

MINUTES

of a regular meeting of the City Council, City of Redlands, held in the Council Chambers, 212 Brookside Avenue, on December 15, 1987, at 3:00 P.M.

PRESENT

Carole Beswick, Mayor
Barbara C. Wormser, Mayor Pro Tem
Tim Johnson, Councilmember
William E. Cunningham, Councilmember

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

ABSENT

Charles G. DeMirjyn, Councilmember

The meeting was called to order with an invocation by Councilmember Johnson followed by the pledge of allegiance.

Minutes of the regular meeting of December 1, 1987, were approved as submitted.

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

Mayor Beswick presented a centennial sweatshirt as a farewell gift to Elaine Rankin who is leaving the area at the end of this week.

PLANNING AND COMMUNITY DEVELOPMENTMeasure N

Community Development Director Shaw reported that preliminary meetings have been held with City staff, the City Attorney, and proponents of Measure N to discuss and consider methods for implementing Measure N. In a staff memorandum dated December 10, 1987, Mr. Shaw presented issues for discussion in order to receive direction and guidance from Council. Council directed staff to set a date for a workshop at which time staff and the City Attorney would have available options for Council to consider. Speaking from the audience were: Peter Paul Mendle, Hill-Williams; Michael J. Atencio, Environmental Planning Systems; Bob Roberts; and Cyrus K. Nassiri, Pulsar Development, Inc. Councilmember Johnson suggested Council hold a vesting hearing for inside and outside the City allocations. Following discussion, Councilmember Johnson moved that a review of whether or not any land use project is vested under Measure N be done at a hearing for vesting determination on January 19, 1988, at 3:00 P.M. Motion seconded by Councilmember Cunningham and carried by AYE votes of all present. Staff was directed to notice this hearing in the newspaper in the regular manner.

It was also noted that an urgency ordinance would be needed for the period of time implementing legislation is being prepared. Councilmember Cunningham stated that the only building permits that could be issued during this interim period of time would be for the 50 single-family infill housing designated by Measure N and for any projects found to be vested. Council concurred to adjourn this meeting to December 29, 1987, at 4:00 P.M. in the Council Chambers to consider the urgency ordinance.

Later in the meeting, Mayor Beswick suggested that we request time on the Board of Supervisors' agenda to make a brief presentation regarding Measure N and its impact on property outside Redlands' city limits. Council concurred with this recommendation.

Council briefly recessed at 5:10 P.M. and reconvened at 5:15 P.M.

Residential Development Allocations, Phase IV-1987

Senior Planner Jeff Beleir reported that since the number of building permits for residential units already exceeds the 400 permitted by Measure N and that there is a potential for the issuance of many more, the City Attorney has recommended that no additional residential development allocations be made until the ordinances implementing Measure N can be prepared and adopted. Urging approval of the allocations were: Jonathan L. Zane, Fern Square, and Peter Paul Mendel, Hill-Williams. City Attorney Holmes explained the reasons for this recommendation but assured developers that we were not considering changing the point system and rules on these applications that have already been reviewed. Noting that no substantive changes were expected, Councilmember Johnson moved to table action on the Residential Development Allocations for Phase IV until January 5, 1988, at 3:00 P.M. Motion seconded by Councilmember Cunningham and carried by AYE votes of all present.

Minor Subdivision No. 162 - J. J. Ramirez - Final Approval

All requirements as contained in Council minutes dated January 6, 1987, having been complied with, it is the recommendation of the Planning Division that final approval be granted to Minor Subdivision No. 162, a subdivision to divide approximately 8.73 acres of land into two lots for property located on the southwest corner of Citrus Avenue and Alabama Street, I-P Zone. On motion of Councilmember Wormser, seconded by Councilmember Johnson, this recommendation was approved by AYE votes of all present.

