MINUTES of a regular meeting of the City Council of the City of Redlands, held in the Council Chambers, 212 Brookside Avenue, on February 16, 1988, at 3:00 P.M.

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

John E. Holmes, City Manager
Daniel J. McHugh, City Attorney
Lorrie Poyzer, City Clerk
John de Leon, The Sun
Brian Bianchini, Redlands Daily Facts

ABSENT
None

The meeting was called to order with an invocation by Mayor Beswick, followed by the pledge of allegiance.

Minutes of the regular meeting of February 2, 1988, were approved as submitted.

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

PLANNING AND COMMUNITY DEVELOPMENT

Measure N - Vesting

Public hearing was continued to this time and place for consideration of Measure N vesting applications. Staff recommended this matter be continued to the next meeting as the applicants had not submitted the required additional information in time for this agenda. On behalf of his client, Mark Blankenship requested that their Mentone Project be vested at this meeting based on a new development discovered over the weekend. He indicated he had presented this new information to City Attorney McHugh earlier today. Councilmember Cunningham stated he would like to receive information prior to a meeting in order to study it at his leisure. On motion of Councilmember Johnson, seconded by Councilmember Cunningham, this request was continued to March 1, 1988, which was agreeable to Mr. Blankenship. Councilmember Johnson also asked the City Attorney to provide case law regarding what the City has to do with the money held on deposit at this time.

Don Buhler, The Redlands project asked Council what vesting meant as it relates to allocations. Noting his project was unique, he expressed concern that obtaining building permits on a first come basis was not equitable in his situation where a building permit could not be issued until the mobilehome serial number was available. Attorney McHugh suggested the City could "hold" permits once escrow was opened for manufactured homes. Councilmember Johnson moved to continue this matter to March 15, 1988, at 3:00 P.M. and directed staff to find a process or solution to this situation. Motion seconded by Councilmember Wormser and carried with Councilmember DeMirjyn voting NO. Councilmember DeMirjyn felt we were morally obligated to vest all Proposition R allocations approved by Council but his motion to do that did not receive a second. Councilmember Johnson moved that any project that had a building permit and funds had been paid prior to December 11 have a right to proceed with construction. This motion was seconded by Councilmember DeMirjyn, but the motion and second were withdrawn following lengthy discussion. Mayor Beswick suggested allowing the City Attorney time to address legal questions in a memorandum and to list options for the interpretation of Section 17 of Measure N.

Helen Michaelis also addressed Council about her tract which is located outside the City and was approved for sewer connections prior to approval of Proposition R. She was directed to the City Attorney for a review of the history of her project. Councilmember Wormser then moved to continue this public hearing to March 1, 1988, noting that the deadline for applicants to submit information to the Community Development Office would be February 19, 1988. Motion seconded by Councilmember Cunningham and carried unanimously.

Tract No. 10082

Representing 31 Winbledon Heights homeowners, Father Louis Hemmers presented a petition regarding the grading activity immediately east of their residences and north of Reservoir Road, Tract 10082. These homeowners are concerned about the grading which does not appear to comply with approved plans; that the provisions of Measure N and Proposition R were not being applied to this tract; and the heavy equipment traversing through the residential streets. In accordance with Government Code Section 54954.3(b)(2), Councilmember Johnson moved to take up this item which arose subsequent to the agenda being posted as specified in the Government Code. Motion seconded by Councilmember Cunningham and carried unanimously. Council discussed this situation at length and asked the City Engineer to communicate with the developer regarding the street use. In reference to the grading concerns, Councilmember Cunningham moved to direct staff to, within 24 hours, come to a conclusion whether or not the grading is in violation of approved plans and to follow up with legal action if any violation is found. Motion seconded by Councilmember DeMirjyn and carried unanimously. Council also directed staff to set up a meeting with the developer and Father Hemmers and report back to Council regarding this matter on March 1, 1988.

