

MINUTES

of a regular meeting of the City Council of the City of Redlands, held in the Council Chambers, 212 Brookside Avenue, on September 20, 1988, at 3:00 P.M.

PRESENT

Carole Beswick, Mayor
Charles G. DeMirjyn, Councilmember
Tim Johnson, Councilmember
William E. Cunningham, Councilmember

John E. Holmes, City Manager
Dallas Holmes, City Attorney
Alan Parlee, City Attorney
Lorrie Poyzer, City Clerk
John de Leon, The Sun
Sheryl Oring, Redlands Daily Facts

ABSENT

Barbara C. Wormser, Mayor Pro Tem

The meeting was opened with a moment of silence in memory of Max Kreston, former Planning Commissioner, and an invocation by Councilmember Cunningham followed by the pledge of allegiance.

Minutes of the special meeting of September 6, 1988, and the regular meeting of September 6, 1988, were approved as submitted.

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

PLANNING AND COMMUNITY DEVELOPMENTTrolley Car Barn

Historic Preservation Officer Cozen explained that during the first 5-1/2 months of this year, Rael Development Corporation was in escrow with the City to purchase the Trolley Car Barn, a unique, historic building located on Citrus Avenue. The escrow did not close because they could not find a suitable tenant. After this news was published in the newspaper, Mr. John Moore started to think very seriously about the building, met with staff, and submitted an offer which was presented at this meeting. Noting Mr. Moore's excellent track record with historic buildings, Councilmember DeMirjyn moved to authorize staff to sign a sixty (60) day exclusive negotiating agreement with John Moore for the Trolley Car Barn. Motion seconded by Councilmember Johnson and carried by AYE votes of all present.

Oak Valley (Landmark) Project

The Oak Valley project was most recently considered on September 7, 1988, by the Riverside County Planning Commission. At that hearing the Planning Commission approved the Specific Plan, with modifications, and clearly indicated that they would not recommend certification of the EIR. The modifications included reducing the units to be constructed in Phase I and reducing the overall development. The project is being forwarded to the Riverside Board of Supervisors for consideration on September 27, 1988. Staff recommended the City continue opposition to the Oak Valley (Landmark) project based on the inadequacy of the EIR. Following discussion, on motion of Councilmember Johnson, seconded by Councilmember DeMirjyn, staff was directed by AYE votes of all present to attend the September 27, 1988, Riverside Board of Supervisors hearing and continue to voice opposition based on the inadequacy of the EIR.

Council also directed a letter be sent from our Council to the Riverside Board of Supervisors covering all of our concerns regarding the significant impacts.

Point Rating System

On September 6, 1988, in conjunction with the awarding of residential development allocations for the third quarter of 1988, the City Council expressed a number of concerns regarding the existing point rating system. At this time, staff presented several alternatives to these issues. Council agreed that it was not necessary to examine the possibility of awarding allocations in a percentage ratio between single family and multiple family that reflects the present housing mix of SCAG housing requirements or a mix reflective of the Housing Element.

Noting it is generally believed that the system has an inherent bias towards multiple family residential projects, staff recommended suspending the distribution of the fourth quarter 1988 allocations in order to allow staff to determine which categories within the point rating system need revisions to establish parity between single and multiple family developments. Council directed the City Attorney and staff to prepare an ordinance amending Section 19,16.030 of the Redlands Municipal Code to allow the City Council to suspend the fourth quarter's allocation upon finding of necessity in order for staff to proceed as recommended.

The third issue related to mobilehome parks. Councilmember Cunningham expressed concern about setting aside twenty percent of our allocations for mobilehomes. Staff was directed to check with the mobilehome park owners to see what the market availability is currently before addressing this issue further at this time.