COMMUNICATIONS

Crafton Hills Project	Community Development Director Shaw reported that a proposed 680 residential planned unit development for property located in the Crafton Hills area would be before the County of San Bernardino on December 21, 1987. This project has been reviewed by staff and it is consistent with our General Plan. Responding to Councilmember Cunningham's comment that we are going to be changing our General Plan, Mr. Shaw noted that would only cover land within the City. The study could be expanded and with Council's concurrence will be so indicated to the consultants. The applicant for this project provided a memo to Council with further information.
Fox Theatre	Historic Preservation Officer Cozen reported the Fox Theatre building, located at the intersection of Vine and Cajon Streets, is being considered at this time by the owners as a gift to the Redlands Cultural Arts Foundation or other organization interested in the acquisition and preservation of this building. The Cultural Arts Foundation has approached the City's Historic and Scenic Preservation Commission as well as the Cultural Arts Commission for support of this project. Councilmember Johnson moved to direct a response to the Redlands Cultural Foundation that we are receptive to working out a way for the City or the Redlands Cultural Foundation to acquire the Fox Theatre and directed staff to assist. Motion seconded by Councilmember Cunningham and carried by AYE votes of all present. Council recessed at 5:55 P.M. to a Redevelopment Agency meeting and reconvened at 5:56 P.M. to a closed session for the purpose of discussing personnel matters, matters covered by attorney/client privilege, pending and impending litigation. In accordance with State law, the City Attorney prepared a confidential memo to Council providing justification for the pending and impending litigation portion of the closed session. Council reconvened at 7:17 P.M.
Proclamation	Mayor Beswick presented a proclamation declaring the week of December 13-19, 1987, as Bill of Rights Week to Jim Nevison, Coast Savings and Loan. Mr. Nevison introduced Miss Martinez, a senior at Redlands High School, who is a finalist in their speech contest and the granddaughter of former Councilman Oddie J. Martinez, Jr.
Tennis Cup	Gary George, tennis coach for the Ford Park program, presented the Gar Glenney Cup for the California State Championship of Junior Team Tennis. Team members presented were: 1986 Boys 12 and under: Eddie Malesky, Pablo Mazlumian, Brian Oh, Phillip Ramos, and Roy Thomas; and 1987 Girls 12 and under: Kirsten Johansen, Natasha Jones, Romania Mazlumian, Shannon Oh, and Annie Roberts.
Contract Monitoring Reports	City Engineer Mutter presented the monthly contract monitoring reports for projects currently being administered by the Engineering Services Department. He also presented a listing of several other projects which are currently or will be shortly advertised for bids, and reported on several projects currently under design. In response to Councilmember Johnson, Mr. Mutter explained that the signals at Orange Street and Pearl Avenue were under Caltrans' jurisdiction and that Caltrans has changed the locks and will not put the signals into operation until they are satisfied that all requirements have been met. Mr. Mutter said he had been working on this intersection for several frustrating months. Councilmember Johnson moved to direct the City's legal counsel to draft a letter to the Attorney General and notify Caltrans of their liability for this intersection that did not have properly operating signals if this matter was not resolved by the end of this week. Motion seconded by Councilmember Wormser and carried by AYE votes of all present.
Caltrans' Signals	
Chino-Corona Farms	Community Development Director Shaw presented material relating to the site approval application for a sludge to fertilizer operation submitted to the County by Larry Curti DBA Chino-Corona Farms, Inc. Mr. Shaw reported that in reviewing the status of the project with County representatives, they have indicated that information submitted by Chino-Corona Farms is inadequate, that the two projects for the composting site and fertilizer plant should be considered as one project, and that a focused EIR be prepared. The County will send us a copy of the letter and requirements when it is prepared. Councilmember Cunningham noted that he was under the impression this operation was under a cease-and-desist order at this time, but that trucks are moving in and out at odd hours, and that the County should be so notified.
Regional Fire Training Center	Fire Chief Ray Mills reported to Council that a Regional Fire Training Center is to be located at the north end of Nevada Street, west of the water treatment plant. He explained the steps that will be necessary for the application for site approval and will keep Council apprised of its progress.
Tapes Preservation	Councilmember Cunningham suggested the cassette tapes of the Council meetings be retained by the City. City Attorney Holmes noted that there was nothing wrong with that thought but that the tapes would become public record which could be used to contradict the official minutes of the meetings which could be a potentially confusing situation. City Clerk Poyzer noted her concerns about the security of the tapes as she did not feel they should be stored with her official records, particularly since she had no need for them. Councilmember Cunningham requested tapes of the meetings be made available to him.

