

MINUTES

of a regular meeting of the City Council, City of Redlands, held in the Council Chambers in the Edward F. Taylor Building, 212 Brookside Avenue, on March 5, 1985, at 3:00 P.M.

PRESENT

Carole Beswick, Mayor
Tim Johnson, Vice Mayor
Charles G. DeMirjyn, Councilman
Oddie J. Martinez, Jr., Councilman
Richard N. Larsen, Councilman

John E. Holmes, City Manager
Dallas Holmes, City Attorney
Lorrie Poyzer, City Clerk
Laura Wingard, Redlands Daily Facts
Pat Brown, The Sun

ABSENT

None

The meeting was opened by Mayor Beswick with the pledge of allegiance followed by an invocation by Councilman Larsen.

Minutes of the regular meeting of February 19, 1985, and the adjourned regular meeting of February 26, 1985, were approved as submitted.

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

Mayor Beswick welcomed the 7th grade class from the Redlands Christian School who were in the audience.

PLANNING AND COMMUNITY DEVELOPMENT

Tentative Tract No. 12874 - B. F. Connell/M. S. Schneider/A. D. John

Councilman Larsen moved to approve the Environmental Review Committee's Negative Declaration for Tentative Tract No. 12874 for the subdivision of approximately 15 acres of land into 55 lots for property located on the northwest and northeast corners of Colton Avenue and Dearborn Street extended, R-1 Zone, and directed staff to file and post a "Notice of Determination" in accordance with the City's guidelines. Motion seconded by Councilman Johnson and carried unanimously.

Stating that Council finds that pursuant to Section 66473.5 of the California Government Code, Tentative Tract No. 12874 together with the provisions for its design and improvement is consistent with the City's General Plan and any applicable specific plans; that none of the conditions provided in California Government Code Section 66474 exist on this map; and that pursuant to California Government Code Section 66474.6, the discharge of waste from this subdivision apparently will not result in violation of existing requirements prescribed by the Santa Ana Regional Water Quality Control Board pursuant to Division 7 of the California Water Code, Councilman Larsen moved to approve Tentative Tract No. 12874 based on the findings of the Planning Commission and subject to the recommendations of all departments as contained in Planning Commission minutes dated February 16, 1985. Motion seconded by Councilman DeMirjyn and carried unanimously.

Council recessed at 3:05 P.M. to a Redevelopment Agency meeting and reconvened at 3:13 P.M.

CONSULTANT SERVICES CONTRACT - DESIGN OF CITY YARD

Public Works Director Donnelly reported to Council that April 5, 1983, the City of Redlands entered into an agreement with Neste, Brudin & Stone, Inc. (NBS) of San Bernardino, to perform planning and engineering services pertinent to expansion of the City Yard facilities at Park Avenue and Tennessee Street. In February of 1984, this planning study was completed.

The next phase of this project was to complete the architectural and engineering design for the facility. The estimated cost of the construction was \$3.5 million. Since the City had engaged Management Services Institute (MSI) to review the City's finances, it was decided to suspend further action on the City Yard project until MSI's study was completed.

Now that the MSI study is completed, Doug Ayres has been asked to provide a method of financing this project. The basic financing methodology involves a tax-exempt agency such as the Redevelopment Agency buying and building the City Yard facilities and leasing them back to the City. The City pays lease payments on the investment to the debt service reserve. The underwriter sells the certificates to investors. The difference in the interest rates between invested funds and municipal securities provides a funding source.

In order to take advantage of the current difference in interest rates, a bid call for construction must be made by June 4, 1985. This only allows three months for the entire architectural and engineering design work to be completed and approved.

NBS was contacted and stated that they require a minimum of six to eight months in order to complete the necessary design. In order to accomplish this design work within the specified time constraints, a large architectural and engineering firm must be utilized. Since this schedule does not allow sufficient time to submit RFP's to various design firms, one firm with the necessary expertise was contacted and asked to submit a proposal.

Albert C. Martin and Associates of Los Angeles has submitted a proposal to provide the architectural and engineering design for the expansion of the City Yard. They can complete the design in time for a June 4 bid call if authorization to proceed is made on March 5.

City Yard
Expansion

Councilman Larsen moved to authorize the Mayor to sign a contract with Albert C. Martin and Associates of Los Angeles to provide architectural and engineering design for the expansion of the City Yards, subject to review of the contract by the City Attorney. Motion seconded by Councilman Johnson and carried by the following vote:
 AYES: Councilmen Johnson, Martinez, Larsen;
 Mayor Beswick
 NOES: Councilman DeMirjyn (As he felt he would be more comfortable if the Public Works Commission had also reviewed this project.)

