MINUTES of a regular meeting of the City Council of the City of Redlands held in the Council Chambers, 212 Brookside Avenue, on June 6, 1989, at 3:00 P.M.

PRESENT

Carole Beswick, Mayor
Barbara C. Wormser, Mayor Pro Tem
Charles G. DeMirjyn, Councilmember
William E. Cunningham, Councilmember
Swen Larson, Councilmember

John E. Holmes, City Manager
Daniel J. McHugh, City Attorney
(Afternoon Session)
Dallas Holmes, City Attorney
(Evening Session)
Lorrie Poyzer, City Clerk
Carl Baker, Redlands Daily Facts
Pamela Fitzsimmons, The Sun

ABSENT

None

The meeting was opened with an invocation by Mayor Pro Tem Wormser followed by the pledge of allegiance.

Minutes of the adjourned regular meeting of May 16, 1989, the regular meeting of May 16, 1989, and the adjourned regular meetings of May 18, May 23, and May 30, 1989, were approved as submitted.

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

PLANNING AND COMMUNITY DEVELOPMENT

Planning Commission Actions - May 23, 1989

On motion of Councilmember Larson, seconded by Councilmember Wormser, the report of the last Planning Commission meeting was unanimously acknowledged as received.

Resolution No. 4523 - Amendment No. 3 for Specific Plan No. 25 - Southern California Gas Company

Public hearing was advertised for this time and place to consider an amendment to Specific Plan No. 25 that regulates the East Valley Complex, north of I-10 and east of California Street. This amendment is needed to allow a 60-foot high communications tower with two microwave dish antennas for transmitting and receiving voice and data communication in conjunction with the expansion of the Southern California Gas Company offices. Mayor Beswick declared the meeting open as a public hearing for any questions or comments concerning this amendment. On behalf of the Southern California Gas Company, Joseph W. Koch, Jr. explained that the microwave dish antenna was the most cost effective method for the Gas Company District Office's needs. Councilmember Cunningham stated he had a problem with the tower being located so close to the freeway in an area the City is trying to implement appearance improvements and urged the Gas Company to consider re-locating the tower. Planning Commissioner Joan Dotson stated the City needed to protect the view in the CSA 110 area and expressed dismay that the City had not researched this matter more as it was precedent setting. Councilmember DeMirjyn reminded Councilmembers that the City is trying to attract clean business and he did not feel this tower would be that bad. Councilmembers Wormser and Larson expressed concern that this was a utility company in need of a good communications system to protect the public and suggested continuing the matter for two weeks for further study. Councilmember Wormser moved to continue the application to June 20, 1989, to seek alternatives to soften the effect of the 60-foot tower. Motion seconded by Councilmember Cunningham and carried with Councilmember DeMirjyn voting NO.

Tract No. 13986 - H & S Capital Enterprises - Final Approval

On motion of Councilmember Larson, seconded by Councilmember Wormser, Tract No. 13986, a subdivision of 7.2 acres located southerly of Orange Avenue, approximately 209 feet easterly of Alabama Street into 88 lots - 85 for condominium units and three lots for common area - R-2-3000 District, was unanimously granted final approval as all requirements have been complied with as contained in Council minutes dated September 6, 1988.

COMMUNICATIONS

State Legislation — The League of California Cities Legislation Bulletin dated May 26, 1989, was provided to Councilmembers for their review and comments pertaining to proposed State legislation.

Chamber of Commerce

Councilmember Larson announced that the Redlands Chamber of Commerce has achieved accreditation from the United States Chamber of Commerce. Congratulations were extended to the Redlands Chamber of Commerce.

Meeting Schedule

Meetings of the City Council for the months of July and August will be held as follows:

Wednesday, July 5, 1989
Tuesday, July 18, 1989
Monday, July 31, 1989

Corrected 6/20/89 ~~Tuesday, August 15, 1989~~

The regular meetings of July 4, 1989 and August 1, 1989, will not be held.

Council recessed at 4:04 P.M. to a Redevelopment Agency meeting and reconvened at 4:05 P.M. to a closed session for the purpose of discussing personnel matters, property acquisition with our negotiator, and 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 7:00 P.M.