ORAL PETITIONS FROM THE FLOOR

Information Distribution Dr. Robert Jay Dilger presented a list of requirements to inform prospective buyers that he felt should be contained in an ordinance concerning tract approvals. Using the term "buyer be aware," he felt the City should assist in the distribution of information about the area surrounding the property. Shirley Harry noted that sellers are required by law to disclose information to prospective buyers, with the exception of new developments. Council asked the City Attorney to explore this further.

UNFINISHED BUSINESS

Centennial Park Land Community Services Director Rodriguez explained that the park land proposed for acquisition for the Centennial Park is located adjacent to the proposed Riverview Drive between Church and Orange Streets. The land is developable on the upper most sections of the bluff overlooking the Santa Ana River and various other lands owned by the City. This parcel is a key parcel for the future development of Centennial Park. On motion of Councilmember Wormser, seconded by Councilmember Johnson, Council approved the acquisition of parcel number 291-172-09 and 291-172-10 in an amount not to exceed \$132,000.00 by the following vote:

AYES: Councilmembers Wormser, Johnson; Mayor Beswick
 NOES: None
 ABSTAIN: Councilmember Cunningham (who did not feel he was well enough informed at this time)
 ABSENT: Councilmember DeMirjyn

PUBLIC HEARINGS

GPA 38 Live Oak Canyon Plan Public hearing was advertised for this time and place for the adoption of General Plan Amendment No. 38 for the Live Oak Canyon Plan, Southeast Area. Councilmember Johnson stated he would abstain from this matter and left the Council Chambers. Mayor Beswick declared the meeting open as a public hearing for any questions or comments concerning this matter. Community Development Director Shaw expressed appreciation to all those who have been involved in this very lengthy process. He explained that the Planning Commission voted 4 to 3 on November 24, 1987, to recommend denial of General Plan Amendment No. 38 due to two concerns: The circulation strategy of directing most traffic to Live Oak and San Timoteo Canyon Roads may discourage future City residents from patronizing Redlands' businesses, and the recommended density of one unit per 10 acres on property having slopes greater than 30 percent and one unit per 2.5 acres on property having slopes greater than 15 percent. In a staff memorandum dated December 9, 1987, Mr. Shaw recommended revisions to General Plan Amendment No. 38 in response to concerns raised during the Planning Commission meeting. Speaking from the audience were: Ronald W. Moore, Michael Atencio, R. L. Beck, Tex Moore on behalf of the Redlands Association, J. Douglas Fast, Pat Meyer, Cary Lowe an attorney with Nossman, Guther, Knox & Elliott representing property owners opposed to this plan, J. A. Rodgers, Kerry L. Heinrock of Gurney and Stream, Mimi Dupper, Gail Wickerd, Lucy Umali, Helen Emmons, Theresa Kwappenberg, Mike Suman, Leroy Hansberger, and Kenneth McAnally. The public hearing was closed at 9:15 P.M.

Following lengthy discussion, on motion of Councilmember Wormser, seconded by Councilmember Cunningham, Council found that the Final Environmental Impact Report for General Plan Amendment No. 38 (SCH No. 87070606) is adequate and certified that it is in compliance with the California Environmental Impact Report Guidelines, and that the Council reviewed and considered the information contained therein.