Measure N Implementation - Outside Water and Sewer Service

Utilities Engineer Gary Phelps reported that following the last Council meeting a resolution was prepared establishing provisions regarding outside City water and sewer service. Amendments to the proposed resolution included in the Council's packet were presented by him at this time. Arthur Hughes, an attorney representing Mentone, Ltd., noted he had only seen the resolution a few moments ago but questioned the priority process as he felt it should be based on the date a project received an allocation. Attorney Mark Blankenship reported that all outside developers were willing to work out the allocations if his Malibu project was exempted from vesting and Measure N. Councilmember Wormser moved to direct staff to make copies of this proposed resolution available through the Utilities Department to allow input and written comments, and to continue this matter to March 1, 1988, at 3:00 P.M. Motion seconded by Councilmember Cunningham and carried unanimously.

Planned Residential Development Regulations

Attorney McHugh presented a memorandum covering proposed revisions of planned residential development regulations. A draft ordinance has been prepared which changes the method of reviewing these projects to a "one-step" process by removing the requirement that a conditional use permit be obtained and by eliminating the need for submission of final plans. This document was presented for information only at this time as it will have to be reviewed by the Environmental Review Committee and Planning Commission before coming to the City Council for action.

COMMUNICATIONS

Donation

Members of the Citizens for Open Space Committee Barbara Wormser, Kay Mason and Ellen Weisser presented a check for $453.25 which represented the balance of their account to the Council at 7:00 P.M. This campaign account which supported Measure O on the November, 1987, ballot, was to be closed at the end of the campaign and any remaining funds donated to the City for parks' use. Mayor Beswick accepted the check with gratitude and thanked members of the committee for their efforts in the fall.

Development Impact Fees

City Engineer Mutter presented a comprehensive report on the establishment of development impact fees for street, traffic signals, and storm drain construction. Implementing ordinances are being prepared by the City Attorney and will be presented to Council for their consideration in the near future. Mr. Mutter's report was submitted in three sections: Section one is a discussion of the amount of area available for development within the City of Redlands; Section two is a discussion of the infrastructure needs and costs for street, traffic signal, and storm drain construction; Section three is an analysis of the financing methodology for the impact fees. Council commended Mr. Mutter for a job well done.

Council recessed at 5:50 P.M. to a Redevelopment Agency meeting and reconvened at 5:51 P.M. to a closed session for the purpose of discussing pending litigation. In accordance with State law, the City Attorney prepared a confidential memo to Council providing justification for the closed session. Council reconvened at 7:29 P.M.

Mayor Beswick welcomed Boy Scouts from Troop 15 who were in attendance and earning their citizenship badges.

ORAL PETITIONS FROM THE FLOOR

Amberly Park

On behalf of the Amberly Park Homeowners' Association, Helen Farnum presented items which allegedly still have not been completed by the developer Hill-Williams to the satisfaction of the homeowners. Community Development Director Shaw reviewed the meetings held with the City Attorney, Hill-Williams, the homeowners and himself. Several items addressed by the homeowners are not Code items and reflect a lack of quality on the part of the developer. He indicated that all fines have been paid by Hill-Williams, all Code items have been inspected by the City, all sign-offs have been received from all departments, and the bond released. City Attorney McHugh also responded to the allegations noting that new items keep coming up. Mayor Beswick noted that additional staff work was perhaps needed and another meeting held at which time a list in writing of concerns could be reviewed. A Councilmember will be present at this meeting and City staff will put together a chronology of the actions taken.

Allocations

Mr. Mark Blankenship asked Council how it was going to handle the award of the fourth quarter's allocations for 1987 under Proposition R. Community Development Director Shaw responded that staff will review the projects under the new criteria established for Measure N after the vesting hearing, and reminded Mr. Blankenship that Council had ordered that these projects receive first consideration.

JOINT PUBLIC HEARING

Development Agreement

A joint public hearing of the City Council and the Redevelopment Agency of the City of Redlands was advertised for this time and place to consider for the purposes of redevelopment as a commercial development the disposition and sale of real property to Redlands Professional Properties, Ltd. described as County Assessor's Parcel Nos. 169-031-02 and 169-031-14. Mayor Beswick declared the meeting open as a public hearing and said matter was continued to March 15, 1988, as recommended by Redevelopment Agency Director Quaschnick, on motion of Councilmember Johnson, seconded by Councilmember Wormser.

