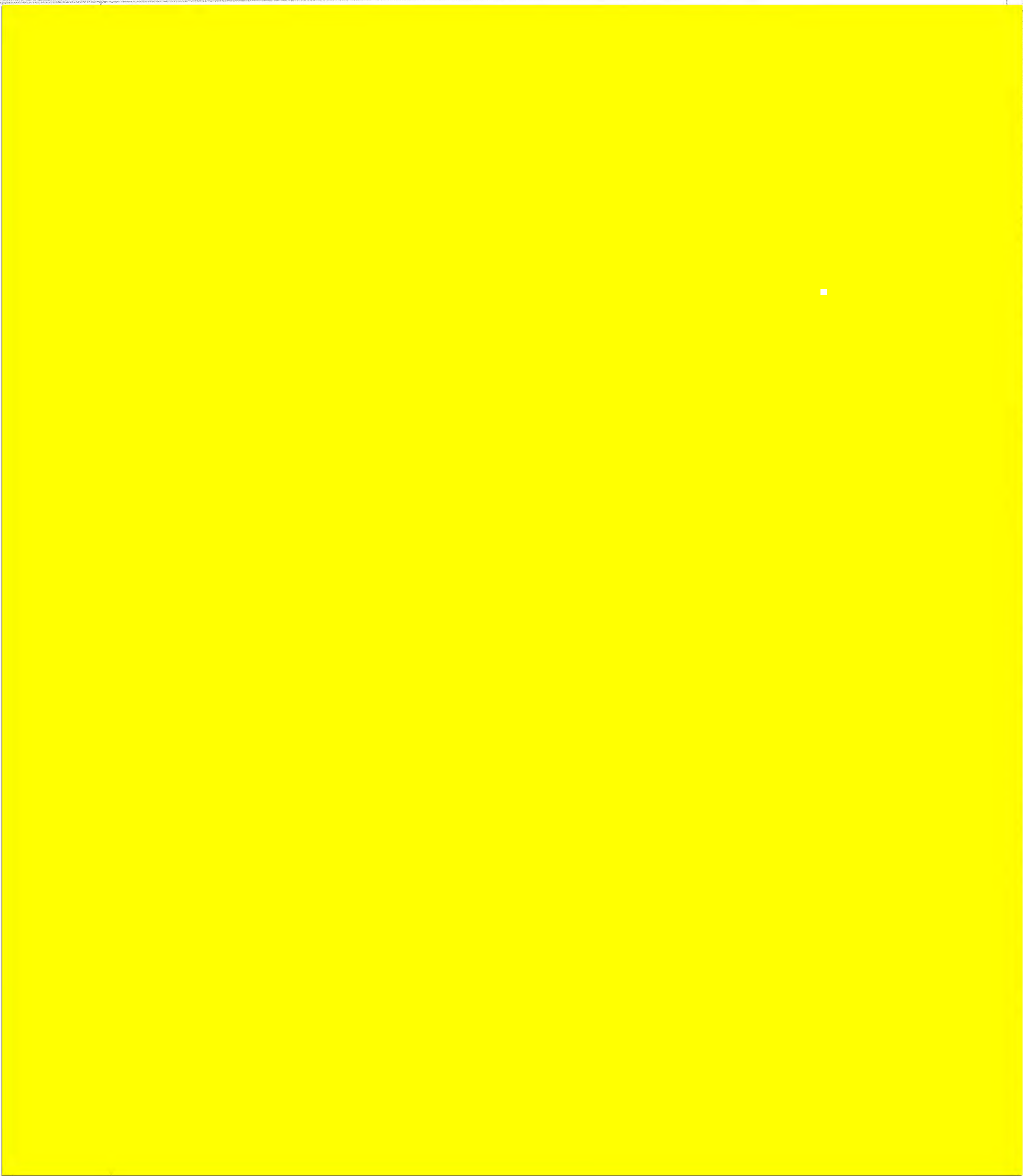




MINUTES

of a regular meeting of the City Council, City of Redlands, held in the Council Chambers, 212 Brookside Avenue, on November 21, 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
(evening session only)

John E. Holmes, City Manager
Dallas Holmes, City Attorney
Lorrie Poyzer, City Clerk
Cindy Yingst, The Sun
Jeff Dillon, Redlands Daily Facts

ABSENT

None

The meeting was opened with an invocation by Mayor Beswick followed by the pledge of allegiance.

