

MINUTES

of a regular meeting of the City Council, City of Redlands, held in the Council Chambers, 212 Brookside Avenue, on April 16, 1985, at 3:00 P.M.

PRESENT

Tim Johnson, Vice Mayor
Charles G. DeMirjyn, Councilman
Richard N. Larsen, Councilman

John E. Holmes, City Manager
Dallas Holmes, City Attorney
Francis Baum, City Attorney
Lorrie Poyzer, City Clerk
Laura Wingard, Redlands Daily Facts
John DeLeon, The Sun

ABSENT

Carole Beswick, Mayor
Oddie J. Martinez, Jr., Councilman

The meeting was opened at 3:15 P.M. by Acting Mayor Johnson with the pledge of allegiance followed by a moment of silent prayer in memory of former Councilman Robert L. Morlan. Councilman Larsen apologized for holding up the meeting but he was unavoidably detained in a doctor's office.

Minutes of the regular meeting of April 2, 1985, were approved as submitted.

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

PLANNING AND COMMUNITY DEVELOPMENT

Minor Subdivision No. 146 - Dick and Suenell Caffroy

Councilman DeMirjyn moved to approve the Environmental Review Committee's Negative Declaration for Minor Subdivision No. 146 for the subdivision of approximately 6.18 acres of land into three lots for property generally located on the east side of Marion Road, approximately 450 feet south of Fifth Avenue, A-2 Zone, and directed staff to file and post a "Notice of Determination" in accordance with the City's guidelines with the Declaration amended on the subject of school impactation to reflect that the Redlands Unified School District has completed presentation of its case that there is impactation on the schools by future development and that in the event that the City Council of the City of Redlands concurs with the alleged impact, then prior to issuance of any building permit on this project, the developer shall mitigate its impact on the facilities of the Redlands Unified School District by paying to the School District any fee or equivalent contribution then in effect in the City of Redlands and imposed by the City of Redlands; such fee shall be no more than like fees imposed elsewhere in the School District. Motion seconded by Councilman Larsen and carried by AYE votes of all present.

Stating that Council finds that pursuant to Section 66473.5 of the California Government Code, Minor Subdivision No. 146 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 DeMirjyn moved to approve Minor Subdivision No. 146 based on the findings of the Planning Commission and subject to the recommendations of all departments as contained in Planning Commission minutes dated April 9, 1985. Motion seconded by Councilman Larsen and carried by AYE votes of all present.

PLANNING AND COMMUNITY DEVELOPMENT (Continued)

Resolution No. 4059 - Agricultural Preserve Removal No. 60 - Yusuf and Jale Un

Councilman DeMirjyn moved to approve the Environmental Review Committee's Negative Declaration for Agricultural Preserve Removal No. 60 for property located on the south side of San Bernardino Avenue and 660 feet west of Texas Street, and directed staff to file and post a "Notice of Determination" in accordance with the City's guidelines. Motion seconded by Councilman Larsen and carried by AYE votes of all present. Councilman DeMirjyn moved to approve Resolution No. 4059, a resolution of the City Council of the City of Redlands amending Agricultural Preserve Boundaries and effecting Agricultural Preserve Removal No. 60. Motion seconded by Councilman Larsen and carried by AYE votes of all present.

Appeal - Building Moving Permit No. 92 - Lupe Lara, Applicant

The Planning Commission approved Building Moving Permit No. 92 subject to all departmental conditions as contained in Planning Commission minutes dated March 26, 1985. An appeal to this decision was filed on April 2, 1985, with the City Clerk and this was the time set to hear the appeal. The applicant, Lupe Lara, responded to Attorney Holmes, stating he waived his right to a hearing as he would like the permit denied at this time. Staff reported that initially it was determined that the proposed structure met the criteria for a building moving permit and that it would esthetically enhance the area into which it was to be moved. However, on-site re-evaluation of the structure by Building and Safety Director Dale and Planner Gaitan on April 10, 1985, found that its structural integrity was deficient and architecturally would not compliment the existing homes in the 900 block of Ohio Street. There was also evidence of termite structural damage which would place further financial burden on the applicant. Councilman DeMirjyn moved to uphold the appeal and deny Building Moving Permit No. 92 based on the following findings: that the structure to be moved will have a detrimental effect on the surrounding living environment and that the structure to be moved is not architecturally compatible with the existing development in the immediate area into which the structure is to be moved. Motion seconded by Councilman Larsen and carried by AYE votes of all present.

Minor Subdivision No. 147 - BEK Engineering - Final Approval

All requirements as contained in Council minutes dated March 19, 1985 having been complied with, it is the recommendation of the Planning Division that final approval be given Minor Subdivision No. 147. On motion of Councilman Larsen, seconded by Councilman DeMirjyn, this recommendation of the Planning Division was approved by AYE votes of all present.