BIDS

Contract Award

Operations/Lab Building

Bids were opened and publicly declared on February 4, 1988, by the City Clerk for construction of the Wastewater Treatment Operations/Lab Building; a bid opening report is on file in the Office of the City Clerk. At this time, it is the recommendation of the Municipal Utilities Department that the responsible bidder submitting the bid for said project which will result in the lowest cost to the City is McLaughlin Construction, Lancaster, Califonria, in the amount of $1,513,065.00 and that it is in the best interest of the City that the contract for the construction of the Wastewater Treatment Operations/Lab Building be awarded to said firm. Utilities Director Corneille reported that the second bidder was present at this meeting to protest the low bid, but that he and the City Attorney felt the protest was insufficient. Councilmember DeMirjyn moved to approve this recommendation and award the contract to McLaughlin Construction; motion seconded by Councilmember Wormser.

Bruce Canten, Vice President of Rainey Construction, presented letters showing that subcontractors were offered jobs after the bid opening who were not listed on the bid. Lawrence Greenberg stated the bid from McLaughlin Construction was not a qualified bid and explained his reasons. City Attorney McHugh explained that at this time he did not see a good basis to reject this bid; that until an unlisted subcontractor comes onto the job, we did not have a problem. This practice is not uncommon and the City can levy a ten percent penalty or void the contract if needed. There were no representatives from McLaughlin present although they were aware of the protest.

Councilmember Cunningham questioned the need for this building. Councilmember Johnson felt the building was needed but had reservations about the bid shopping occurring. A representative from our consultant, Carollo, reported that his firm had done a reference check on McLaughlin and did not find any problems in their background. The motion to award the contract to McLaughlin Construction was approved by the following vote:
AYES: Councilmembers Wormser, DeMirjyn; Mayor Beswick
NOES: Councilmembers Johnson, Cunningham

Contract Award

Nevada Street Watermain

Bids were opened and publicly declared on February 9, 1988, by the City Clerk for the construction of the Nevada Street Watermain, Project No. 3-8816; a bid opening report is on file in the Office of the City Clerk. At this time, it is the recommendation of the Municipal Utilities Department that the responsible bidder submitting the bid for said project which will result in the lowest cost to the City is Bear Valley Paving, Big Bear Lake, California, in the amount of $177,205.00 and that it is in the best interest of the City that the contract for the construction of the Nevada Street Watermain be awarded to said firm. On motion of Councilmember Johnson, seconded by Councilmember Wormser, this recommendation was unanimously approved.

Bid Rejection

Monitoring Wells

A bid was opened and publicly declared on February 9, 1988, by the City Clerk for a drilling contract for the Airport and Church Street Landfill monitoring wells; a bid opening report is on file in the Office of the City Clerk. At this time, it is the recommendation of the Municipal Utilities Department and the consultants, Camp Dresser & McKee to reject the Beylik Drilling, Inc. bid and re-bid for the project. On motion of Councilmember DeMirjyn, seconded by Councilmember Johnson, this recommendation was unanimously approved.

Contract Award

Street Striping

Bids were opened in the Engineering Department on February 5, 1988, for the contract for street striping and marking. At this time, it is the recommendation of the Engineering Services Department that the responsible bidder submitting the bid for said pboject which will result in the lowest cost to the City is Traffic Operations, Inc., Pomona, California in the amount of $43,900.00, and that it is in the best interest of the City that the contract for street striping and marking be awarded to said firm. On motion of Councilmember Cunningham, seconded by Councilmember DeMirjyn, this recommendation was unanimously approved.

UNFINISHED BUSINESS

Student Commissioners

Community Services Director Rodriguez reported he and Councilmember DeMirjyn met with Mr. George Anderson, a teacher at Redlands High School, and discussed student commissioners serving on the Parks, Recreation, and Traffic Commissions. They are recommending that a student in his/her junior year in high school be appointed in January and serve a one-year term ending when the student is a senior. Council expressed its willingness to continue with student commissioners.

Ordinance No. 2023

Zone Change No. 316

Ordinance No. 2023, 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 adopting Zone Change No. 316, a change of zone from M-1 (Industrial) District to C-M (Commercial Manufacturing) District for approximately 3.87 acres of land located on the southwest corner of Tennessee Street and Park Avenue, was given its second reading of the title by City Clerk Poyzer, and on motion of Councilmember DeMirjyn, seconded by Councilmember Johnson, further reading of the ordinance text was unanimously waived. Ordinance No. 2023 was adopted on motion of Councilmember DeMirjyn, seconded by Councilmember Wormser, by the following vote:
AYES: Councilmembers Wormser, DeMirjyn, Johnson, Cunningham; Mayor Beswick
NOES: None
ABSENT: None

Council briefly recessed at 8:55 P.M. and reconvened at 9:04 P.M.