Resolution No. 4425 - Regional Housing Needs Assessment

In June, an overview of the 1988 Regional Housing Needs Assessment (RHNA) was presented along with recommendations for action by staff and legal counsel. The State Housing Law requires SCAG to identify both existing and future housing needs every five years. The draft indicated a future need for 3,981 dwelling units for s. Under Measure N, the City has a cap of 400 dwelling units limiting the City to 2,000 dwelling units over the next five years. The report further indicates that the RHNA may not take into account any growth control measure which limits the number of housing units. It is recommended that the City Council appeal the numbers derived by SCAG and adopt Resolution No. 4425 appealing the decision to the State Housing and Community Development Department (HUD). Councilmember Johnson moved to direct the City Manager to appeal the numbers in the Regional Housing Needs Assessment for s. Motion seconded by Councilmember DeMirjyn and carried by AYE votes of all present.

Council reviewed Resolution No. 4425 and added an additional paragraph between the fourth and fifth "Whereas" to read as follows: "Whereas, State law as interpreted by the State Attorney General and legal counsel for SCAG prohibits consideration of Proposition R or Measure N, City of s' voter approved initiatives, in this Regional Housing Needs Assessment; and". Councilmember Johnson moved to adopt Resolution No. 4425, a resolution of the City Council of the City of Redlands appealing the data presented in the Regional Housing Needs Assessment for Southern California, June, 1988, as prepared by Southern California Association of Governments, with the above addition. Motion seconded by Councilmember DeMirjyn and carried by AYE votes of all present. The City Manager was directed to investigate other cities that may also be having this problem and see if we could work together.

Tentative Tract No. 13251 - Medici Investment, Inc. - Final Approval

This item was withdrawn from the agenda.

COMMUNICATIONSWell 16
Retrofit

Utilities Director Corneille reported that his department and Southern California Edison have agreed that SCE will retrofit Well 16, which is currently operated by a natural gas engine, with a more efficient electric motor at no cost to the City. Well 16 is located in Ford Park, just north of the tennis courts. The City was chosen by SCE for this "showcase" demonstration project after their evaluation of several agencies. The project should be completed by the first of October. SCE District Manager Bob Stranger some background about this project with Council. Council thanked him for selecting the City of Redlands for this experiment.

Recycling
Program

Staff Coordinator G. Harold Duffy reported on the activities of the Recycling Task Force. Three pilot programs for voluntary curbside recycling will be initiated. One area will consist of a co-mingle program; a second area will consist of three onion skin type bags, one each for plastics, glass, and aluminum; and the third area will have three different colored stackable containers. All residents in these areas will be asked to bundle their newspapers for placement at the curbs with their other products. Mr. Duffy reported that the recycling program has received a grant from the Department of Conservation, Division of Recycling, which will be used to fund this pilot program. Over 60 cities applied for these funds and the City of Redlands received the highest amount. Appreciation was expressed to Mr. Duffy for putting us in the position to apply for and receive this grant. Councilmember Cunningham again asked about a recycling program for bond paper, and Community Development Director Rodriguez responded they are looking at other pilot programs for Redlands and will be reporting back to Council.

Councilmember DeMirjyn asked staff to look into once-a-week pick-up for some of our customers who do not need the twice-a-week service in order that we could offer them a savings in their rates.

Council recessed at 4:25 P.M. to a Redevelopment Agency meeting and reconvened at 4:26 P.M. to a closed session for the purpose of discussing personnel matters, property acquisition with our negotiator, 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. Council reconvened at 7:15 P.M.

Employee
Recognition

The Municipal Utilities Department has initiated an outstanding employee award with nominations made by the employees. The first recipient of this award is Gordon Caselton for his work as a Water Line Fire Specialist. Mayor Beswick presented him a certificate acknowledging this award. In honor of Mr. Caselton's recent retirement, Mayor Beswick also presented him a City Seal plaque recognizing his twenty years' employment with the City.

Proclamation

Mayor Beswick presented a proclamation declaring the week of September 18-24, 1988, as National Adult Daycare Week and urged everyone to take cognizance of this event and to participate fittingly in its observance.

Proclamation

Mayor Beswick presented a proclamation extending congratulations to the Los Angeles Section of the American Society of Civil Engineers for its nonpartisan leadership, educational guidance and services rendered in the field of civil engineering to the entire Southern California area for the last 75 years. The proclamation was accepted by our own Municipal Utilities Director Dick Corneille who is the president of the San Bernardino/Riverside Chapter.