City Yard
Advisory
Committee

Councilman Johnson moved to direct Public Works Director Donnelly to call a meeting of the Public Works Commission to review this project and assist him in the selection of a City Yard Advisory Committee. Motion seconded by Councilman DeMirjyn. Mr. Donnelly felt it would be a valuable assistance to him to have someone knowledgeable in this field to consult with as decisions are being made during the construction of the City Yard. Motion carried unanimously.

Certificates of
Participation
Financing

Management Services Institute prepared a report divising methodologies for the financing of the expansion of the City Yard. Mr. Doug Ayres reviewed his report in detail and explained the three alternatives available: Yards Buildings Only; Land Sale, Buildings and Leaseback; and the Mixed Method -- Credit Earnings to Tax Funds. Mr. Ayres proposed that the City Yards and two other City capital needs, the Fire Station and the Finance and Police Departments' computer, be grouped into one issue of Certificates of Participation.

Following discussion, Councilman Johnson moved to authorize proceeding with the financing as proposed in the MSI report dated February 26, 1985, using Alternate C, for the three capital projects listed. Motion seconded by Councilman Larsen and carried unanimously.

HINCKLEY WATER TREATMENT PLANTFinancial
Advisors

Public Works Director Donnelly reviewed the schedule for the construction of the Hinckley Water Treatment Plant; award of contract is scheduled for the June 18, 1985, Council meeting. Mr. Donnelly reported he will be recommending at the next Council meeting that Merrill Lynch and Doug Ayres be retained as the financial advisors and underwriters for this project. Following discussion, Councilman Larsen moved to approve utilizing Merrill Lynch and Doug Ayres as the financing team for the Hinckley Plant financing. Motion seconded by Councilman Martinez and carried unanimously.

COMPUTER SOFTWARE PROGRAM - FIRE DEPARTMENTFire
Computer

Fire Chief Mills presented a time saving and cost analysis study supporting his recommendation to purchase a computer software program for the Fire Department which will interface with the City's Ultimate computer. Following discussion, Councilman DeMrijyn moved to approve the Fire Department's request to purchase the Provincial Data System Fire Information Reporting and Evaluation System along with the necessary printers and terminals for \$32,576.52. Motion seconded by Councilman Johnson and carried unanimously.

Certificates
of
Participation

Councilman Larsen moved to include the capital outlay for the Fire Department's computer in the Certificates of Participation financing as proposed by MSI and approved earlier in this meeting. Motion seconded by Councilman Martinez and carried unanimously.

Council recessed at 4:15 P.M. to a closed session for the purpose of discussing impending litigation. In accordance with State law, the City Attorney prepared a confidential memo to Council providing justification for the closed session. There was no mention of names because this could jeopardize settlement negotiations. Council reconvened at 7:00 P.M.

Marine Corps
Appreciation
Month

Mayor Beswick presented a proclamation declaring the month of March, 1985, as Marine Corps Appreciation Month in the City of Redlands with the highest commendation to the United States Marines for their dedication to the finest military traditions and their professional skills. Captain Michael A. Malachowski, Sergeant Major Samuel Walls, and First Sergeant Kenneth Duffield were present to accept the proclamation. Mayor Beswick reminded those in attendance the Drum and Bugle Corps will be in Redlands on March 10, 1985, to present the Battle Color Ceremony at the University of Redlands Stadium.

California
Conservation
Corps

Mayor Beswick presented a proclamation honoring the California Conservation Corps as an expression of deep appreciation for their unselfish dedication to the welfare of our people and for over 5,000 hours of labor at Prospect Park, Sylvan Park, Redlands Boulevard, and the Zanja.

Mayor Beswick welcomed Mr. Robert Almgren's government class which was present during the evening session.

BIDS

The following bids were opened and publicly declared at 10:00 A.M. in the Office of the City Clerk for the installation of fire hydrants at various locations within the City:

Merlin Johnson Construction
Mentone, California \$17,570.00

Wesley Ray & Son, Inc.
Redlands, California 22,836.00

Bid Award

Fire
Hydrants

Public Works Director Donnelly reported to Council that this project will be funded by Community Block Grant Funds and that the maximum grant available is \$16,000.00. A prioritized list of ten fire hydrant installations was itemized on the City's bid sheet. Since the grant is to be limited to the number of fire hydrants that can be installed for \$16,000.00 and the lowest, responsible bid was \$17,570.00 for the first seven fire hydrants on the list, the balance of \$1,570.00 will be funded from the Fire Department's budget. Councilman Martinez moved to award the contract to the lowest, responsible bidder, Merlin Johnson Construction Company, Mentone, in the amount of \$17,570.00 for the installation of fire hydrants at seven various locations within the City. Motion seconded by Councilman Johnson and carried unanimously.