PRESENTATIONS

AYSO Team

Mayor Beswick presented an official proclamation to the members and coaches of the Redlands AYSO "California Girls" Cultural Exchange Soccer Team who will tour Europe this summer as athletic ambassadors of the City of Redlands and the United States. They will be the first female team from Region 50 of the American Youth Soccer Organization to travel to Europe as a cultural exchange team and will compete in local games and tournaments in Denmark, West Germany and England.

Special Olympics

On behalf of the San Bernardino/Redlands Special Olympics, a platinum medal donor plaque was presented to the City in appreciation for our special assistance and support in the recent Special Olympics event.

Yucaipa Incorporation

Mayor Beswick reminded Councilmembers that the City's pleas to LAFCO have been unheeded to eliminate the Live Oak Canyon and area south of I-10 from the proposed Yucaipa incorporation. On behalf of many of the residents in this area, Linda Bennett requested that the City Council appeal this decision in writing along with the citizens' group. She reviewed the schedule that has to be met and the concerns that need to be addressed in the appeal such as the industrial-commercial zoning down along Live Oak Canyon, the fact that CSA 63 is ignored in the study, why is the County rushing to meet the November election deadline, and the inclusion of Crafton Hills College in the Yucaipa sphere of influence. Also speaking for assistance from the City and expressing a desire to research annexation to Redlands benefits were Kathryn Wechterm, Richard Boettcher, and Theresa Petite. Councilmember Cunningham moved to direct staff to prepare and file an appeal to LAFCO. Motion seconded by Councilmember DeMirjyn and carried unanimously.

Council briefly recessed at 7:37 P.M. and reconvened at 7:46 P.M.

PUBLIC HEARINGS

Ordinance No. 2080

Water and Wastewater Fees

Public hearing was continued to this time and place on Ordinance No. 2080, an ordinance of the City of Redlands amending Chapter 3.52, adding Chapter 3.62, and deleting Sections of Chapter 13.48 of the Redlands Municipal Code relating to water and sewer service fund fees and charges. Mayor Beswick declared the meeting open as a public hearing for any further questions or comments. None being forthcoming the public hearing was declared closed. Councilmember DeMirjyn indicated he would support this increase in fees and charges if he could be guaranteed that the funds would be used only for the production and delivery of water. City Manager John Holmes and Utilities Director Corneille assured him that this would be done. Ordinance No. 2080 was read by title only by City Clerk Poyzer, and on motion of Councilmember Wormser, seconded by Councilmember Larson, further reading of the ordinance text was unanimously waived. Ordinance No. 2080 was introduced and laid over under the rules with second reading scheduled for June 20, 1989, on motion of Councilmember Larson, seconded by Councilmember Wormser, by the following vote:

AYES: Councilmembers Wormser, DeMirjyn, Larson;
Mayor Beswick
NOES: Councilmember Cunningham

Resolution No. 4515

Landscape District

Public hearing was advertised for this time and place to consider approval of the Engineer's Report and confirm the assessment for the 1989-90 fiscal year for maintenance of improvements in Landscape Maintenance District No. 1. Mayor Beswick declared the meeting open as a public hearing for any questions or comments concerning this matter. None being forthcoming, the public hearing was declared closed. Councilmember Cunningham moved to approve Resolution No. 4515, a resolution of the City Council of the City of Redlands ordering the maintenance of improvements in Landscape Maintenance District No. 1, giving final approval of the engineer's report, and confirming the assessment for the 1989-90 fiscal year. Motion seconded by Councilmember DeMirjyn and carried unanimously.

Resolution No. 4520

Historic Resource

Public hearing was advertised for this time and place to consider the recommendation of the Historic and Scenic Preservation Commission to designate the Wade House now located at 527 Fourth Street as a historic property. Mayor Beswick declared the meeting open as a public hearing for any questions or comments concerning this matter. None being forthcoming, the public hearing was declared closed. Councilmember Cunningham moved to adopt Resolution No. 4520, a resolution of the City Council approving this recommendation. Motion seconded by Councilmember Wormser and carried unanimously.