ORAL PETITIONS FROM THE FLOOR

Mr. James Hammond extended an invitation to a meeting sponsored by the League of Women Voters regarding hazardous waste. He offered his assistance in obtaining funding to set up a program to recognize citizens who participate in supporting Resolution No. 4405 which urges elimination of the use of chlorofluorocarbons and encourages the responsible use of plastics. Mr. Hammond expressed his opinion regarding the Deming Hotel building noting that if the symbol is removed, then the building should be torn down as the symbol is the only thing unique about the structure.

Dr. Robert Dilger thanked staff and the Parks Commission for their cooperation in coordinating improvements in Texonia Park. He then expressed concerns about current developments on Colton Avenue. Community Development Director Shaw explained that problems have been identified by the Planning Commission and a proposed APC Zone will be studied at their next meeting. Proposals in the pipeline during this study have had the right to proceed. Dr. Dilger asked that the Planning Commission look real close at any new development along Colton Avenue during the next six months.

On behalf of the homeowners in the Brookshire/Willowcreek Tract (No. 12798Z), Mr. Bryant MacDonald presented a three-page document describing the many problems they are experiencing. In accordance with State law, this matter was referred to staff for their review and no action was taken at this meeting. The residents were asked to meet with staff for assistance. At the request of Councilmember DeMirjyn, Mr. Heading was present as a representative of the developer, and he met with the large number of people present in the lobby of Safety Hall.

PUBLIC HEARINGS

Resolution No. 4412	Public hearing was advertised for this time and place for the vacation of a portion of Sophia Court necessitated by its realignment. 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. 4412, a resolution of the City Council ordering the vacation of a portion of Sophia Court, was adopted by AYE votes of all present on motion of Council member DeMirjyn, seconded by Councilmember Johnson.
Sophia Court	

Ordinance No. 2046	Public hearing was advertised for this time and place to consider including mobilehomes placed on a space in a mobilehome park within the meaning of the phrase "single family homes on existing lots of record" in Section 4 of Measure N. Mayor Beswick declared the meeting open as a public hearing for any questions or comments concerning this ordinance. None being forthcoming, the public hearing was declared closed. Ordinance No. 2046, an ordinance of the City of Redlands adopting guidelines to implement and interpret City growth moderation initiatives, was read by title only by City Clerk Poyzer, and on motion of Councilmember Johnson, seconded by Councilmember DeMirjyn, further reading of the ordinance text was waived. Ordinance No. 2046 was introduced and laid over under the rules with second reading scheduled for October 4, 1988, on motion of Councilmember Johnson, seconded by Councilmember DeMirjyn.
Growth Initiative Guidelines	

BIDS

Award	Bids were opened and publicly declared on August 31, 1988, by the City Clerk for the Airport Security Fencing Project; a bid opening report is on file in the Office of the City Clerk. At this time, it is the recommendation of the Engineering Services Department that the responsible bidder submitting the bid for said
Airport Fencing	

- project which will result in the lowest cost to the City is Nottson Construction, Sun City, in the amount of \$77,877.40, and that it is in the best interest of the City that the contract for the Airport Security Fencing Project be awarded to said firm. On motion of Council member DeMirjyn, seconded by Councilmember Johnson, this recommendation was approved by AYE votes of all present.
- Award
Storm Drain
Bids were opened and publicly declared on September 8, 1988, by the City Clerk for the Colton Avenue and New York Street Storm Drain Project; a bid opening report is on file in the Office of the City Clerk. At this time, it is the recommendation of the Engineering Services Department that the responsible bidder submitting the bid for said project which will result in the lowest cost to the City is Bonadiman-McCain, Inc., San Bernardino, in the amount of \$95,220.00 and that it is in the best interest of the City that the contract for the Colton Avenue and New York Street Storm Drain Project be awarded to said firm. On motion of Councilmember DeMirjyn, seconded by Councilmember Johnson, this recommendation was approved by AYE votes of all present.
- Award
Trunk Sewer
Bids were opened and publicly declared on September 12, 1988, by the City Clerk for the Center Street Trunk Sewer, Phase I, Project No. 4-8829; 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 Stone Construction, Yucca Valley, in the amount of \$78,988.00, and that it is in the best interest of the City that the contract for the Center Street Trunk Sewer, Phase I, Project No. 4-8829 be awarded to said firm. On motion of Councilmember DeMirjyn, seconded by Councilmember Johnson, this recommendation was approved by AYE votes of all present.

