

MINUTES

of a regular meeting of the City Council, City of Redlands, held in the Council Chambers, 212 Brookside Avenue, on March 3, 1987, at 3:00 P.M.

City Clerk Poyzer called the meeting to order and immediately recessed it to 7:00 P.M. as a quorum was not present. Council reconvened at 7:00 P.M.

PRESENT

Carole Beswick, Mayor
Richard N. Larsen, Mayor Pro Tem
Charles G. DeMirjyn, Councilmember
Barbara C. Wormser, Councilmember

John E. Holmes, City Manager
Dallas Holmes, City Attorney
Lorrie Poyzer, City Clerk
Elaine Rankin, Redlands Daily Facts
John de Leon, The Sun

ABSENT

Tim Johnson, Councilmember

The meeting was opened with an invocation delivered by Councilmember Wormser, followed by the pledge of allegiance.

Minutes of the regular meeting of February 17, 1987, were approved as submitted.

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

On behalf of the Redlands High School PTA, Colleen Corneille accepted a proclamation from Mayor Beswick which designated March 1-7, 1987, as Drug and Alcohol Awareness Week in Redlands.

PLANNING AND COMMUNITY DEVELOPMENT

Agricultural Preserves - Open Space Committee

Community Development Director Shaw reported on a recommendation from the Open Space Committee regarding their concern that agricultural preserve removals were ongoing during committee deliberations. Representing the applicant for an agricultural preserve removal application submitted in January, Richard M. Genzel urged Council to allow his application to proceed. Mr. Shaw reported that another application to cancel a Williamson Act Contract is also on file. Norm Langley expressed his concern that the City cannot restrict development of new homes while redeveloping downtown; that the actions are not compatible; and urged the City to purchase their own land for open space purposes. Following discussion, Councilmember Larsen moved to direct staff to defer consideration of Agricultural Preserve Removals (including Williamson Act cancellations) until the Open Space Committee recommendations and completion of the Open Space Plan are received, and that any agricultural preserve applications currently in process as of March 3, 1987, be grandfathered under this action and allowed to proceed. Motion seconded by Councilmember Wormser and carried by AYE votes of all present.

Tentative Tract No. 12875 - Hill-Williams - Final Approval

All requirements as contained in Council minutes dated March 19, 1985, having been complied with, it is the recommendation of the Planning and Community Development Department that final approval be granted Tentative Tract No. 12875, a subdivision of approximately 10.2 acres of land into 42 lots for property located on the north side of Colton Avenue, approximately 300 feet east of Dearborn Street, R-1 Zone. On motion of Councilmember Larsen, seconded by Councilmember Wormser, this recommendation of the Planning Department was approved by the following vote:

AYES: Councilmembers Larsen, Wormser; Mayor Beswick
NOES: Councilmember DeMirjyn
ABSENT: Councilmember Johnson

COMMUNICATIONS

Council requested the City Manager to arrange a dinner meeting with the new superintendent of the Redlands Unified School District either on March 30 or April 6 at 6:30 P.M.

Annexation
No. 60-A

Jim Roddy Executive Officer of the Local Agency Formation Commission, addressed Council regarding action on Annexation No. 60-A. He urged Council to comply with State law and proceed with calling an election on this matter. Councilmember DeMirjyn moved that Council proceed with an election. Motion seconded by Councilmember Wormser and carried by AYE votes of all present.

Litter
Control

Councilmember DeMirjyn suggested finding a way for fast food and carry out businesses to fund paying for an employee to pick up the litter from these establishments. Staff was directed to study this matter and return to Council with suggestions on implementation