Resolution No. 4331 Statement of Overriding Considerations On motion of Councilmember Wormser, seconded by Councilmember Cunningham, Council adopted the statement of overriding considerations for approval of Final Environmental Impact Report No. 87070606 upon the finding that specific economic and social considerations make infeasible project alternatives identified in the final EIR for the reasons that: (1) the proposed project is the project which most substantially reduces significant effects identified in the EIR; (2) the only alternative project identified in the EIR is infeasible due to the economic and social impacts to the City; (3) the benefits of the project outweigh the significant effects by eliminating identified circulation, drainage, sewage disposal, fire flow and water supply problems in the southeast Redlands area; no other alternative project except for the feasible project could accomplish this; (4) the benefits of the project outweigh the significant effects by reducing density to the greatest extent possible except for the infeasible project identified in the EIR; (5) the significant effects identified are cumulative in nature and result largely from impacts outside the project area; and (6) the goals identified by the City in formulating the project outweigh the significant effects which necessarily arise from its implementation.

On motion of Councilmember Wormser, seconded by Councilmember Cunningham, Council approved Resolution No. 4317 adopting Amendment No. 38 to the General Plan and by reference the document identified with the index title of GP-38 entitled: "City of Redlands, Live Oak Canyon (Southeast Area) General Plan Amendment No. 38, September 15, 1987," including staff recommended revisions as recorded in Planning Commission minutes of November 24, 1987, and the memorandum from the Director of