Council recessed at 3:30 P.M. to a Redevelopment Agency meeting and reconvened at 3:45 P.M.

CITY ATTORNEYResolution
No. 4057Housing
Revenue
Bonds
(Gibraltar)

Attorney Baum explained that the City Council had previously evidenced its intention to assist in financing the acquisition and construction of a 630-unit multifamily rental housing project proposed to be constructed by Gibraltar Community Builders. He explained the contents of the basic legal documents which are on file in the Office of the City Clerk. Councilman Larsen moved to approve Resolution No. 4057, a resolution of the City Council of the City of Redlands approving documents, appointing a Trustee and Bond Counsel and authorizing the sale of its Multifamily Rental Housing Revenue Bonds and making certain findings in connection the issuance of said bonds. Motion seconded by Councilman DeMirjyn and carried by AYE votes of all present.

Resolution
No. 4058Redevelopment
Bond Issue

Attorney Baum explained that under provisions of the Community Redevelopment Law, the City Council must approve the issuance of tax allocation bonds by the Redevelopment Agency and recommended approval of Resolution No. 4058. Councilman Larsen moved to adopt Resolution No. 4058, a resolution of the City Council of the City of Redlands approving the issuance by the Redevelopment Agency of its Redlands Redevelopment Project 1985 Tax Allocation and Refunding Bonds and making certain determinations relating thereto. Motion seconded by Councilman DeMirjyn and carried by AYE votes of all present.

Water Stock
Negotiations

Councilman Larsen moved to authorize City Manager Holmes and Vice Mayor Johnson to negotiate the purchase of some Bear Valley Mutual Water Company stock.

Council recessed in memory of recently deceased Frank Jacinto, Jr. at 3:55 P.M. to a closed session for the purpose of discussing matters covered by attorney/client privilege and impending litigation. In accordance with State law, the City Attorney prepared a confidential memo to Council providing justification for the closed session. Council reconvened at 7:00 P.M. at which time Carole Beswick was present.

School
Impaction

Mayor Johnson announced that Council received a legal opinion from the City Attorney during the closed session regarding alternative forms of action in response to the School District's mitigation fee request. These documents are now being made public and were distributed to members of the press present at the meeting.

Mayor Johnson presented to Lt. Clete Hyman of the Redlands Police Department, and Mr. Gardner Davis from the Office of Emergency Services a proclamation declaring April 14-20, 1985, as Earthquake Preparedness Week. The City will hold an earthquake preparedness drill on Wednesday, April 17, 1985.

BIDS

The following bids were opened and publicly declared at 10:00 A.M. on February 12, 1985, by the City Clerk for the realignment of Garden Street and Mariposa Drive:

	<u>Basic</u>	<u>Total</u>
Tonco Const. & Equipment Rental Yucaipa, California	\$165,673.00	\$175,923.00
Riverside Construction Riverside, California	170,212.00	182,512.00
E. L. Yeager Const. Company Riverside, California	177,030.60	190,847.60
Bonadiman-McCain, Inc. San Bernardino, California	178,749.80	194,329.80
Larry Jacinto Construction Mentone, California	184,351.70	200,714.80
Vance Corporation Riverside, California	190,960.00	201,456.00
Wiley Construction Duarte, California	191,610.77	206,698.77
Matich Corporation San Bernardino, California	191.887.00	206,442.00
Parrott & Wright Const. Co., Inc. Corona, California	209,160.00	220,845.00

Bid Award
Garden Street and Mariposa Drive Realignment

At this time, it is the recommendation of the Department of Public Works that award be made to Tonco Construction as theirs was the lowest, responsible bid. On motion of Councilman DeMirjyn, seconded by Councilman Larsen, Council approved, by AYE votes of all present, award of a contract for the realignment of Garden Street and Mariposa Drive to Tonco Construction & Equipment Rental, Yucaipa, California, in the amount of \$175,923.00

PUBLIC HEARINGS

Resolution No. 4060
Garden Street Right-of-Way
Acquisition by Eminent Domain

This being the time and place set for a public hearing regarding the acquisition of property for the Garden Street right-of-way, Mayor Johnson declared the meeting open as a public hearing. No one wishing to speak to this matter, the public hearing was declared closed. Councilman DeMirjyn moved to adopt Resolution No. 4060, a resolution fo the City Council of the City of Redlands declaring that acquisition of certain real property generally located on the northwest corner of Mariposa Drive and Westwood Lane by eminent domain is necessary for street improvement purposes. Motion seconded by Councilman Beswick and carried by AYE votes of all present.