Minutes of the regular meeting of November 7, 1989, were approved as submitted.

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

PLANNING AND COMMUNITY DEVELOPMENT

Planning Commission Actions - November 14, 1989

On motion of Councilmember DeMirjyn, seconded by Councilmember Cunningham, the report of the last Planning Commission meeting was acknowledged as received by AYE votes of all present.

Resolution No. 4575 - CEQA Guidelines

On motion of Councilmember Wormser, seconded by Councilmember DeMirjyn, Resolution No. 4575, a resolution of the City Council of the City of Redlands amending and adopting local guidelines for implementing the California Environmental Quality Act (CEQA), was adopted by AYE votes of all present.

Sludge Processing Facility - San Timoteo Canyon

Community Development Director Shaw reported that an application and appeal was filed by the City of Redlands on the Curti composting site expansion in San Timoteo Canyon which was approved by the County of San Bernardino Planning Commission on November 2, 1989. The appeal cited the definition of sludge which may not comply with the County General Plan and that the project is not in compliance with existing conditions. City Attorney Holmes noted that he would have more information for Councilmembers during the closed session later in the meeting. Councilmember Cunningham moved to continue this matter to the 7:00 P.M. session. Motion seconded by Councilmember DeMirjyn and carried by AYE votes of all present. During the evening session, City Attorney Holmes reported he had reviewed avenues available to the City and noted the appeal hearing had not yet been set. During the Public Comments portion of the meeting, Bryant C. McDonald addressed Council with concerns many have expressed to him regarding this facility and encouraged Council to follow through.

Resolution No. 4588 - Intent to Annex No. 72

On September 5, 1989, the City Council adopted Resolution No. 4570 for Annexation No. 72 for all lands south of I-10 from the proposed Yucaipa boundary on the east to the sphere of influence boundary between Redlands and Loma Linda on the west. The Local Agency Formation Commission has requested several technical changes and additions to the Resolution. Resolution No. 4588 has been modified to comply with LAFCO requirements. On motion of Councilmember Cunningham, seconded by Councilmember DeMirjyn, Resolution No. 4588, a resolution of the City Council of the City of Redlands declaring its intention to initiate on its own motion proceedings to annex certain inhabited territory and rescinding Resolution No. 4570, was adopted by AYE votes of all present.

Appeal - CR&A No. 615 - J. R. Evans and Associates

On November 7, 1989, the City Council referred this appeal for Commission Review and Approval No. 615 for a 7,000 square foot multi-unit commercial retail and service store building on approximately 0.428 acres of land located on the south side of Redlands Boulevard, approximately 237 feet west of Alabama Street, C-M Zone, to the Planning Commission in order to allow the Commission to reconsider the project with the added condition of approval recommended by staff and the Traffic Commission requiring the extension of the median on Redlands Boulevard. The Commission voted 3-3 on November 14, 1989, which denied the project. It is valuable to note that the absent Planning Commissioner voted to approve the project when it first came before the Commission. The Commissioners who oppose the project continue to believe that it will exacerbate traffic congestion at the intersection and may cause traffic safety problems. Chairman of the Planning Commission, Ray Alexander was present to answer any questions. Mayor Beswick declared the meeting open as a public hearing for further questions or comments regarding this application.

Michael Atencio and Steve Ridenour were present to speak in favor of the application and appeal. No one wishing to speak, the public hearing was declared closed. Councilmember Cunningham moved to reverse the decision of the Planning Commission and approve Commission Review and Approval No. 615 subject to all departmental recommendations, including the 34 recommended Community Development Department conditions contained in Planning Commission minutes dated November 14, 1989. Motion seconded by Councilmember Wormser and carried by AYE votes of all present.

