

MINUTES

of a regular meeting of the City Council of the City of Redlands held in the Council Chambers, 212 Brookside Avenue, on December 4, 1990, at 3:00 P.M.

PRESENT

Charles G. DeMirjyn, Mayor
Carole Beswick, Mayor Pro Tem
William E. Cunningham, Councilmember
Swen Larson, Councilmember
Dee Ann Milson, Councilmember

James D. Wheaton, City Manager
Daniel J. McHugh, City Attorney
Lorrie Poyzer, City Clerk
Steven Church, Redlands Daily Facts
Pamela Fitzsimmons, The Sun

ABSENT

None

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

Minutes of the special meeting of November 20 ,1990, and the regular meeting of November 20, 1990, were approved as submitted.

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

PLANNING AND COMMUNITY DEVELOPMENT

City-owned Housing - Income Limits for Tenants

Community Development Director Shaw reported the Housing Commission has been reviewing the incomes of existing tenants in City-owned housing units and recommended the City enforce the City Council Resolution No. 4074 as follows:

1. All new tenants must qualify for the HUD Section 8 Program by falling within the very-low-income limits published by HUD;
2. All existing tenants that are either very-low-income or lower-income tenants are allowed to remain in their units, subject to verification of their incomes; and
3. Any existing tenants who do not qualify as lower-income should be asked to move within 90 days so that qualified very-low-income tenants can rent their units.

There are four known tenants who earn more than these income limits, and staff and the

Commission recommended that these tenants be required to move to make their units available for very-low-income people who are in more need of low-cost housing. The Commission recommended giving them 90 days to find replacement housing.

Elizabeth Jenkins tearfully pleaded with Councilmember to allow her and her young soon to remain in their City-owned house until the end of the school year and indicated she would be able to pay fair-market rent at the end of the 90-day period.

Councilmember Beswick moved to approve the recommendations of the Housing Commission with the understanding that staff will work with the tenants on a case-by-case basis. Motion seconded by Councilmember Larson and carried unanimously.

Air Quality Management Plan

Community Development Director Shaw reviewed a briefing paper entitled "Improving Air Quality in San Bernardino County: A Cooperative Approach" which was prepared to obtain discussion and input pertaining to the Regional Air Quality Management Plan being prepared for San Bernardino County and cities. Carole Beswick has been the City's representative on the Policy Advisory Commission and Community Development Director Shaw has been the City's representative on the Technical Advisory Committee. Based on the work program, a complete model Air Quality Plan will be available in March 1991 for consideration. This plan is being integrated into the City's General Plan update process.

Sign Review No. 95-R for Save Time Lube 'N Tune

The Planning Commission approved a request for a revised sign program for Save Time Lube 'N Tune at their study session on November 30, 1990. This matter was scheduled on the Council's agenda to allow Council to review the application as requested by the applicant. Councilmember Milson moved to approve the revised sign program as recommended by staff. Motion seconded by Councilmember Beswick and carried unanimously.

Minor Subdivision No. 178 - GC Properties - Time Extension

On motion of Councilmember Larson, seconded by Councilmember Beswick, Council unanimously approved a one-year extension for Minor Subdivision No. 178 until December 20, 1991. This application was originally approved December 20, 1988, for the subdivision of 9.79 acres into 10 parcels for property located on the northeast corner of Barton Road and Alabama Street.

Archaeological Information Center Agreement

On motion of Councilmember Larson, seconded by Councilmember Beswick, Council unanimously authorized the initiation of an agreement with the County of San Bernardino

Archaeological Information Center (AIC) and the City of Redlands to have one cultural sensitivity map prepared for the City at a cost \$750.00.

Tract 13575 - Andly Development - Time Extension

On motion of Councilmember Larson, seconded by Councilmember Beswick, Council unanimously approved a one-year extension for Tentative Tract No. 13575 until November 3, 1991. This application was originally approved November 3, 1987, for the subdivision of 9.5 acres into 27 lots for property located between San Bernardino and Pennsylvania Avenues, 300 feet west of Judson Street.