Sewer Services

In response to a discussion at the January 19, 1988, City Council meeting regarding City participation in providing local sewers in unsewered developed areas such as West Fern Avenue, Utilities Director Corneille presented a detailed report indicating what areas currently exist that are not sewered, the costs to install sewers, under what circumstances the City should become involved, current City policy, the Public Works Commission's recommendation to maintain the current policy, recent surveys and projects, possible circumstances for the City to consider funding sewers, and possible funding sources. It was estimated that it would cost $4,240,000.00 to sewer all unsewered developed areas in the City. Residents from the West Fern Avenue area addressed Council and submitted letters from neighbors who are suffering dire consequences with their waste disposal systems. Council discussed this matter at length and directed staff to apply for Community Development Block Grant funds immediately. Council also directed staff to investigate other funding sources and establish a criteria of need and return to Council with more information at the next meeting.

NEW BUSINESS

Arts Endowment	Councilmember DeMirjyn moved to authorize the City Treasurer to establish an endowment fund for cultural arts as recommended by the Cultural Arts Commission in order for the City to accept monies and/or its equivalencies for cultural arts which can then be expended on approved programs. Motion seconded by Councilmember Wormser and carried unanimously.
Street Sweeping	City Engineer Mutter introduced Pete Laaninen and Gordon Shackles who reviewed a proposed street sweeping program which would divide the City into ten sections. On a given day, all sweepers would work in the same section, completely sweeping that section, with these sections, the entire City would be swept in a two week period. A number of advantages were listed inherent in this proposed program and actions necessary to make this program successful. Councilmember DeMirjyn moved to approve the change to a section street sweeping program as proposed by the Engineering Services Department, directed staff to establish a priority maintenance program on street sweepers, and to approve the expenditure of $3,000.00 for a direct mailing to all households informing residents of this change. Motion seconded by Councilmember Johnson and carried unanimously. Mayor Beswick commended the Engineering staff for their work on this project.
Contract Town Center B.I.D.	A contract for services agreement between the Town Center Corporation, Downtown Redlands Business Improvement District, and the City of Redlands was presented at this meeting. Negotiations between the Town Center and B.I.D. have been underway since June, 1987, resulting in this document which has been approved by both entities. Councilmember Cunningham moved to approve the contract for services agreement as presented. Motion seconded by Councilmember Wormser and carried unanimously.
Commission Vacancies	City Clerk Poyzer reported that there are three vacancies existing on the Redevelopment Advisory Commission. Mrs. Pam Aday submitted her resignation on February 4, 1988. Mrs. Shirley Harry verbally communicated she did not wish to serve another term. Mr. W. Eugene Malone submitted an application indicating he would be willing to serve another term on this commission. Vacancies also exist on the Planning Commission and Library Board due to resignations. Ms. Poyzer will advertise for applications for the openings on the Planning Commission and Library Board. Advertising has already been done for the openings on the Redevelopment Advisory Commission, and at this time, Councilmembers will each nominate five people for interviews by Mayor Beswick and Councilmember Cunningham.
Funds Right-of-Way Purchase	Councilmember DeMirjyn moved to authorize acquisition of approximately 0.48 acres of property for street right-of-way and the construction of Wabash Avenue between the I-10 Freeway and Seventh Avenue, County Assessor's Parcel No. 174-281-10, at a cost of $1.80 per square foot, and authorized an appropriation of $40,000.00 from the Gas Tax Fund for this purchase. Motion seconded by Councilmember Wormser and carried unanimously.
Resolution No. 4351 Aday Retail Building	Redevelopment Agency Director Quaschnick explained the proposed Owner Participation Agreement for the Aday Retail Building, Pamela M. and Kenneth E. Aday, owners. Resolution No. 4351, a resolution of the City Council of the City of Redlands, California, consenting to payment by the Redevelopment Agency of the City of Redlands, California, for certain public improvements pursuant to Health and Safety Code Section 33445 and making certain determinations concerning such improvements known as the Aday Retail Building, was unanimously adopted on motion of Councilmember Johnson, seconded by Councilmember DeMirjyn.
Claim	On motion of Councilmember Cunningham, seconded by Councilmember Wormser, the claim of David G. Holcomb in the approximate amount of $2,500.00 was found not to be a proper charge against the City and therefore unanimously rejected.
Claim	On motion of Councilmember Cunningham, seconded by Councilmember Wormser, the claim of Carole Matlock in the approximate amount of $65,000.00 was found not to be a proper charge against the City and therefore unanimously rejected.
Claim	On motion of Councilmember Cunningham, seconded by Councilmember Wormser, the claim of Stallion Pipeline in the amount of $8,500.00 was found not to be a proper charge against the City and therefore unanimously rejected.
Claim	On motion of Councilmember Cunningham, seconded by Councilmember Wormser, the claim of John Emery Jones in the amount of $142,857.00 was found not to be a proper charge against the City and therefore uanimously rejected.
Claim	On motion of Councilmember Cunningham, seconded by Councilmember Wormser, the claim of Michael Parking, James Baker, Karen Wilson, and Douglas Baker in an unknown amount was found not to be a proper charge against the City and therefore unanimously rejected.
Claim	On motion of Councilmember Cunningham, seconded by Councilmember Wormser, the claim of Debra K. Medina in an unknown amount was found not to be a proper charge against the City and therefore unanimously rejected.