COMMUNICATIONS

- Appointments On motion of Councilmember Wormser, seconded by Councilmember Cunningham, Richard A. Feenstra was reappointed by AYE votes of all present to a four-year term on the Public Works Commission effective November 16, 1989, and Calvin K. Wang was appointed by AYE votes of all present to the Public Works Commission to complete a term which will expire November 16, 1992.
- Public Works Commission
- League Delegate This item was continued to the 7:00 P.M. session when Councilmember Larson would be present. At that time, Councilmember Wormser moved to appoint Councilmember Larson as the voting delegate and City Manager John Holmes as the alternate voting delegate for the League of California Cities Annual Conference which was rescheduled for December 17-19, 1989, in San Francisco because of the earthquake.
- Recognition Program Community Services Director Rodriguez explained how a proposed Homeowner's Recognition Program would be implemented by the Open Space Committee to express appreciation to an individual, group of individuals, or block of neighbors for their efforts to provide open space for the community. Council concurred this was a good idea.
- Mission Zanja City Engineer Ron Mutter reported that the current estimated cost of construction of the Mission Zanja Storm Drain through downtown Redlands is \$13.5 million. The Federal share of the project is fixed at \$5.0 million and the local share is currently estimated to be \$8.5 million. These costs do not include land acquisition, relocations, or severance damages. The City currently has \$5.3 million available for this project, leaving a shortfall of \$3.2 million. Several alternatives are available, and it is recommended that Council cancel the Army Corps of Engineers project to construct the Mission Zanja Storm Drain through downtown Redlands and direct staff to proceed with the engineering to construct a reduced scope drainage project through this area using the available funds. Commending Mr. Mutter for his work on this project, Councilmember Cunningham moved to approve the recommendation. Motion seconded by Councilmember Wormser and carried by AYE votes of all present.
- City Engineer Mutter offered to prepare letters to extend the City's appreciation to the Army Corps of Engineers and to Congressman Jerry Lewis and his staff for their efforts and assistance on this project. This was agreeable to the Councilmembers.
- Council recessed at 3:38 P.M. to a Redevelopment Agency meeting and reconvened at 3:40 P.M. to a closed session for the purpose of discussing personnel matters, property acquisitions, 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 7:00 P.M.

PRESENTATION

- Certificate of Achievement On behalf of the Government Finance Officers Association, Errol Mackzum presented a Certificate of Achievement for excellence in financial reporting to the City's Finance Director George Kaenel. Mr. Kaenel expressed his pleasure with the Certificate and extended his appreciation to his staff; the City's auditors Soren, Ahern, Christenson, Bartells, and Walloch; Tanya Mauldin, the City's former assistant Finance Director; Steve Chapman, Assistant Finance Director; and City Treasurer Mike Reynolds.

PUBLIC HEARINGS

- Ordinance No. 2096 Public hearing was advertised for this time and place for Ordinance No. 2096, an ordinance adopting Zone Change No. 328, a change of zone from A-1 (Agricultural) District to R-1 (Single Family Residential 7,200 square feet) District for approximately 14.67 acres of property located north of Pennsylvania Avenue, south of San Bernardino Avenue and westerly of University Street, as recommended by the Redlands Planning Commission Resolution No. 750. Community Development Director Shaw reported the proposed zone change is appropriate for the area as it is consistent with the General Plan and surrounding zoning and consistent with surrounding single family land uses. However, the decision to approve the zone change hinges on an interpretation of whether the application meets the required findings of Measure N, specifically Section 10. Mayor Beswick declared the meeting open as a public hearing for any questions or comments concerning this change of zone.
- Zone Change No. 328 On behalf of the applicant, Michael Atencio and Mark Blankenship urged approval of the application citing their reasons why they felt the required findings were met. The applicant, Steven Rosenberg, told Council he has always tried to comply with Measure N and just asked to be treated fairly. On behalf of the Redlands Association, Tex Moore stated that higher density was not for the good of Redlands. There being no further comments, the public hearing was declared closed.