Tract No. 10179 - Randall Properties/Steven Rosenberg - Time Extension

On motion of Councilmember Beswick, seconded by Councilmember Larson, Council unanimously approved a one-year extension for Tentative Tract No. 10179 until March 17, 1992. This application was originally approved March 17, 1987, for the subdivision of 10.1 acres into 36 lots for property located between Pioneer Avenue and Riverview Drive, 211 feet east of Glover Street.

COMMUNICATIONS

Appointments- Councilmember Larson moved to reappoint Richard Edwards and Bernard Heuvelhorst to the Housing Commission effective January 18, 1991. Motion seconded by Councilmember Beswick and carried unanimously.

Appointments- Councilmember Larson moved to reappoint Gene I. McIntyre and W. Eugene Malone to the Redevelopment Advisory Commission effective January 17, 1991. Motion seconded by Councilmember Beswick and carried unanimously.

Appointments- Councilmember Larson moved to reappoint Louise Scott and appoint Martin Davis to the Library Board effective January 1, 1991. Motion seconded by Councilmember Beswick and carried unanimously.

Appointments- Councilmember Larson moved to appoint Dave DeValk to the Parking Advisory Board to complete a term which will expire April 18, 1991. Motion seconded by Councilmember Beswick and carried unanimously.

Appointments- Councilmember Larson moved to reappoint Douglass Pew and appoint Gerald Hanson to the Planning Commission effective January 6, 1991. Motion seconded by Councilmember Beswick and carried unanimously.

The discussion and possible action regarding a Council policy relative to subordination agreements was withdrawn from the agenda at the request of the City Manager.

Senior Center Project- Community Development Director Rodriguez reported the City has received a letter indicating that if the proposed multi-purpose senior center project is not completed by June 30, 1991, as stipulated by the State Senior Center Bond Act agreement, the funds will be re-assigned to another project needing funds. Mr. Rodriguez presented an analysis of the funds required to complete the project which shows a shortfall of \$417,200.00 for development impact fees, street widening, potable water connection, sewer connection, permits, fees and inspections. Councilmembers concurred they are committed to the project being located at the San Bernardino/Judson site and directed staff to develop a funding plan for presentation to Council at their next meeting.

Citrus Avenue Improvements - The City of Redlands is proposing to widen the south side of Citrus Avenue between Lincoln Street and Sparrow Court. The widening will provide for an additional eastbound traffic lane and is consistent with the City's General Plan. Mr. Michael Atencio of Environmental Planning System has requested postponement of full street improvements for a portion of East Citrus Avenue. Mr. Atencio is representing Mr. and Mrs. Joseph Buoye, residents of 1500 East Citrus Avenue. Councilmember Cunningham noted the Buoye property is an excellent example of the City's commitment to open space and citrus preservation and he wished to preserve the parcel as much as possible. As City Engineer Mutter was in court and unable to attend this Council meeting, Councilmember Beswick moved to table this matter until the December 18, 1990, meeting. Motion seconded by Councilmember Larson and carried with Councilmember Cunningham voting NO.

Council recessed at 4:25 P.M. to a Redevelopment Agency meeting and reconvened at 4:27 P.M. to a closed session for the purpose of discussing personnel matters 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.

PRESENTATIONS

Mayor DeMirjyn presented a City seal plaque to Evelyn M. Whaley in recognition of Mrs. Whaley's 28 years of service to the City of Redlands.

Mr. Bill Clark, AYSO, reported to Council about the activities of the soccer teams in Redlands and urged Council consider developing the recently acquired Van Grouw property for multi-purpose soccer use.

Mayor DeMirjyn introduced Steven Church who recently joined the Redlands Daily Facts and will be the City Hall beat reporter.

PUBLIC HEARINGS

Resolution No. 4719 - Hazardous Waste Management Plan - Public hearing was advertised for this time and place to consider Resolution No. 4719, a resolution of the City Council of the City of Redlands for adoption of Amendment No. 45 to the General

Plan for the adoption of the County of San Bernardino Hazardous Waste Plan. Mayor DeMirjyn 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 Larson moved to approve the Negative Declaration for General Plan Amendment No. 45 and directed staff to file and post a Notice of Determination in accordance with the City's guidelines. Motion seconded by Councilmember Milson and carried unanimously. Councilmember Larson moved to approve Resolution No. 4719. Motion seconded by Councilmember Milson and carried unanimously.