	methods. Councilmember Larsen suggested soliciting support and comments from the Chamber of Commerce and B.I.D. Councilmember Wormser moved to continue this matter to March 17, 1987, Motion seconded by Councilmember Larsen and carried by AYE votes of all present.
Outside Water Connection	S. Linda Dewar, 107 Jenifer Street, had written to Council appealing for reconsideration of their application for an outside the City water connection in the moratorium area because of unusual circumstances involved in their case. Mayor Beswick wondered how much impact a single residence would cause, especially where there is already streets and sewer and water lines. Councilmember Larsen expressed concern about the legal ramification as he felt this would be grossly unfair to those we have already told no. Community Development Director Shaw presented an updated schedule for the Southeast Redlands Plan which indicated Council action would occur in December, 1987. Councilmember Larsen moved to refer this matter back to staff for study and a report on March 17, 1987. Motion seconded by Councilmember Wormser and carried by the following vote: AYES: Councilmembers Larsen, Wormser; Mayor Beswick NOES: Councilmember DeMirjyn who wanted to approve the request at this meeting. ABSENT: Councilmember Johnson
Adjourned Meeting	Council concurred to schedule an adjourned meeting to discuss residential development within the 65 CNEI Area on Monday March 16, 1987, at 5:30 P.M. in the City Corporate Yard, 1270 West Park Avenue. Council briefly recessed at 8:07 P.M. and reconvened at 8:10 P.M.
<u>ORAL PETITIONS FROM THE FLOOR</u>	
	Claudette Bohaty, 1060 West Palm Avenue, asked for an explanation of procedures for conducting a City Council meeting. She was referred to the City Manager to answer her questions.
<u>PUBLIC HEARINGS</u>	
Minor Subdivision No. 167 (see clarification below)	Public hearing was set for this time and place to hear an appeal to various conditions for Minor Subdivision No. 167, an application to subdivide approximately one acre of land in the R-E Zone into two lots for property located at 1340 Center Street. Following a report from Assistance Community Development Director Cozen, Mayor Beswick declared the meeting open as a public hearing for any questions or comments concerning this appeal. Elizabeth R. Heinze, 1347 Center Street, indicated her support of the Planning Commission's requirements. Louis Buell, 802 Balboa Court, expressed his concern that when the adjacent property was developed the structure will look down into his pool and property. Representing the applicant, Patty Leja, explained their appeal and indicated their concerns had been satisfied on all matters except the requirement to remove the existing house. Doug Snyder explained that the house is currently occupied and presented alternatives. Council reviewed each item appealed and suggested that the applicant build the house before recording the split of the lot; upon completion of the house and recordation of the map, the applicant has two years to request final approval and remove the existing house and barn. This seemed to be agreeable to the applicant and the public hearing was closed. Councilmember Wormser moved to deny the appeal; motion seconded by Councilmember Beswick and carried by the following vote: AYES: Councilmembers DeMirjyn, Wormser; Mayor Beswick NOES: None ABSTAIN: Councilmember Larsen because of a possible conflict of interest. ABSENT: Councilmember Johnson Stating that Council finds that pursuant to Section 66473.5 of the California Government Code, Minor Subdivision No. 167 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, Councilmember Wormser moved to approve Minor Subdivision No. 167 based on the findings of the Planning Commission and subject to the recommendations of all departments as contained in Planning Commission minutes dated January 27, 1987. Motion seconded by Councilmember DeMirjyn and carried by the following vote: AYES: Councilmembers DeMirjyn, Wormser; Mayor Beswick NOES: None ABSTAIN: Councilmember Larsen because of a possible conflict of interest. ABSENT: Councilmember Johnson
Clarification approved 3/17/87: "Council reviewed each item appealed and suggested that the applicant build the house before recording the split of the lot; upon completion of the new house, the old house must be removed; the applicant then has two years to remove the existing house and barn and request final approval."	