It was apparent Ordinance No. 2096 would not receive the required four-fifths vote for approval; therefore, Council asked the applicant if he would consider an R-E (Residential Estate, 14,000 square feet) District. Mr. Rosenberg accepted the Council's offer. Councilmember Cunningham moved to approve the Environmental Review Committee's Negative Declaration for Zone Change No. 328 and directed staff to file and post a Notice of Determination in accordance with the City's guidelines. Motion seconded by Councilmember Larson and carried unanimously. Ordinance No. 2096, 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 effecting Zone Change No. 328, a change of zone from A-1 (Agricultural) District to R-E (Residential Estate) District for approximately 14.67 acres of property located north of Pennsylvania Avenue, south of San Bernardino Avenue and westerly of University Street, was given its first reading of the title by City Clerk Poyzer, and on motion of Councilmember DeMirjyn, seconded by Councilmember Wormser, further reading of the ordinance text was unanimously waived. Ordinance No. 2096 was introduced with unanimous Council approval and laid over under the rules with second reading scheduled for December 5, 1989, on motion of Councilmember Larson, seconded by Councilmember Cunningham.

Ordinance
No. 2097

Truck Routes

Public hearing was advertised for this time and place to consider Ordinance No. 2097, an ordinance of the City of Redlands adding Chapter 10.54 to the Redlands Municipal Code to establish the mechanism for the designation of truck routes within the City. This ordinance will establish the authority for the Council to name streets to be included on the truck route (public hearing scheduled for December 5, 1989) and for staff to review proposed routes to be used by vehicles traveling to and from construction sites within the City. Mayor Beswick declared the meeting open as a public hearing for any questions or comments. Mr. and Mrs. Albert W. Fry submitted a letter supporting the ordinance. Judy Teagree voiced her support of the ordinance, and on behalf of her neighbors Lorrie Poyzer also urged adoption of the ordinance. There being no further comments, the public hearing was declared closed. Councilmember Wormser moved to find that this ordinance will not have a significant effect on the environment and that the Negative Declaration as proposed by staff and recommended by the Environmental Review Committee be adopted. Motion seconded by Councilmember Cunningham and carried unanimously. Ordinance No. 2097, an ordinance of the City of Redlands adding Chapter 10.54 to the Redlands Municipal Code relating to truck routes, was read by title only by City Clerk Poyzer, and on motion of Councilmember DeMirjyn, seconded by Councilmember Wormser, further reading of the ordinance text was unanimously waived. Ordinance No. 2097 was introduced with unanimous Council approval and laid over under the rules with second reading scheduled for December 5, 1989, on motion of Councilmember Larson, seconded by Councilmember DeMirjyn.

UNFINISHED BUSINESS

Tract 12777

Community Development Director Shaw reported to Council that City Engineer Ron Mutter had written a letter to the Land Management Department, County of San Bernardino, regarding grading and erosion control for Tract 12777. Mr. Mutter offered the City's cooperation to every extent possible to seek a mutual solution to the problem and requested the County withhold the release of any bonds or cash deposits on this tract until such time as all mud is cleaned from City streets and any outstanding payments due for cleanup by City crews are made. In response to comments made by several neighbors at this meeting, staff was directed to provide copies of the compromise agreement with the developer which was approved in compliance with State law such as the Brown Act and the letter written by Mr. Mutter. Council asked for a status report at the December 5, 1989, meeting and asked that another letter be sent to the County to find out what the applicant is doing.

NEW BUSINESS

Mobilehome
Parks

City Attorney Holmes presented a memorandum from City Attorney Dan McHugh regarding rent decontrol for mobilehome park space vacancies. Redlands presently has several parks which are subject to rent control, and the City's ordinance does not have a provision allowing for decontrol of rent in the event of a vacancy. Ordinance No. 2099 was prepared for Council's consideration to allow for such decontrol and would remove the threat of a mobilehome park owner challenging the constitutionality of the City's rent control ordinance under the rationale of the recent court decision, Hall vs. City of Santa Barbara. Councilmembers questioned why this issue could not be addressed at the same time the entire rent control issue is addressed in December when the current ordinance terminates. Many people were present for this matter but Mayor Beswick asked if anyone wished to address only this issue of whether or not to continue this item until December 5, 1989, when Council would consider the entire matter of mobilehome rent control. On behalf of the mobilehome park owners, R. C. Bessire urged Council to take action on this ordinance at this meeting or risk more potential damage. Following this presentation, Council briefly recessed for a few minutes to allow the people present for this matter to leave the Chambers.