Resolution No. 4720 - Historic District - Public hearing was advertised for this time and place to consider the recommendation of the Historic and Scenic Preservation Commission to designate generally those properties on both sides of the street from 404 to 457 La Verne Street, as Historic and Scenic District No. 7. This proposal was originated by a petition signed by 11 property owners representing a strong 69 percent of the property owners. No opposition has been voiced. Mayor DeMirjyn declared the meeting open as a public hearing for any questions or comments concerning this designation. None being forthcoming, the public hearing was declared closed. Councilmember Beswick moved to adopt Resolution No. 4720. Motion seconded by Councilmember Milson and carried unanimously.

Resolution No. 4722 - LLUMC Financing - Public hearing was advertised for this time and place to consider information concerning the possible issuance of certificates of participation by the City of Redlands in an amount not to exceed \$20,000,000; the proceeds from the sale of such certificates are intended to be used to finance the acquisition of the existing 90-bed acute-care psychiatric hospital known as Charter Hospital located at 1710 Barton Road by Loma Linda University Medical Center, provide working capital, fund a reserve fund for the certificates and pay certain costs of issuing the certificates. City Attorney Glen Stephens explained the process and assured Council there would be no financial responsibility on behalf of the City. Mayor DeMirjyn 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 Beswick moved to adopt Resolution No. 4722, a resolution of the City Council of the City of Redlands approving documents relating to the execution and delivery of its Certificates of Participation (Loma Linda University Medical Center Project) 1990 Series C. Motion seconded by Councilmember Larson and carried with Councilmember Cunningham voting NO.

Ordinance No. 2137 - Water Rates - Public hearing was advertised for this time and place to consider Ordinance No. 2137, an ordinance of the City of Redlands amending Ordinance No. 2125 relating to water and sewer service fund fees and establishing tax-supported primary and secondary educational institutions water commodity rate. Mayor DeMirjyn declared the meeting open as a public hearing for any questions or comments. None being forthcoming, the public hearing was declared closed. Ordinance No. 2137 was given its second reading of the title by City Clerk Poyzer, and on motion of Councilmember Larson, seconded by Councilmember Beswick, further reading of the

ordinance text was unanimously waived. Ordinance No. 2137 was adopted on motion of Councilmember Larson, seconded by Councilmember Beswick, by the following vote:

AYES: Councilmember Beswick, Larson; Mayor DeMirjyn

NOES: Councilmember Cunningham, Milson

ABSENT: None

PUBLIC COMMENTS

On behalf of the property owners, Michael Atencio reminded Council of a pre-annexation agreement (see City Council minutes of November 15, 1988 and January 17, 1989) for 6.0 acres located westerly of Orange Street, approximately 1,500 feet north of Pioneer Avenue, which was contained within Annexation No. 69. This agreement basically provided that when Annexation No. 69 was completed, the property owners could petition City Council for a zone change from A-1 (Agriculture) District to R-E (Residential Estate) District, and that the City Council would initiate the necessary proceedings. At this time, Mr. Atencio requested that the City Council take the necessary action to implement this change of zone. Community Development Director Shaw reported that a General Plan Amendment would also be needed and is included in the General Plan Update. Mr. Shaw will respond in writing for the benefit of Mr. Atencio's clients.

UNFINISHED BUSINESS

Ordinance No. 2135 - Dogs - Ordinance No. 2135, an ordinance of the City of Redlands amending Chapter 6.04 of the Redlands Municipal Code and adding a new Chapter 6.04 relating to the vicious and potentially dangerous dogs, was given its second reading of the title by City Clerk Poyzer, and on motion of Councilmember Milson, seconded by Councilmember Beswick, further reading of the ordinance text was unanimously waived. Ordinance No. 2135 was adopted on motion of Councilmember Milson, seconded by Councilmember Cunningham, by the following vote:

AYES: Councilmembers Beswick, Cunningham, Larson, Milson; Mayor DeMirjyn

NOES: None

ABSENT: None

Ordinance No. 2136 - Planned Residential Developments - Ordinance No. 2136, an ordinance of the City of Redlands amending Chapter 18.144 of the Redlands Municipal Code relating to planned residential development regulations, was given its second reading of the title by City Clerk Poyzer, and on motion of Councilmember Beswick, seconded by Councilmember Milson, further reading of the ordinance text was unanimously waived. Ordinance No. 2136 was adopted on motion of Councilmember Larson, seconded by Councilmember Beswick, by the following vote:

AYES: Councilmembers Beswick, Cunningham, Larson, Milson; Mayor DeMirjyn

NOES: None

ABSENT: None

Mayor's Term - Councilmember Larson felt the rotation of the Mayor's term either by district or seniority presented potential variables and would be an inappropriate process; therefore, he would support continuing the process which has been in effect for 102 years. Councilmember Milson did not see how changing the boundaries would effect representation and did not think the seniority process would be fair. Councilmember Cunningham said the voters decided to change the process and he felt Council should rotate the districts for the Mayor's position. Councilmember Milson moved to present the ordinance to rotate in successive numerical order, by Councilmember district number on an annual basis, the positions of Mayor and Mayor Pro Tempore commencing with District 4, effective January 17, 1991. Motion seconded by Councilmember Cunningham and failed by the following vote:

AYES: Councilmembers Cunningham, Milson
NOES: Councilmembers DeMirjyn, Larson
ABSTAIN: Councilmember Beswick

Councilmember Larson's motion to table the matter did not receive a second. Councilmember Beswick explained she abstained because she did not feel she could make a decision for future Council of which she would not be a part; she reiterated she felt the position of Mayor should be elected-at-large. Councilmember Cunningham indicated he was willing to place this on a ballot. Council concurred to look at the available alternatives for General Law cities and further examine election-at-large for the Mayor.

Ordinance No. 2142 - Historic and Scenic Preservation Commission - Ordinance No. 2142, an ordinance of the City of Redlands amending Sections 2.24.040, 2.62.060, and 2.62.070 of the Redlands Municipal Code relating to the Historic and Scenic Preservation Commission's members, was given its second reading of the title by City Clerk Poyzer, and on motion of Councilmember Larson, seconded by Councilmember Beswick, further reading of the ordinance text was unanimously waived. Ordinance No. 2142 was adopted on motion of Councilmember Larson, seconded by Councilmember Beswick, by the following vote:

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

Ordinance No. 2143 - Development Processing Fees - Ordinance No. 2143, an ordinance of the City of Redlands amending Chapter 3.16 of the Redlands Municipal Code relating to development processing fees, was given its second reading of the title by City Clerk Poyzer, and on motion of Councilmember Milson, seconded by Councilmember Larson, further reading of the ordinance text was unanimously waived. Ordinance No. 2143 was adopted on motion of Councilmember Milson, seconded by Councilmember Larson, by the following vote:

AYES: Councilmember Beswick, Cunningham, Larson, Milson; Mayor DeMirjyn
NOES: None

ABSENT: None

Travel and Meetings - City Manager Wheaton presented reports of expenditures for Councilmembers' travel and meeting attendance prepared by the Finance Department and his office. He summarized that \$5,000 was budgeted for Account No. 01-1000-2240 and that \$4,617.39 has been spent from that account since July with credits totaling \$986.90, leaving a balance in the account of \$1,369.51 (credits and charges that are currently in the processing stage are not included). Councilmember Beswick asked if any other funding was available as she felt certain meetings were important and should be attended. City Manager Wheaton indicated his account was available if needed.

NEW BUSINESS

The following matters were acted upon during the afternoon session:

Claim - On motion of Councilmember Beswick, seconded by Councilmember Milson, the late claim of State Farm Insurance as subrogate for Lee Philip was unanimously rejected as it was not filed in a timely manner.

Claim - On motion of Councilmember Beswick, seconded by Councilmember Milson, the claim of State Farm Insurance as subrogate for Alan Nease in the amount of \$1,437,78 was found not to be a proper charge against the City and therefore was unanimously rejected.

Claim - On motion of Councilmember Beswick, seconded by Councilmember Milson, the claim of Joseph John Groppi in an unknown amount was found not to be a proper charge against the City and therefore was unanimously rejected with Councilmember Beswick abstaining due to a possible conflict of interest.

