDATIONS (Continued)

Resolution
No. 3298
Traffic

Traffic Commission - Recommendations from the Traffic Commission meeting of October 28, 1976, were embodied in Resolution No. 3298. Following discussion, on motion of Councilman Elliott, seconded by Councilman Miller, unanimous approval was given to Resolution No. 3298.

Resolution
No. 3302
Stop Sign

Resolution No. 3302, a resolution of the City Council authorizing installation of a stop sign to stop eastbound traffic on Citrus Avenue, at the intersection of Citrus and Wabash Avenues, was unanimously adopted on motion of Councilman Miller, seconded by Councilman Knudsen.

Appointments

Public Works Commission - Ordinance No. 1594 reorganizing a Public Works Commission was adopted on October 19, 1976. On motion of Councilman Knudsen, seconded by Councilwoman Grace, John Munn, John Egan, Harold Hartwick, Ken Kienow, and Charles Bishop were unanimously appointed to this commission as provided in the ordinance with authorization for the men to draw lots for determination of their initial terms of service.

COMMUNICATIONS

Acknowledging a request from the Chamber of Commerce, Council concurred in deferring the removal of parking on the southside of Citrus Avenue until after Christmas.

UNFINISHED BUSINESS

Ordinance
No. 1580
City
Manager

Ordinance No. 1580, an ordinance amending the Redlands Ordinance Code pertaining to the city manager, was given first reading at the meeting of October 19, 1976, and deferred to this time for second reading. Councilman Knudsen moved that Ordinance No. 1580 not be adopted as presented; and in Section 13105 the maximum severance pay for the city manager be limited to one month's pay; and the number of days after an election, Section 13204, in which a city manager can be fired be set at thirty days. This motion was seconded by Councilman Elliott, and adopted by the following roll call vote:

AYES: Councilmembers Knudsen, Elliott, Mayor DeMirjyn
NOES: Councilmembers Miller (who stated it was too restrictive)
and Grace
ABSENT: None

Ordinance No. 1580, as amended, was given first reading of the title and laid over under the rules with second reading set for the meeting of December 7, 1976.

NEW BUSINESS

Resolution
Nos. 3299
3300
3301
Highland Ave.
South Ave.

Resolution Nos. 3299, 3300, and 3301, which declare the City's intention to vacate certain portions of Highland Avenue and a portion of South Avenue, were unanimously adopted on motion of Councilwoman Grace, seconded by Councilman Miller. These resolutions set the public hearings on each closure for the Council meeting of December 7, 1976.

CITY MANAGER

Personnel
Services
Agreement

On motion of Councilwoman Grace, seconded by Councilman Miller, unanimous approval was given to an agreement with the State Personnel Board Cooperative Personnel Services for the use of validated tests approved by the State for testing of prospective employees.

CITY MANAGER (Continued)Grant of
Easement

On motion of Councilman Knudsen, seconded by Councilman Miller, a grant of easement to the City from Sam Perricone for sewer line purposes in connection with Tract No. 9332 was unanimously accepted with the City Manager authorized to execute the certificate of acceptance in behalf of the City.

Funds
County
Museum

The payment of \$13,000.00 from a special suspense account in the General Fund to make the annual lease payment for the City's participation with the County in the construction of the San Bernardino County Museum was unanimously authorized on motion of Councilman Knudsen, seconded by Councilwoman Grace. This is in connection with the Joint Powers Agreement.

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

There being no further business, Council adjourned, on motion, at 9:10 P.M.

Next regular meeting, December 7, 1976.

ATTEST:

Peggy A. Mosley
City Clerk

David R. Hapner
Mayor of the City of Redlands

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