PUBLIC HEARINGSResolution
No. 4038Street
Vacation

Public hearing was advertised for this time and place for the vacation of a portion of a street that was deeded to the City of Redlands on June 12, 1913, recorded in Book 529, Pages 232-234, of Deeds. Mayor Beswick declared the meeting open as a public hearing for any questions or comments concerning this street vacation. None being forthcoming, the public hearing was declared closed, and Resolution No. 4038, a resolution of the City Council of the City of Redlands finding that portions of a certain street are unnecessary for present or prospective street purposes and ordering the vacation of said portion, was unanimously adopted on motion of Councilman Martinez, seconded by Councilman Larsen.

PUBLIC HEARINGS (Continued)

Ordinance No. 1869	Public hearing was advertised for this time and place for Ordinance No. 1869, which establishes a change of zone from A-1 (Agricultural) District to R-2 (Multiple Family Residential) District for approximately ten acres of land located on the west side of Wabash Avenue, approximately 660 feet south of Lugonia Avenue, as recommended by Planning Commission Resolution No. 636. Mayor Beswick declared the meeting open as a public hearing for any questions or comments concerning this change of zone. Representing the applicant, Mr. Leon Keding urged approval of this zone change. There being no further comments, the public hearing was declared closed.
Zone Change No. 271	Councilman DeMirjyn moved to approve the Environmental Review Committee's Negative Declaration of Zone Change No. 274 and directed staff to file and post a "Notice of Determination" in accordance with the City's guidelines. Motion seconded by Councilman Johnson and carried unanimously. Ordinance No. 1869, an ordinance amending Ordinance No. 1000 of the City of Redlands by adopting an additional land use district map as part of the Official Land Use District Map and effecting Zone Change No. 274, was given its first reading of the title by City Clerk Poyzer, and on motion of Councilman DeMirjyn, seconded by Councilman Johnson, further reading of the ordinance text was unanimously waived. Ordinance No. 1869 was introduced with unanimous Council approval and laid over under the rules with second reading scheduled for March 19, 1985, on motion of Councilman DeMirjyn, seconded by Councilman Johnson.

ORAL PETITIONS FROM THE FLOOR

Adaptive Re-Use Definition	Lois Reynolds, 324 West Olive Avenue, asked for a definition of "adaptive re-use" and stated she felt it would be prudent to do this so that everyone would have the same understanding of the term. She also felt it should be included in the Historic Element. This matter was referred to staff for implementation if it has not already been done.
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COMMUNICATIONS

CUP Enforcement	Mayor Beswick reminded everyone of the Employee's Picnic to be held on Sunday, March 10 in Sylvan Park followed by the U. S. Marine Corps Battle Color Ceremony at the University of Redlands stadium in the early evening. Councilman Larsen reported he had attended the last meeting of the Chamber of Commerce and Business Improvement District, and the question of employee parking control was being taken care of by Police Chief Brickley. Councilman Larsen also reported that work is continuing for the Redlands Bicycle Classic to be held over the Memorial Day weekend in Redlands. He thanked the Police Department for their support, and reported the committee is looking to the entire community for volunteers for this event. Vice Mayor Johnson reported the Regional Water Quality Board will hold a meeting next Friday in Riverside regarding their Sewerage Plant. Portions of Redlands are served by this Plant. Mayor Beswick noted a memo has been received from Planning and Community Development Administrator Schindler regarding current procedure for CUP enforcement. Council directed the City Attorney and staff to study this further to establish additional procedures to enforce conditions set on private residences. Councilman DeMirjyn again suggested a cash bond be required for the first year; that if conditions were being met, a refund could be made; but, the bond would be available for the City's use if it was needed.
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UNFINISHED BUSINESS

Bed and
Breakfast
Inns

Ordinance No. 1863, which establishes procedures for bed and breakfast inns, was scheduled for second reading at this time. Another draft was prepared by the City Attorney which added Section 4 entitled "Initial Limitation on Applicability of Ordinance" with the findings that conditional use permits for bed and breakfast inns are both so potentially valuable and so potentially intrusive that a geographically limited test program before implementation of this ordinance on a citywide basis would be in the best interests of the City, its residents and its property owners. Therefore, this ordinance shall be in effect in the following zones:

C-D	C-M	R-2
C-1	M-P	R-2-2000
C-2	M-1	R-3
C-3	M-F	A-P
C-4	M-2	I-P

Mayor Beswick stated it is the City Council's current intent to review this ordinance a year from now and see if it applies to other zones. The City Attorney suggested this be included in Section 4e of the ordinance. Council concurred and changed the last paragraph of Section 4e to read: "This paragraph 4 shall be reviewed by the Planning Commission and the City Council one year after the first application is approved by the City Council hereunder." Other changes made included clarification that the "local" listing for the inn structure shall be on the City's Register of Historic and Scenic Properties. This was done at the suggestion of Glen Noyes.

UNFINISHED BUSINESS (Continued)

Ordinance
No. 1863

Bed and
Breakfast
Inns

Bill Branch felt this action tonight was appropriate as the City needs to be very careful in the single family zones and supported the change. Carl Ljungquist stated he was very opposed to this change; that time was of the essence in his case.

As changed during this meeting, Ordinance No. 1863, an ordinance amending Zoning Ordinance No. 1000 of the City of Redlands by adopting Amendment No. 172 thereto, which establishes procedures for bed and breakfast inns, was given its first reading of the title by City Clerk Poyzer, and on motion of Councilman DeMirjyn, seconded by Councilman Martinez, further reading of the ordinance text was unanimously waived. Ordinance No. 1863 was unanimously introduced and laid over under the rules with second reading scheduled for March 19, 1985, on motion of Councilman DeMirjyn, seconded by Councilman Martinez.

Ordinance
No. 1864

Zone Change
No. 271

Ordinance No. 1864, which establishes a change of zone from A-1 (Agricultural) District to I-P (Industrial Park) District for approximately 10.33 acres of property located on the south side of Sessums Drive, approximately 1,820 feet west of Wabash Avenue, was given its second reading of the title by City Clerk Poyzer, and on motion of Councilman Martinez, seconded by Councilman DeMirjyn, reading of the ordinance text was unanimously waived. Ordinance No. 1864, an ordinance amending Ordinance No. 1000 of the City of Redlands by adopting an additional land use district map as part of the Official Land Use Zoning Map and effecting Zone Change No. 271, was adopted on motion of Councilman DeMirjyn, seconded by Councilman Martinez, by the following vote:

AYES: Councilmen Johnson, DeMirjyn, Martinez, Larsen;
Mayor Beswick
NOES: None
ABSENT: None

Ordinance
No. 1865

Zone Change
No. 272

Ordinance No. 1865, which establishes a change of zone from A-1 (Agricultural) District to R-1 (Single Family Residential) District for approximately 16 acres of land located on the north side of Colton Avenue, approximately 1,255 feet west of Wabash Avenue, was given its second reading of the title by City Clerk Poyzer, and on motion of Councilman Martinez, seconded by Councilman Larsen, reading of the ordinance text was unanimously waived. Ordinance No. 1865, an ordinance amending Ordinance No. 1000 of the City of Redlands by adopting an additional land use district map as part of the Official Land Use Zoning Map and effecting Zone Change No. 272, was adopted on motion of Councilman Martinez, seconded by Councilman DeMirjyn, by the following vote:

AYES: Councilmen Johnson, DeMirjyn, Martinez, Larsen;
Mayor Beswick
NOES: None
ABSENT: None

Ordinance
No. 1866

Zone Change
No. 273

Ordinance No. 1866, which establishes a change of zone from A-1 (Agricultural) District to R-1 (Single Family Residential District) for approximately 1.53 acres of land located on the northwest corner of Barton Road and Alabama Street, was given its second reading of the title by City Clerk Poyzer, and on motion of Councilman DeMirjyn, seconded by Councilman Johnson, reading of the ordinance text was unanimously waived. Ordinance No. 1866, an ordinance amending Ordinance No. 1000 of the City of Redlands by adopting an additional land use district map as part of the Official Land Use Zoning Map and effecting Zone Change No. 273, was adopted on motion of Councilman DeMirjyn, seconded by Councilman Martinez, by the following vote:

AYES: Councilmen Johnson, DeMirjyn, Martinez, Larsen;
Mayor Beswick
NOES: None
ABSENT: None

NEW BUSINESS

Funds

Codification
Contract

On motion of Councilman Johnson, seconded by Councilman Larsen, Council unanimously authorized execution of a contract with Book Publishing Company for the codification of the Redlands Ordinance Code, and authorized an additional appropriation of \$1,000.00 for a down payment on the contract.