Resolution No. 4521

Historic Resource

Public hearing was advertised for this time and place to consider the recommendation of the Historic and Scenic Preservation Commission to designate the Prendergast Packing House located at 301 North Third Street as a historic property. Mayor Beswick declared the meeting open as a public hearing for any questions or comments concerning this matter. None being forthcoming, the public hering was declared closed. Councilmember Cunningham moved to adopt Resolution No. 4521, a resolution of the City Council approving this recommendation. Motion seconded by Councilmember Wormser and carried unanimously.

Resolution No. 4522

Historic Resource

Public hearing was advertised for this time and place to consider the recommendation of the Historic and Scenic Preservation Commission to designate the Gregory Packing House located on the south side of Oriental Avenue, approximately 75 feet west of Third Street as a historic property. Mayor Beswick declared the meeting open as a public hearing for any questions or comments concerning this matter. None being forthcoming, the public hearing was declared closed. Councilmember Cunningham moved to adopt Resolution No. 4522, a resolution of the City Council approving this recommendation. Motion seconded by Councilmember Wormser and carried unanimously.

PUBLIC COMMENTS

Initiative Petition

On behalf of the Committee for Fair Representation by District, Eleanor Preston addressed Council about a technical error contained in their initiative ordinance which was filed with the City Clerk on June 5, 1989, for placement on the November 1989 ballot. The error is contained in Section 4, Terms of Office which indicates that three Councilmembers shall be elected in 1991 when there are only two openings. Ms. Preston requested that the City Council refer this matter to the City Attorney for a report on June 20, 1989, regarding the ramifications and implementation of the initiative ordinance if Section 4 was deleted in accordance with Section 7 which contains the severability clause. Councilmember DeMirjyn suggested Council place an advisory question on the November 1989 ballot to see if the community desired elections by district. Ms. Preston did not respond to his suggestion. Councilmember Larson moved to refer this matter to the City Attorney as requested by the petitioners. Motion seconded by Councilmember Wormser and carried unanimously. Council directed that authorization for a report on the effect of the proposed initiative be scheduled on the next agenda.

BIDS

Bid Report

Parking Structure

Bids were opened and publicly declared on May 11, 1989, in the Office of the City Clerk for the construction of the Redlands Boulevard Parking Structure; a bid opening report is on file in the Office of the City Clerk. All bids were above the available funding for the project but the City Manager requested that the City Council continue this matter to allow the downtown merchants time to consider ways of assisting the City to fund the additional monies needed. Art Gregory urged Council to continue this matter as recommended by the City Manager. Councilmember Cunningham did not support the concept of funding parking spaces at this level of cost. Councilmember Larson moved to continue this matter. Motion seconded by Councilmember Beswick and carried by the following vote:

AYES: Councilmembers DeMirjyn, Larson; Mayor Beswick
NOES: Councilmember Cunningham
ABSTAIN: Councilmember Wormser (who was not present during the discussion)

UNFINISHED BUSINESS

Ordinance No 2078

Citrus Village

Specific Plan No. 41

Ordinance No. 2078, an ordinance of the City Council of the City of Redlands adopting Specific Plan No. 41 (Citrus Village), Redlands Planning Commission Resolution No. 742, was scheduled for this meeting for its second reading. Community Development Director Shaw explained to Council that the parking issues have been resolved by the owners with the use of compact car parking and that the parking requirements contained within the specific plan remain unchanged. In a memorandum from City Attorney Daniel J. McHugh, Council was informed that while Music Plus intends not to rent or sell any video having an X-rated designation, the company will not agree to the inclusion of any language in the specific plan which would restrict its ability to sell videos. The City Attorney has previously reviewed the legal difficulties the City faces in attempting to regulate the sale of X-rated and offensive adult videos. Given Music Plus' position on this matter, the City Attorney did not feel any legally enforceable language could be added to the specific plan to regulate the sale of Music Plus' videos.

Although the public hearing on this matter was closed at the last Council meeting, Mayor Beswick allowed two speakers to address Council at this time. Dixie Hardy reminded Councilmembers the neighbors were opposed to a specific plan for this parcel but through the many meetings accepted this specific plan as "just tolerable." Truman Johnson, one of the owners of the Lucky's parcel reviewed the past history of the Citrus Village Shopping Center and requested Council to reconsider the original intent of the application for this specific plan and further requested that no further action be taken by the City until there is cooperation among the owners.