UNFINISHED BUSINESS

- Ordinance
No. 2044
B.I.D.
Ordinance No. 2044, an ordinance of the City of Redlands amending Chapter 18.216 of the Redlands Municipal Code relating to Parking and Business Improvement Areas, 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 waived. Ordinance No. 2044 was adopted on motion of Councilmember Cunningham, seconded by Councilmember Johnson, by the following vote:
AYES: Councilmembers Johnson, Cunningham;
Mayor Beswick
NOES: Councilmember DeMirjyn
ABSENT: Councilmember Wormser
- Resolution
No. 4422
Outside
Connections
Resolution No. 4422, a resolution of the City Council of the City of Redlands amending Resolution No. 4352 relating to outside City water and sewer connections which provides that minor projects will be subject to the same review as major projects, was adopted by AYE votes of all present on motion of Councilmember Cunningham, seconded by Councilmember DeMirjyn.
- Kirschke
Water Service
Attorney Charles C. Graeber presented a chronology of events for the Kirschke/Howard Outside Connection No. 86-23 and photocopies of pertinent information relating to this application. He requested Council to affirm the Agreement dated June 18, 1986, and Outside Connection No. 86-23; affirm that they have not been revoked or cancelled; and affirm that the letter of April 29, 1988, signed by K. Louis Perkins, Assistant Utilities Engineer. City Attorney Parlee explained the background on this application and urged Council to allow staff to address the fire flow situation. On behalf of several clients, including the Fletchers, Joe Bonadiman urged Council not to approve this request and allow them time to present additional information. Randy Halliday and Cinnia Easley encouraged Council not to grant this water connection and cited several concerns which the City Council had no jurisdiction over since the property is located outside the City limits. On behalf of the Redlands Association, Tex Moore stated they felt Measure N was applicable to this lot. William Kirschke responded to his neighbors' concerns and reported that the County fire marshall had approved the fire flow.

Council briefly recessed to a closed session at 8:20 P.M. to discuss possible impending litigation on this matter. In accordance with State law, the City Attorney prepared a confidential memo to Council providing justification for the closed session. Council reconvened at 8:27 P.M.

In accordance with State Law, no action was taken on this matter but each Councilmember expressed an opinion for staff's information: Councilmember Johnson felt the City was obligated to honor the will-serve letter and agreement; Councilmember DeMirjyn agreed with Councilmember Johnson; Councilmember Cunningham expressed concern relative to the fire flow situation and use of a non-city street for emergency vehicles and stated he was not in favor of granting the applicant's request; and Mayor Beswick felt the paper trail showed the City had given the applicant the water service requested.

Legal Services

Finance Director Kaenel presented a survey of legal services for fiscal year 1987-88 which showed examples of types of services performed. He also presented a suggested budget for in-house services suggesting that all litigation other than redevelopment could be handled by outside law firms and coordinated by our insurance administrators. This should be feasible as the Redevelopment Agency has made most of its land acquisitions and legal activity in this area will be much less than the past year. Councilmember Johnson requested a case-by-case breakdown of the litigation expenditures. Council suggested staff explore the options available and set up a study session for that purpose.

Councilmember Cunningham wished to adopt a policy that staff not be allowed to discuss any legal opinion with the public until each Councilmember is aware of it. Other Councilmembers did not think this was necessary.

NEW BUSINESS

League Meeting

The National League of Cities will hold their annual Congress of Cities meeting in Boston, Massachusetts, December 3-7, 1988. Although we are no longer paying membership dues, Councilmembers DeMirjyn and Cunningham will review the agenda and were authorized to attend this meeting and vote if we still have that entitlement.