Judson
Street
Design

Councilman Larsen moved to authorize the engagement of Kicak & Associates to provide engineering design for the reconstruction of Judson Street between Pennsylvania Avenue and Pioneer Avenue. Motion seconded by Councilman Johnson and carried unanimously. This is a budgeted Gas Tax project and will provide for additional safety by widening a substandard width street to provide for anticipated traffic volumes to and from Redlands Municipal Airport.

Citrus
Avenue
Design

Councilman Martinez moved to authorize the engagement of C. G. Engineering to provide engineering design for the reconstruction of Citrus Avenue between Orange Street and Redlands Boulevard. Motion seconded by Councilman DeMirjyn and carried unanimously. This is a budgeted Gas Tax project and will provide for additional safety by improving curb and gutters, sidewalks and the pavement surface. It was noted the cut stone curbing will not be repaired on Citrus Avenue, but the stones will be saved.

NEW BUSINESS (Continued)

Appointments	Councilman Larsen moved to appoint Dr. Richard Friesen and Steven M. Chapman to complete terms on the Recreation Commission which will expire June 30, 1988, and to appoint Gary M. Luebbers to a three year term effective June 30, 1985. Motion seconded by Councilman DeMirjyn and carried unanimously. Council directed staff to write to the Redlands School Board and invite Sue Teale to be a liaison member on the Recreation Commission.
Recreation Commission	
Bowl Blanket Policy	Councilman Johnson moved that the no blanket reservation policy at the Redlands Bowl as approved by the Council on December 20, 1983, be continued and incorporated into Ordinance No. 1590, which establishes rules and regulations for use of public parks, in the codification of the Redlands Ordinance Code. Motion seconded by Councilman Larsen and carried unanimously.
Ordinance No. 1867	Building and Safety Director Dale explained the changes he is recommending to update the Building Codes and rescind obsolete sections in the Redlands Ordinance Code. Council discussed a grandfather's clause for Section 84201 which prohibits installation of any type of electric fence and agreed to change the ordinance to reflect that this section will not apply to existing electric fences. Councilman DeMirjyn moved to approve the Environmental Review Committee's Negative Declaration for Ordinance No. 1867 and directed staff to file and post a Notice of Determination in accordance with the City's guidelines. Motion seconded by Councilman Johnson and carried unanimously. Ordinance No. 1867, an ordinance of the City of Redlands amending Chapter 84 of the Redlands Ordinance Code and adopting the 1982 editions of the Uniform Building, Plumbing, Mechanical and Housing Codes and the 1984 edition of the National Electrical Code, was given its first reading of the title by City Clerk Poyzer, and on motion of Councilman Larsen, seconded by Councilman DeMirjyn, further reading of the ordinance text was unanimously waived. Ordinance No. 1867 was introduced with unanimous Council approval and laid over under the rules with second reading scheduled for March 19, 1985, on motion of Councilman Johnson, seconded by Councilman DeMirjyn.
Building Codes	
Council Picture	Councilman DeMirjyn noted that an official picture of the City Council has been taken and recommended each Councilmember pay an equal portion of the cost.
Annexation	Councilman Larsen directed staff to start the necessary action to initiate annexation proceedings for the southeast portion of Redlands.
Investment Policy	Resolution No. 4041, a resolution of the City Council of the City of Redlands acknowledging the receipt and filing of the annual statement of investment policy for the year 1985, was presented to the City Council by City Treasurer Reynolds. This matter was continued.
Omnitrans Agreement Amendment	On motion of Councilman Larsen, seconded by Councilman Johnson, Council unanimously authorized approval of an amendment to the Joint Powers Agreement for Omnitrans to provide for weighted voting based on population and authorized the Mayor to sign on behalf of the City.
Claim	On motion of Councilman Larsen, seconded by Councilman Johnson, the claim of Ennis Dixon in the amount of \$500,000.00 was unanimously found not to be a proper charge against the City and therefore rejected.
Claim	On motion of Councilman Larsen, seconded by Councilman Johnson, the claim of Joanne Pepe in the amount of \$250,000.00 was unanimously found not to be a proper charge against the City and therefore rejected.
Friend of the Court Brief	On motion of Councilman DeMirjyn, seconded by Councilman Martinez, Council unanimously authorized the City Attorney to join in a Friend of the Court brief in the case against the City of Renton, Washington, regarding adult theaters.
	There being no further business, Council adjourned at 8:35 P.M.
	Next regular meeting, March 19, 1985.

Attest:


Mayor of the City of Redlands

City Clerk