** ... Resolution No. 4331, a resolution of the City Council of the City of Redlands ...
 (1/19/88)

		Planning and Community Development to the City Council dated December 9, 1987, and further modified by adding to the memorandum from the Director of Planning and Community Development to City Council dated December 9, 1987, Paragraph a, "SHOULD SPECIAL CIRCUMSTANCES EXIST ON A PARTICULAR PARCEL (SUCH AS SHAPE, SIZE, OR UNUSUAL TOPOGRAPHY) WHICH WOULD DEPRIVE THAT PROPERTY OWNER OF SUBSTANTIAL BENEFITS ENJOYED BY ADJACENT OR NEARBY OWNERS, THE RIDGELINE RESTRICTION IN THIS PLAN CAN BE MODIFIED BUT ONLY AFTER A SPECIFIC FINDING BY THE CITY COUNCIL THAT SUCH MODIFICATION DOES NOT RESULT IN SIGNIFICANT DETRIMENT TO THE OVERALL OBJECTIVES OF THIS PLAN," and further modified to change the density allowed to "1 acre, 2-1/2 acres, and 10-5 acres with specified criteria to be developed for the ability to be 5 acres," and instructed staff to file a "Notice of Determination" thereon including a statement of overriding considerations pursuant to the City's guidelines for implementing the California Environmental Quality Act. These three motions were approved by the following vote: AYES: Councilmembers Wormser, Cunningham; Mayor Beswick NOES: None ABSTAIN: Councilmember Johnson ABSENT: Councilmember DeMirjyn Referring to the approved change to the residential density allowed from that recommended by staff to one acre, 2-1/2 acres, and 10-5 acres, Councilmember Wormser moved to direct staff to develop criteria to have five acres or a higher density than 10 acres; to initiate a traffic model for Sunset Drive and its feeder streets; and to develop a mechanism to bring property owners together for a specific plan. The motion was seconded by Councilmember Cunningham and also carried by AYE votes of all present.
Ordinance No. 2017	Moratorium	Public hearing was set for this time and place on Ordinance No. 2017, an urgency ordinance of the City of Redlands terminating development restrictions in the southeast area. Mayor Beswick declared the meeting open as a public hearing for any questions or comments concerning this ordinance. Cary Lowe, an attorney with Nossman, Guther, Knox & Elliott, concurred with staff's decision and recommended the moratorium be terminated. There being no further comments, the public hearing was declared closed. Ordinance No. 2017 was given its reading of the title by City Clerk Poyzer, and on motion of Councilmember Wormser, seconded by Councilmember Cunningham, further reading of the ordinance text was waived. Ordinance No. 2017 was adopted on motion of Councilmember Wormser, seconded by Councilmember Cunningham, by the following vote: AYES: Councilmembers Wormser, Cunningham; Mayor Beswick NOES: None ABSTAIN: Councilmember Johnson ABSENT: Councilmember DeMirjyn Council briefly recessed at 10:47 P.M. and reconvened at 10:57 P.M.
NEW BUSINESS		
Ordinance No. 2016	Uniform Fire Code	Councilmember Johnson moved to approve the Negative Declaration for Ordinance No. 2016, an ordinance of the City of Redlands amending Chapter 15.20 of the Redlands Municipal Code and adopting the 1985 Edition of the Uniform Fire Code, and directed staff to file and post a "Notice of Determination" in accordance with the City's guidelines. Motion seconded by Councilmember Wormser and carried by AYE votes of all present. Ordinance No. 2016 was read by title only by City Clerk Poyzer, and on motion of Councilmember Wormser, seconded by Councilmember Johnson, further reading of the ordinance text was waived. Following discussion, Ordinance No. 2016 was introduced and laid over under the rules with second reading scheduled for January 5, 1988, on motion of Councilmember Wormser, seconded by Councilmember Cunningham by AYE votes of all present.
	Parking Structure	City Engineer Mutter reported that on August 18, 1987, the City Council awarded Phase I of a consultant contract to Gary Stegmann and Ken King to analyze and prepare a feasibility study for the construction of a parking structure on the south side of Redlands Boulevard between Fifth and Sixth Streets. The study was completed and several options were submitted. At this time it is recommended that Council accept the feasibility of constructing the parking structure described above and authorized staff to proceed with the project using Plan "B." On motion of Councilmember Johnson, seconded by Councilmember Cunningham, this recommendation was approved by the following vote: AYES: Councilmembers Johnson, Cunningham; Mayor Beswick NOES: None ABSTAIN: Councilmember Wormser (because of its close proximity to her building) ABSENT: Councilmember DeMirjyn It was further recommended that Council award Phase II of the contract for the design of this parking structure to Gary Stegmann and Ken King in the amount of \$36,000.00. On motion of Councilmember Johnson, seconded by Councilmember Beswick, this recommendation was approved by AYE votes of all present. Council requested that construction not start on this parking structure until the HGH project across the street is completed and in use.