Ordinance No. 2078 was given its second reading of the title by City Clerk Poyzer, and on motion of Councilmember Wormser, seconded by Councilmember Larson, further reading of the ordinance text was unanimously waived. Ordinance No. 2078 was adopted on motion of Councilmember Wormser, seconded by Councilmember Larson, by the following vote:

AYES:	Councilmembers Wormser, Cunningham, Larson; Mayor Beswick
NOES:	Councilmember DeMirjyn
ABSENT:	None

Measure N

Interpretation of Measure N outside utility connections was discussed in the closed session under the threat of litigation and a written opinion from the City Attorney will follow. Councilmember Wormser moved to continue this matter to June 20, 1989. Motion seconded by Councilmember Larson and carried unanimously.

Cemetery Master Plan

Community Services Director Rodriguez reported that as requested by Council, the proposed Master Plan for Hillside Memorial Park has been placed at various locations for public view and comment since April, 1989. The plan was also advertised for review in two local newspapers with brief articles following the announcement. In addition, the plan has also been reviewed by Cortner's Mortuary in Redlands. Only a few comments were received regarding the plan; the basic consensus was to proceed with additional improvements. Councilmember DeMirjyn moved to adopt the Master Plan for Hillside Memorial Park and directed staff to begin implementation by developing a design plan for additional ground space and expansion to the Mausoleum. Motion seconded by Councilmember Wormser and carried with Councilmember Cunningham voting NO.

NEW BUSINESS

Taxi Service

An application for a license to operate a taxicab service within the City has been received from Metro Taxicabs, Sergio Sanchez and Armando Vignanelli as owners. In accordance with the Redlands Municipal Code, Council examined the application in the presence of the petitioners. Concern was expressed that the business was to be operated out of a residence at 220 West Highland Avenue and the petitioners were reminded they would need to apply for a Home Occupation Permit through the Planning Department if this application was approved. Mr. Hamidullah Makhmoor, owner of Redlands Taxi, addressed Council explaining he felt there was not enough business to support another cab company and shared his income tax returns for the past two years. He reminded Council that Yellow Cab in San Bernardino also served Redlands as well as Dial-A-Ride and several limousine services. Councilmember DeMirjyn moved to find that there was not a public need for another taxicab service in Redlands and to deny the application submitted by Metro Taxicabs. Motion seconded by Councilmember Larson and carried unanimously.

Appointment

Mayor Beswick moved to appoint Charles Baker to complete a term on the Cultural Arts Commission which will expire January 6, 1991. Motion seconded by Councilmember Larson and carried unanimously.

Councilmember Wormser moved to continue consideration of an appointment to the Solid Waste Task Force. Motion seconded by Councilmember Larson and carried unanimously.

Property Acquisition

Community Services Director Rodriguez reported the Open Space Committee has reviewed several eligible parcels for acquisition utilizing Measure O funds. The parcel being recommended for acquisition is approximately 18.7 acres and is currently owned by Messrs. Clarence and Steven Van Grouw. The property is immediately north of the Barton House, Asistencia Mission and the Footlighters Playhouse.

Councilmember Wormser moved to approve an appropriation of Measure O funds for the acquisition of real property located between Nevada and Iowa Street and immediately south of Orange Avenue (Assessor's Parcel No. 292-166-08) in the amount of $2,525,173.00 subject to receiving the written appraisal of the property, and further moved to authorize approximately $2,000.00 for escrow fees to be drawn from the interest earned from the Open Space funds. Motion seconded by Councilmember Cunningham and carried unanimously. Councilmember Cunningham moved to direct staff to proceed with annexation proceedings and that expenses for the annexation be charged to the interest earned from the Open Space funds. Motion seconded by Councilmember Wormser and carried unanimously.

(NOTE: See Minutes of 6/20/89 for action on Transfer of Development Rights when purchasing land with Open Space bond funds.)