Councilman Beswick was excused from the Council Chambers at 7:13 P.M.

BIDS (Continued)

The following bid was opened and publicly declared at 10:00 A.M. on March 21, 1985, by the City Clerk for removal of three abandoned citrus groves within the Redlands' city limits:

Frank Jacinto	Exhibit C	\$ 9,000.00
dba Frank Jacinto & Son	Exhibit D	5,500.00
Mentone, California	Exhibit E	<u>5,500.00</u>
Total Bid		\$20,000.00

Bid Award
Citrus Grove Removal

At this time, it is the recommendation of the Fire Department that award be made to Jacinto & Son. On motion of Councilman DeMirjyn, seconded by Councilman Larsen, Council approved, by AYE votes of all present, award of a contract to Jacinto & Son, Mentone, California, for the removal of 18.85 acres of abandoned citrus groves.

PUBLIC HEARINGS (Continued)

Public hearing was advertised for this time and place for Ordinance No. 1868, which establishes a change of zone from A-1 (Agricultural) District to R-1 (Single Family Residential) District for approximately 14.21 acres of land located on the south side of Lugonia Avenue, approximately 1,110 feet east of Lincoln Street, as recommended by Redlands Planning Commission Resolution No. 637. Mayor Johnson declared the meeting open as a public hearing for any questions or comments concerning this change of zone. None being forthcoming, the public hearing was declared closed.

Ordinance No. 1868
 Zone Change No. 275

Councilman Larsen moved to approve the Environmental Review Committee's Negative Declaration for Zone Change No. 275 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 by the following vote:

AYES: Councilmembers Johnson and Larsen
 NOES: Councilmember DeMirjyn
 ABSENT: Councilmembers Beswick and Martinez

Ordinance No. 1868, 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. 275, was given its first reading of the title by City Clerk Poyzer, and on motion of Councilman Larsen, seconded by Councilman Johnson, further reading of the ordinance was waived. Ordinance No. 1868 was introduced and laid over under the rules with second reading scheduled for May 7, 1985, on motion of Councilman Larsen, seconded by Councilman Johnson, by the following vote:

AYES: Councilmembers Johnson and Larsen
 NOES: Councilmember DeMirjyn
 ABSENT: Councilmembers Beswick and Martinez

COMMUNICATIONS

TRANS Mr. William E. Straw, Security Pacific Capital Markets Group, presented a brief orientation regarding Tax Revenue Anticipation Notes (TRANS) and provided a proposal with details of cost estimates and fee, as well as some background materials on TRANS and his group.

Commendation Councilman Larsen commended Public Works Director Donnelly and Utilities Engineer Garcia for their contributions to the Task Force Committee established to resolve the high groundwater problem in the San Bernardino area. He received the highest compliments on their abilities and expertise.

California Common Law Mayor Johnson solicited and received Council support to authorize the City Attorney to report back at a later meeting with his legal opinion on the recent 2nd District State Court of Appeal's ruling citing "California Common Law."

Councilman Larsen reported he would be out of the state April 23-30, 1985. Councilman DeMirjyn reported he would be out of the state April 20-25, 1985.

ORAL PETITIONS FROM THE FLOOR

Mr. Robert Collins informed Council he felt that any legal documents received by the City should be reviewed by Attorney Holmes and not farmed out to anyone else.

APPLICATIONS AND PETITIONS

Detention Basin Study Mr. Arthur Jokela presented a lengthy proposal to undertake the preliminary analysis and planning as a consultant study for the City to consider the presently proposed "master detention basin" as one of several alternatives (and combinations of alternatives), and to recommend the preferred alternative and preliminary design. Mr. Jokela was referred to the City Manager to meet with the County to discuss making this part of the County's detention basin study.

UNFINISHED BUSINESS

Sewall Theatre Fees Community Services Administrator Rodriguez presented a recommended fee schedule for the Sewall Theatre as follows:

Park Attendant	\$12.00/hour
Apron Only	45.00/two hours
Open Stage	50.000/two hours
Stage Only, Rehearsal	15.00/hour
Clean-up Fee (if required)	12.00/hour

Councilman DeMirjyn moved to adopt the proposed fee schedule for the Sewall Theatre and to include these fees in the proposed fee schedule resolution. Motion seconded by Councilman Larsen and carried by AYE votes of all present.

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NEW BUSINESS

No action was taken on Ordinance No. 1871, an ordinance amending the Redlands Ordinance Code, Article 736, Parks Commission.

Students from Mr. Ron Stutt's high school government class were recognized.

There being no further business, Council adjourned at 8:00 P.M.

Next regular meeting, May 7, 1985.

Carole Buswail
Mayor of the City of Redlands

Attest:

Suzie Payer
City Clerk

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