Regional Park Land	Community Services Director Rodriguez presented issues which have been discussed with staff, the property owner, the Open Space Committee, the Park Commission, and various consultants regarding the acquisition of four parcels of land near the sanitary landfill for a regional park. At this time it is recommended that Council approve acquisition of parcel numbers 292-044-06, 07, and 11 at a cost not to exceed \$1,324,300.00. Councilmember Cunningham suggested continuing this matter in order to allow him some time to obtain further information. Agreeable to this, Councilmember Beswick moved to continue this matter to December 29, 1987. Motion seconded by Councilmember Wormser and carried by AYE votes of all present.
Claim	On motion of Councilmember Wormser, seconded by Councilmember Johnson, the claim of Patricia Coffey in the amount of \$500,000.00 was found not to be a proper charge against the City and therefore rejected by AYE votes of all present.
Claim	On motion of Councilmember Wormser, seconded by Councilmember Johnson, the claim of Leslie Skerry Olsen in an unknown amount was found not to be a proper charge against the City and therefore rejected by AYE votes of all present.
Claim	On motion of Councilmember Wormser, seconded by Councilmember Johnson, the claim of Betty Parish in an unknown amount was found not to be a proper charge against the City and therefore rejected by AYE votes of all present.
Claim	On motion of Councilmember Wormser, seconded by Councilmember Johnson, the claim of the Redlands Adult Education Student Body in the amount of \$593.63 was found not to be a proper charge against the City and therefore rejected by AYE votes of all present.
Claim	On motion of Councilmember Wormser, seconded by Councilmember Johnson, the claim of Harry Spitzer and State Farm Insurance Company in the amount of \$1,198.22 was found not to be a proper charge against the City and therefore rejected by AYE votes of all present.
Claim	On motion of Councilmember Wormser, seconded by Councilmember Johnson, the claim of Safeco Insurance Company, subrogee for Sara V. Holliday in an amount in excess of \$1,000,000.00 was found not to be a proper charge against the City and therefore rejected by AYE votes of all present.
Water and Sewer Allocations	On motion of Councilmember Wormser, seconded by Councilmember Johnson, Council deferred until 1988 the consideration of outside the City water and sewer allocations for the December 1987 allocation period in accordance with Ballot Measure N. This action was approved by AYE votes of all present.
Cemetery Rules	Resolution No. 4321, a resolution of the City of Redlands establishing rules and regulations to govern the operation of Hillside Memorial Park, a cemetery owned and operated by the City of Redlands, a Municipal Corporation, and rescinding Resolution No. 4026, was withdrawn from the agenda.
Agreement Railroad Crossing	On motion of Councilmember Wormser, seconded by Councilmember Johnson, Council approved by AYE votes of all present authorization for the Mayor to sign a cooperative agreement between the City of Redlands and the Atchison, Topeka, and Santa Fe Railway Company for the improvements to the railroad crossing on Sixth Street and an appropriation of \$160,000.00 from the Gas Tax fund for this project.
Resolution No. 4318 Measure O Bond Issue	On motion of Councilmember Wormser, seconded by Councilmember Johnson, Resolution No. 4318, a resolution of the City Council of the City of Redlands authorizing and directing the Notice of Sale not to exceed \$7,600,000 principal amount general obligation bonds (Park Land and Open Space Project), approving the official notice of sale, approving the preparation and distribution of a preliminary official statement, authorizing the sale of the bonds on certain terms and conditions, appointing bond counsel and a financial consultant, authorizing certain other official actions and providing for other matters properly relating thereto, was adopted by AYE votes of all present.
Resolution No. 4319 Measure O Bond Issue	On motion of Councilmember Wormser, seconded by Councilmember Johnson, Resolution No. 4319, a resolution of the City Council of the City of Redlands providing for the issuance of 1988 general obligation bonds in the amount of \$7,600,000, was adopted by AYE votes of all present.
Funds Centennial Committee	On motion of Councilmember Wormser, seconded by Councilmember Johnson, Council approved by AYE votes of all present an additional appropriation of \$19,427.50 for the Centennial Steering Committee to purchase souvenir items which are to be sold to the community.
Funds Emergency Preparedness Program	On motion of Councilmember Wormser, seconded by Councilmember Johnson, Council approved by AYE votes of all present an additional appropriation of \$8,000.00 to be used for the Emergency Preparedness Program for the purchase of 12 containers to store supplies at schools located within the City of Redlands.

Agreement

Funds

Redlands Blvd.
and
California St.

On motion of Councilmember Wormser, seconded by Councilmember Johnson, Council approved by AYE votes of all present a cooperative agreement between the City of Redlands, City of Loma Linda, and County of San Bernardino for an amendment to the cooperative agreement for consulting services for the design and improvements to the intersection of Redlands Boulevard and California Street, authorized the Mayor to execute the agreement on behalf of the City, and approved an additional appropriation of \$23,400.00 from the Gas Tax fund for this project.

There being no further business, the meeting adjourned at 11:28 P.M. to an adjourned regular meeting to be held on December 29, 1987, at 4:00 P.M. in the Council Chambers.

Next regular meeting, January 5, 1988.

Carol Duran
Mayor of the City of Redlands

ATTEST:

Debbie Payne
City Clerk

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