Ordinance No. 2040

Trees

Ordinance No. 2040, an ordinance of the City of Redlands amending Chapter 12.52 of the Redlands Municipal Code establishing rules and regulations relating to street trees and the need to acquire a permit before performing any street tree work, was read by title only by City Clerk Poyzer, and on motion of Councilmember DeMirjyn, seconded by Councilmember Johnson, further reading of the ordinance text was waived. Ordinance No. 2040 was introduced and laid over under the rules with second reading scheduled for October 4, 1988, on motion of Councilmember DeMirjyn, seconded by Councilmember Johnson.

Mobilehome Parks

In accordance with Section Two of Ordinance No. 1991 relating to vacancies and subleases of rental spaces within affected mobilehome parks, this matter was scheduled for City Council review in order to determine whether the amendment has impaired the sale of mobilehomes. The owners and representatives of the affected parks have been contacted, and they have indicated that there has not been a problem with the sale or resale of the mobilehomes in their affected parks. Therefore, it is recommended that Ordinance No. 1991 remain in effect. Due to a possible conflict of interest, Councilmember Johnson left the Chambers and did not participate in this matter. Richard C. Bessire, owner of Orange Grove and Sylvan Mobile Estates, spoke to Council at length and requested they address the entire ordinance in relation to current law. Council member DeMirjyn moved to retain Ordinance No. 1991 as it has not impaired the sales of mobilehomes within the

affected parks. Motion seconded by Councilmember Cunningham and carried by the following vote:
AYES: Councilmembers DeMirjyn, Cunningham;
Mayor Beswick
NOES: None
ABSTAIN: Councilmember Johnson
ABSENT: Councilmember Wormser

Ordinance No. 2022

Garbage and Solid Waste

Ordinance No. 2022, an ordinance of the City of Redlands amending the Redlands Municipal Code relating to garbage and solid waste regulations, was presented at this time. A letter was received from Mr. Claude Johnson containing his comments on the ordinance revision following his many meetings with staff. In response to his observation that the recycling program was not addressed in this draft, Mayor Beswick noted that an amendment could be prepared for that purpose. Mayor Beswick also directed staff to look into the Tallahassee, Florida system which Mr. Johnson brought to our attention. Section 20, Unlawful Placement of Refuse, was deleted from the ordinance and each section thereafter re-numbered accordingly. With this change, Ordinance No. 2022 was read by title only by City Clerk Poyzer, and on motion of Councilmember DeMirjyn, seconded by Councilmember Johnson, further reading of the ordinance text was waived. Ordinance No. 2022 was introduced and laid over under the rules with second reading scheduled for October 4, 1988, on motion of Councilmember DeMirjyn, seconded by Councilmember Johnson, by the following vote:
AYES: Councilmembers DeMirjyn, Johnson;
Mayor Beswick
NOES: Councilmember Cunningham
ABSENT: Councilmember Wormser

Claim

On motion of Councilmember DeMirjyn, seconded by Council member Johnson, the claim of Morris Gida in an unknown amount was found not to be a proper charge against the City and therefore was rejected by AYE votes of all present.

Claim

On motion of Councilmember DeMirjyn, seconded by Council member Johnson, the claim of Sara Holliday in the amount of \$7,000,000.00 ws rejected by AYE votes of all present as it was not presented within the time required by law.

Clement Agreement

On motion of Councilmember DeMirjyn, seconded by Councilmember Johnson, Council approved by AYE votes of all present amending Section 14, Cancellation and Option, of the Clement Junior High School joint use agreement as required by State of California.

Dogs

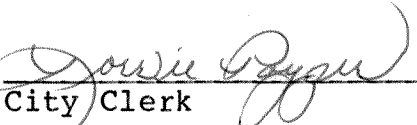
Mayor Beswick requested that Council review the City's policy on barking dogs at the next meeting.

There being no further business, the meeting adjourned at 9:50 P.M.

Next regular meeting, October 4, 1988.

ATTEST:


Mayor of the City of Redlands


City Clerk