Public Safety
Tax Election

Mayor Beswick reported that informal discussions have been held with two Councilmembers, City Staff, and representatives of the Redlands Police Officers Association and the Redlands Professional Firefighters, and the RPOA has suggested a ballot measure to provide additional revenue for the General Fund for public safety personnel, equipment, facilities, pay and benefits in April or June of 1990. Noting the cost difference for a special election in April (approximately \$50,000.00) and a consolidated election in June (approximately \$10,000.00), Councilmember DeMirjyn asked if the Police and Fire Associations would be willing to pay the difference. Sgt. Walt Kadyk noted that staff's preference would be June but that he could not state the Association's preference. Fire Chief Mills felt we should present a unified front and that June would allow the time for this. City Manager Holmes suggested a citizens survey and Council asked for information from other cities. Councilmembers concurred to reueiw this matter again in the near future with sufficient time to call an election for the June ballot. City Clerk Poyzer noted that the resolution calling an election for June would have to be adopted no later than February 5, 1990.

The following items were acted on in the afternoon under the Consent Calendar when Councilmember Larson was not present.

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| Claim | On motion of Councilmember DeMirjyn, seconded by Councilmember Cunningham, the claim of Dan and Marty McCarthy 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 DeMirjyn, seconded by Councilmember Cunningham, the claim of William H. Gossee 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 DeMirjyn, seconded by Councilmember Cunningham, the claim of John R. Materne 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 DeMirjyn, seconded by Councilmember Cunningham, the claim of Steve Oliver in the amount of \$250.60 was found not to be a proper charge against the City and therefore rejected by AYE votes of all present. |
| Resolution
No. 4583

Traffic | On motion of Councilmember DeMirjyn, seconded by Councilmember Cunningham, Resolution No. 4583 establishing the following traffic regulations was adopted by AYE votes of all present: establish 20 minute parking at 278 Tennessee Street; erect stop sign at the intersection of San Mateo Street and Palm Avenue and at the intersection of Lugonia Avenue and California Street; and establish two hour parking on the east side of Cajon Street between Fern Avenue and Clark Street and on the south side of Fern Avenue between Cajon Street and LaVerne Street. |
| Fleet
Maintenance
Division | On motion of Councilmember DeMirjyn, seconded by Councilmember Cunningham, the position of Equipment Maintenance Superintendent was deleted by AYE votes of all present effective December 1, 1989; the position of Fleet Operations Administrative Assistant was added by AYE votes of all present at Range 44 effective December 1, 1989; and the salary of the Equipment Maintenance Supervisor was increased by AYE votes of all present from Range 46 to Range 48 effective November 27, 1989. |
| Funds

Fire Station
No. 4 | On motion of Councilmember DeMirjyn, seconded by Councilmember Cunningham, Council appropriated \$23,000.00 for the feasibility study to establish a Community Facilities District (Mello-Roos) for the construction and operation of Fire Station No. 4 located at Lugonia Avenue and Nevada Street by AYE votes of all present. (See City Council minutes dated November 7, 1989, for presentation of check for \$23,000.00 from the property owners.) |
| Minor
Subdivision
No. 187

Final
Approval | On motion of Councilmember DeMirjyn, seconded by Councilmember Cunningham, final approval was granted by AYE votes of all present for Minor Subdivision No. 187, the merging of 2.60 acres of property located on the northeast corner of Laurel Avenue and Roberts Street, James and Arthur Braswell, applicants, as all requirements contained in Planning Commission minutes dated September 11, 1984, have been complied with. |
| Deed | On motion of Councilmember DeMirjyn, seconded by Councilmember Cunningham, Council approved by AYE votes of all present execution of a quitclaim deed to Salar Development Company for water lines across the property located at the southwest corner of Kansas Street and Orange Avenue. |
| Measure O | The request for authorization to enter into negotiations for the purchase of real property utilizing Measure O funds was removed from this agenda. |

There being no further business, the meeting adjourned at 9:02 P.M.

Next regular meeting, December 5, 1989.

ATTEST:

Carole Disward
Mayor of the City of Redlands

Donna Dwyer
City Clerk

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