CDBG Funds	Public hearing was advertised for this time and place to consider the reprogramming of the 1986-87 Community Block Grant funds for the Redlands Day Nursery. It was recommended that the Redlands Day Nursery be permitted to utilize \$85,000 of Community Development Block Grant funds at their new site at 1222 Indiana Court for the purpose of completing tenant improvements and playground improvements. Mayor Beswick declared the meeting open as a public hearing for any questions or comments regarding this matter. None being forthcoming, the public hearing was declared closed. Councilmember Wormser moved to approve the request by the Redlands Day Nursery to reprogram \$85,000 of the CDBG funds allocated to the Redlands Day Nursery from a site located at 1250 Occidental Drive to a new site located at 1222 Indiana Court. Motion seconded by Councilmember DeMirjyn and carried by AYE votes of all present.
Redlands Day Nursery	
<u>BIDS</u>	
Bid Award	Bids for the construction of the Barton Road Median Island Project for the City of Redlands were opened and publicly declared by the City Clerk at 3:00 P.M. on February 19, 1987; a bid opening report is on file in the Office of the City Clerk.
Barton Road Median	City Engineer Mutter explained that IPS Services, Inc. was the apparent low bidder but following study it was determined that the proposal does not comply with all the requirements of the specifications and was considered non-responsible. Representing IPS Services, James Reed explained their position. Following discussion, on motion of Councilmember Larsen, seconded by Councilmember Wormser, Council awarded the contract to Bob Britton, Inc., San Bernardino, under Schedule "A" of the bid as this was the lowest, qualified bid received, and authorized an additional appropriation of \$65,000 from the Gas Tax Fund by AYE votes of all present.
Bid Award	Bids for the installation of a traffic signal at Citrus Avenue and University Street were opened and publicly declared by the City Clerk at 3:00 P.M. on February 19, 1987; a bid opening report is on file in the Office of the City Clerk. City Engineer Mutter explained that IPS Services, Inc., was the apparent low bidder, but following study it was determined that the proposal does not comply with all the requirements of the specifications and was considered non-responsive. Representing IPS Services, James Reed explained their position. Following discussion, on motion of Councilmember Larsen, seconded by Councilmember DeMirjyn, Council awarded the contract by AYE votes of all present to Paul Gardner Corporation, Ontario, as theirs was the lowest, qualified bid received.
Traffic Signal	
	Council briefly recessed at 9:05 P.M. and reconvened at 9:15 P.M.
<u>UNFINISHED BUSINESS</u>	
Refuse Container Survey	Community Services Director Rodriguez reported the Sanitation Department mailed out 2,105 questionnaires to residents in the newly-automated refuse collection area. A total of 1,286 questionnaires were returned; 1,131 indicating they were pleased with the service; 115 who did not like the automated collection; and 40 responded with miscellaneous comments. Councilmember Larsen felt that smaller cans should be made available to those who desired. Councilmember DeMirjyn urged better seating be made available in the truck for the driver. It was also noted that in some sections of town it would not be feasible to utilize the automated system.
Ordinance No. 1972	Community Services Director Rodriguez proposed a one-time fee of \$70 on new single-family dwelling units for the purchase of a special type refuse container which is compatible to automated refuse pickup equipment. Ordinance No. 1972 establishes the authority to collect the refuse container fee at the time of building permit issuance for houses to be constructed. Ordinance No. 1972, an ordinance of the City of Redlands amending Chapter 39 of the Redlands Ordinance Code for the purpose of establishing a fee to reimburse the City for the cost of special refuse containers which are necessary to implement an automated residential collection system, was read by title only by City Clerk Poyzer, and on motion of Councilmember Larsen, seconded by Councilmember DeMirjyn, further reading of the ordinance text was waived. Ordinance No. 1972 was introduced and laid over under the rules with second reading scheduled for March 17, 1987, on motion of Councilmember Larsen, seconded by Councilmember Wormser, by AYE votes of all present.
Refuse Container Fee	
Legal Services	Management Services Director Kaenel prepared a review of the City's legal services and an estimated annual budget for an in-house city attorney as requested by Council. This subject will be discussed further, perhaps at the workshop.
Ordinance No. 1975	Ordinance No. 1975 an ordinance of the City Council of the City of Redlands authorizing an amendment to the contract between the City Council of the City of Redlands and the Board of Administration of the California Public Employees' Retirement System changing the basis of calculation of final compensation for retirement benefits, was read by title only by City Clerk Poyzer, and on motion of Councilmember Larsen, seconded by Councilmember Wormser, further reading of the ordinance text was waived. Ordinance No 1975 was introduced and laid over under the rules with second reading scheduled for March 17, 1987 on motion of Councilmember Larsen, seconded by Councilmember Wormser, by AYE votes of all present.
Amend PERS Contract	

Brine
Pond
Use

In accordance with Government Code Section 54854.2(b)(2), Councilmember Beswick moved to take action on a matter regarding the use of the brine pond which arose subsequent to the agenda being posted as specified in the Government Code. Motion seconded by Councilmember Larsen and carried by AYE votes of all present. Following an explanation by Utilities Director Corneille, Councilmember Wormser moved to authorize Mr. Morley, Servisoft, use of the brine pond for another 45 days after March 15, 1987, subject to receipt of a letter form the Regional Water Quality Control Board stating they had no objections to this and proof of application to Western Municipal Water District. Motion seconded by Councilmember DeMirjyn and carried by AYE votes of all present.

NEW BUSINESS

Ordinance
No. 1976

Smoking
Regulations

Ordinance No. 1976, an ordinance of the City Council of the City of Redlands amending the Redlands Ordinance Code regulating smoking in public places and places of employment, was presented at this meeting following an extensive review by members of the Chamber of Commerce, the Redlands Community Hospital, and all departments of City government including employee organizations. Speaking in favor of adoption of this ordinance were: George R. Petterson, M.D., County Health Officer; Elizabeth Buser, American Heart Association; and Patrick Kudell, American Lung Association. Holan Holub, a non-smoker, was opposed to legislation of this type. Ordinance No. 1976, was read by title only by City Clerk Poyzer, and on motion of Councilmember Larsen, seconded by Councilmember DeMirjyn, further reading of the ordinance text was waived. Ordinance No. 1976 was introduced by AYE votes of all present and laid over under the rules with second reading scheduled for March 17, 1987, on motion of Councilmember Larsen, seconded by Councilmember Wormser.