Ordinance No. 2081

Park Rules

Community Services Director Rodriguez reported that during the past several months a committee has been meeting to discuss several issues regarding usage of the two City-owned outdoor theaters. The proposed ordinance reflects the concerns of that committee as well as some "clean up" items not related to the mission of the committee. Clarification of the time limitations within Section 12.44.335 was established as follows: use of power tools and rehearsals shall conclude no later than 10:00 P.M. and performances shall conclude no later than 11:00 P.M. With that change, Ordinance No. 2081 was read by title only by City Clerk Poyzer, and on motion of Councilmember DeMirjyn, seconded by Councilmember Cunningham, further reading of the ordinance text was unanimously waived. Ordinance No. 2081 was introduced with unanimous Council approval and laid over under the rules with second reading scheduled for June 20, 1989, on motion of Councilmember Wormser, seconded by Councilmember DeMirjyn.

Claim

On motion of Councilmember Larson, seconded by Councilmember Wormser, the claim of Susan Marie Guerrero in an unknown amount was found not to be a proper charge against the City and therefore was unanimously rejected.

Claim

On motion of Councilmember Larson, seconded by Councilmember Wormser, the claim of Dawn Hamill in an unknown amount was found not to be a proper charge against the City and therefore was unanimously rejected.

Engineering Reports

City Engineer Ron Mutter presented the monthly contract monitoring reports updated to May 31, 1989, for projects currently being administered by the Engineering Services Department. The reports detailed all contract schedules and anticipated dates for completion, and provided a summary of the progress payment expenditures and change orders. Mr. Mutter explained that many unexpected change-orders were required on the Library project due to the age of the existing building but that there should not be many more as the project is now all new construction.

Resolution No. 4516

Traffic

On motion of Councilmember Larson, seconded by Councilmember Wormser, Resolution No. 4516, a resolution of the City Council of the City of Redlands establishing the following traffic regulations pursuant to Title 10 of the Redlands Municipal Code and amending Resolution No. 4389, was unanimously adopted: Placement of appropriate signs or curb markings to prohibit stopping, standing or parking of vehicles on Alabama Street between Barton Road and Redlands Boulevard.

Resolution No. 4524 Annexation No. 67

On motion of Councilmember Larson, seconded by Councilmember Wormser, Resolution No. 4524, a resolution of the City Council of the City of Redlands approving Annexation No. 67 to the City of Redlands, the area generally located at the northeastern corner of California Street and Palmetto Avenue.

Senior Center

Following brief discussion, Councilmember Larson moved to authorize the hiring of the firm of Day and Associates to develop working drawings and specifications for bidding purposes to renovate a structure for a multipurpose senior center with the understanding they will not actually commence work until authorized by the City Council. Motion seconded by Councilmember Wormser and carried with Councilmember Cunningham voting NO. Council directed staff to provide a report at the next meeting listing what has been agreed upon in the negotiations for the use of the American Legion building.

Agreement

On motion of Councilmember Larson, seconded by Councilmember Wormser, Council unanimously approved an agreement with Southern California Edison Company to temporarily supply water to the Corridor Wastewater Pumping Station which is currently under construction and located at the southwestern corner of San Bernardino and Mountain View Avenues.

Resolution No. 4525

SB258

On motion of Councilmember Larson, seconded by Councilmember Wormser, Council unanimously approved Resolution No. 4525, a resolution of the City Council of the City of Redlands, State of California, supporting Senate Bill 258 which would enact the Torres-Campbell Recreation and Fitness Act of 1989.

Resolution No. 4526

Grant Application

On motion of Councilmember Larson, seconded by Councilmember Wormser, Council unanimously approved Resolution No. 4526, a resolution of the City Council of the City of Redlands approving the submission of a proposal under the California Environmental License Plate Fund. Said funds will be used to purchase permanent signage and benches, create an outdoor classroom setting, develop walking tour booklets, brochures, bulletin boards, and other materials for Prospect and Caroline Parks.

There being no further business, the meeting adjourned at 9:30 P.M. to an adjourned regular meeting to be held on Tuesday, June 13, 1989, at 9:00 A.M. in the City Hall Conference Room, 30 Cajon Street, Redlands.

Next regular meeting, June 20, 1989.

Mayor of the City of Redlands

ATTEST:

City Clerk

0-0-0-0-0-0-0-0-0-0