Report - City Engineer Mutter presented the monthly contract monitoring reports updated to November 28, 1990, for projects currently being administered due to a possible conflict of interest.

Resolution No. 4721 - Election Results - On motion of Councilmember Larson, seconded by Councilmember Beswick, Council unanimously approved Resolution No. 4721, a resolution of the City Council of the City of Redlands reciting the fact of the special municipal election held on November 6, 1990, declaring the following results and such other matters as provided by law:

Measure T

Shall Ordinance No. 2120 be adopted to levy a utility users tax on the citizens of Redlands in an amount not to exceed two and one-half percent (2-½%), and with exemptions for seniors and low income persons, for the purpose of raising revenue to defray the costs of providing City services and to supplement the City's general fund; and

shall the City's appropriation limit be increased by the amount of revenue derived from the paid tax?

Registered Voters	31,806
Turnout	19,738
Percentage	62.0%
Yes	5,720
No	11,135 (Measure Failed)

Funds - Animal Shelter - Following discussion, on motion of Councilmember Beswick, seconded by Councilmember Larson, Council unanimously authorized an additional appropriation in the amount of \$35,000.00 for the Animal Shelter to cover the cost of statutorily mandated medical services for housed animals with the understanding that the revenue generated from veterinarian vaccine deposit fees and shelter donations will be transferred to this account.

Health-Link License - In accordance with Section 5.64 of the Redlands Municipal Code, Council examined the application for a license submitted by Health-Link, a non-emergency medical transportation service, in the presence of the petitioner, and on motion of Councilmember Larson, seconded by Councilmember Beswick, Council unanimously issued a license to Health-Link subject to meeting all requirements of Section 5.64 of the Redlands Municipal Code.

Funds - Osborne Tract 13103 - On motion of Councilmember Larson, seconded by Councilmember Beswick, Council unanimously approved an additional appropriation of \$22,842.00 for water service installation on Sunset and Edgemont in accordance with the compromise reached between the City and Lantern Bay Associates regarding reimbursement of water service installation in association with watermain extensions for Tract 13103.

Per Diem and Mileage - On motion of Councilmember Beswick, seconded by Councilmember Cunningham, Council unanimously approved setting the per diem for meals at \$28.00 per day and the personal mileage reimbursement rate at 26 cents per mile.

Computer Programmer - On motion of Councilmember Larson, seconded by Councilmember Beswick, Council unanimously authorized an additional Computer Programmer position for the Data Processing section of the Finance Department.

Police Vehicles - On motion of Councilmember Larson, seconded by Councilmember Beswick, Council unanimously authorized the purchase of seven police cars using the State contract to replace seven vehicles in the fleet.

Measure O Funds - On motion of Councilmember Larson, seconded by Councilmember Beswick, Council unanimously approved an appropriation of Measure O funds for the acquisition of real property (Assessor's Parcels Nos. 175-011-17, 175-1222-09, 175-131-

01, 175-131-18 and 175-131-23) located on the north slope of the San Timoteo Canyon and just below and to the south of Smiley Heights in the amount of \$340,000.00 and approximately \$100.00 in pro-rated property taxes. The land will be maintained as open space and possible uses include nature walks, hiking, trails, before and after school recreation programs, and equestrian staging areas. The land also has some range possibilities for interlinking trails for hiking, jogging, and equestrian which would help to achieve the "emerald necklace" concept in the Open Space Plan.

Bid Call - Grove Removal - On motion of Councilmember Beswick, seconded by Councilmember Milson, Council unanimously authorized the Redlands Fire Department to negotiate a contract with a firm having the capability and resources necessary for grove removal and to send out to a select group of contractors an Invitation to Bid for the removal of five abandoned groves.

Landfill Borrow Site - On motion of Councilmember Larson, seconded by Councilmember Beswick, Council unanimously authorized the Utilities Director to enter into an agreement with Tom Dodson and Associates to perform an Environmental Assessment and to assist with the permit application and negotiation of permit conditions for the Landfill Borrow Site.

There being no further business, the meeting adjourned at 8:15 P.M.

Next regular meeting, December 18, 1990.