Council asked that letters of appreciation for their efforts be sent to the Chamber of Commerce and the University of Redlands on behalf of Harold Duffy, a student who coordinated the review of this ordinance.

Ordinance
No. 1977

Debt
Service

Ordinance No. 1977, an ordinance of the City Council of the City of Redlands amending Article 144 of the Redlands Ordinance Code adding Debt Service to the definition of "Cost Reasonably Borne," was read by title only by City Clerk Poyzer, and on motion of Councilmember DeMirjyn, seconded by Councilmember Larsen, further reading of the ordinance text was waived. Ordinance No. 1977 was introduced by AYE votes of all present and laid over under the rules with second reading scheduled for March 17, 1987, on motion of Councilmember Larsen, seconded by Councilmember DeMirjyn.

Groundwater
Legislation

Municipal Utilities Director Corneille reported he and Mike Huffstutler have reviewed the proposed "Principles of Legislation for the Upper Santa Ana River Groundwater Management Agency." Copies of this proposal have been transmitted to Council. Gordon Calogne has asked for comments and an expression of support from the governing bodies by mid-March of this year. This information was provided to form the basis for a discussion at this meeting with the suggestion that Council action be scheduled for the March 17, 1987, meeting. Following discussion, Council directed the City Manager to draft letters for a meeting of the governing bodies of the involved agencies to address this matter and other matters of mutual concern.

Street
Lighting

Councilmember Wormser noted that several streets in the area bounded by Colton Avenue, Lugonia Avenue, Texas Street, and Church Street did not have street lights and asked that staff investigate funding for more lighting in this area either through the budget process and grants. Council concurred with this directive.

AT&T
Contracts

Management Services Director Kaenel explained that contracts with AT&T being presented at this meeting cover installation and instruments necessary to complete the integration of the City Yard, City Hall, Police Department, and Fire Department as early as possible in the fiscal year 1987-88. Councilmember Larsen moved to approve contracts with AT&T in the amount of \$78,378 for the completion of the City's telecommunication system with the understanding that the appropriation for the expenditure will be included in the 1987-88 budget. Motion seconded by Councilmember DeMirjyn and carried by AYE votes of all present.

Resolution
No. 4225

Traffic

Resolution No. 4225, a resolution of the City Council of the City of Redlands establishing a no parking zone on the south side of Barton Road between Terracina Boulevard and Lakeside Avenue and on the north side of Barton Road from Price Street to the City Limits, was adopted by AYE votes of all present on motion of Councilmember Beswick, seconded by Councilmember Larsen.

Funds

Disposal
Bins

Claim

On motion of Councilmember Larsen, seconded by Councilmember Wormser, Council approved by AYE votes of all present an additional appropriation of \$20,000 from the Disposal Division Reserve Account for the purchase of approximately fifty 4-yard bins.

On motion of Councilmember Larsen, seconded by Councilmember Wormser, the claim of Donald L. Peters in an unknown amount was found not to be a proper charge against the City and therefore rejected by AYE votes of all present.

Salaries

As a part of the recently completed classification and pay survey, Ralph Anderson and Associates studied the duties and responsibilities of the two elected positions of City Clerk and City Treasurer and recommended the City Clerk's salary be increased to \$2,639 per month and the City Treasurer's salary be increased to \$3,757 per month. On motion of Councilmember Larsen, seconded by Councilmember Wormser, this recommendation was approved retroactive to June 30, 1986, by AYE votes of all present.

Resolution
No. 4227

Resolution No. 4227, a resolution of intention to vacate utilities easements within a portion of Fourth Street as retained in Section Three of Resolution No. 3259 and setting public hearing on this vacation for March 17, 1987, at 7:00 P.M., was adopted on motion of Councilmember Larsen, seconded by Councilmember Wormser, by AYE votes of all present.

Utilities
Easement

Council recessed at 10:22 P.M. to a Redevelopment Agency meeting and reconvened at 10:25 P.M. to a closed session for the purpose of discussing personnel matters, matters covered by attorney/client privilege, and pending litigation. In accordance with State law, the City Attorney prepared a confidential memo to Council providing justification for the pending litigation portion of the closed session. No report was expected following the closed session and Council adjourned to an adjourned regular meeting to be held on Friday, March 6, 1987, at 12:00 Noon in the Joslyn Senior Center, 21 Grant Street, for the purpose of holding a workshop session. Next regular meeting, March 17, 1987.

Carol Benson
Mayor of the City of Redlands

ATTEST:

Joan Payzer
City Clerk

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