Resolution No. 4338 Traffic	On motion of Councilmember Cunningham, seconded by Councilmember Wormser, Resolution No. 4338, a resolution of the City Council of the City of Redlands establishing traffic regulations pursuant to Title 10 of the Redlands Municipal Code and directing the installation of stop signs on Clark Street at Michigan Street, was unanimously adopted.
Resolution No. 4339 Appropriations Limit	On motion of Councilmember Cunningham, seconded by Councilmember Wormser, Resolution No. 4339, a resolution of the City Council of the City of Redlands establishing an appropriations limit for Fiscal Year 1987-88 pursuant to Article XIIIB of the California Constitution, was unanimously adopted.
Employee Position	Following discussion, on motion of Councilmember Johnson, seconded by Councilmember Cunningham, Council unanimously approved upgrading one Fire Safety Inspector I part-time position to a full-time position within the Fire Department for this fiscal year. This position is partially funded from fees received from Weed Abatement Administration and other inspection fees.
Training Agreement	On motion of Councilmember Cunningham, seconded by Councilmember Wormser, Council unanimously approved a training agreement for Recreation Aide training with the Colton-Redlands-Yucaipa Regional Occupational Program and authorized the City Manager to sign any necessary documents on the City's behalf to carry out the program.
Funds Book Printing	The first 500 copies of former Library Director Phyllis Irshay's book have been sold. During the Redlands' centennial year, requests continue to be received for additional copies of this book on the history of the A. K. Smiley Public Library. On motion of Councilmember Cunningham, seconded by Councilmember Wormser, Council unanimously approved an additional appropriation of $6,293.00 for the printing of 500 additional books, "The Pride and Glory of the Town."
Nitrogen Agreement	On motion of Councilmember Cunningham, seconded by Councilmember Wormser, Council unanimously approved an agreement with John Carollo Engineers for a preliminary evaluation of nitrogen removal processes appropriate for our wastewater treatment plant.
Resolution No. 4353 Arrowhead Christian Academy	On motion of Councilmember Wormser, seconded by Councilmember DeMirjyn, Resolution No. 4353, a resolution of the City Council of the City of Redlands indicating its intent to provide for the issuance of obligations to provide assistance in financing an educational facility (Arrowhead Christian Academy), was continued for further study by the City Attorney.
Funds Billiard Tables	On motion of Councilmember Cunningham, seconded by Councilmember Wormser, Council unanimously approved an additional appropriation in the amount of $1,035.00 from the Joslyn Senior Center Account to recover the billiard tables at the Joslyn Senior Center.
	There being no further business, the meeting adjourned at 10:49 P.M.
	Next regular meeting, March 1, 1988.

Carole Beswick
Mayor of the City of Redlands

ATTEST:

Lorraine Poyzer
City Clerk

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