

## MINUTES

of a regular meeting of the City Council of the City of Redlands held in the Council Chambers, 212 Brookside Avenue, on October 15, 1991, at 3:00 P.M.

## PRESENT

Charles G. DeMirjyn, Mayor  
Carole Beswick, Mayor Pro Tem  
William E. Cunningham, Councilmember  
Dee Ann Milson, Councilmember  
(Evening Session Only)

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

## ABSENT

Swen Larson, Councilmember

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

Minutes of the adjourned regular meeting of October 1, 1991, and the regular meeting of October 1, 1991, were approved as submitted.

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

Honeywell Energy - Management Program - Mr. Charles Webb, Honeywell, Inc., presented to Council an energy management and building maintenance program. The computerized energy management program could manage the City's equipment and reduce the consumption of fuel and electricity. Honeywell performs an analysis of facilities to evaluate energy consumption and repair costs; analyze pertinent expenses and budgets; analyze possible methods to reduce costs associated with operating facility; and develop a program that improves comfort while reducing energy and operational costs. The City Council would be followed by a proposal overview, final presentation, and contract award. Councilmember Beswick asked the City Manager to proceed and see if there would be a savings for the City. Councilmember Cunningham stated he was enthusiastic, however, needed more time to study the brochure and asked that the subject be revisited this evening.

## PLANNING AND COMMUNITY DEVELOPMENT

### Planning Commission Actions - October 8, 1991

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

#### Commission Determination No. 55 - Robert McCormick

On motion of Councilmember Cunningham, seconded by Councilmember Beswick, Council approved by AYE votes of all present Commission Determination No. 55 finding that accessory structures are compatible uses within the R-S Zone to maintain existing agricultural uses on less than five acres, provided that the agricultural use is not expanded as a result of the accessory use.

#### Minor Subdivision No. 178 - Brookside Plaza Ltd. Partners

Councilmember Beswick moved to grant final approval for Minor Subdivision No. 178, a subdivision of 9.8 acres into ten parcels located on the northeast corner of Barton Road and Alabama Street. Motion seconded by Councilmember Cunningham and carried by AYE votes of all present.

#### Tentative Tract No. 10461 - Andy Chung - Time Extension

On motion of Councilmember Beswick, seconded by Councilmember Cunningham, Council approved a one-year time extension to April 21, 1992, for Tentative Tract No. 10461, a 9.3 acres parcel located on the northwest corner of Pioneer Avenue and Church Street.

American Legion - Appeal Fee Waiver - On October 3, 1991, Julio Martinez, Commander of the American Legion Post 650, filed an appeal to a Planning Commission decision with the City Clerk's Office which will be heard on November 19, 1991. Additionally the members of the Post request a waive of the \$910 appeal fee based on the fact that they have already paid \$2,240 in application fees and are a non-profit group. Mayor DeMirjyn stated that he concurred with their request especially in light that this is also the site for the Redlands Senior Nutrition Center thus a precedent would not be set. Councilmember Cunningham agreed and moved to waive the appeal fee of \$910 for appealing the Planning Commission denials of Variance No. 490 and Conditional Use Permit No. 6 (revised) for property located at 1532 North Church Street. Motion seconded by Councilmember Beswick and carried by AYE votes of all present.

#### COMMUNICATIONS

Housing Element - General Plan - Discussion was held regarding a letter received from the State Department of Housing and Community Development which cited newspaper articles regarding Redlands' General Plan Housing Element that is currently being drafted by the Planning Department. Councilmember Beswick urged we use caution in what is submitted as the final document. Planning Director Jeff Shaw stated that the State is making evaluations on the initial draft, not the final element which will be in compliance. He felt we met low and very-low income housing requirements.

High School Centennial Parade - A request was received from the Redlands High School Centennial Committee requesting the following fees be waived for the upcoming parade on November 8, 1991: Police services, barricades rental, street sweeper, "no parking" signs, and any other City services fees. Police Chief Brickley submitted his cost estimate for personnel as \$1,344; however, that amount could be lowered by utilizing volunteer reserve personnel. Public Works Director Ron Mutter reported that in the past barricades have been loaned out without charge provided the users pick them up and return them themselves. Councilmembers concurred that this event was a "once in a hundred years event" which made it unique. Councilmember Cunningham moved to waive the City's fees for the Redlands Senior High School's Centennial Homecoming Celebration subject to the City Manager and Police Chief reaching a figure that would be agreeable to the City Council. Motion seconded by Councilmember Beswick and carried by AYE votes of all present.

Appointment - On motion of Councilmember Beswick, seconded by Councilmember Cunningham, Rick Gilbert was appointed to the Planning Commission to complete a term which will expire on January 6, 1994.

Councilmember Beswick moved to continue the appointment to the Parking Advisory Board to the next regular meeting on November 5, 1991. Motion seconded by Councilmember Cunningham and carried by AYE votes of all present.

Community Center - A presentation was made by Patricia Alducin of the Bachelors 'n' Bachelorettes Square Dance Club requesting a rental fee waiver for the Community Center gymnasium as well as the multi-purpose room on December 1, 1991, in order to host a US Marine Corps Toys for Tots charity function. Councilmembers inquired about the various charges for services which could possibly be done by the Square Dance Club members. On motion of Councilmember Beswick, seconded by Councilmember Cunningham, Council moved to approve limiting the fees to room rental and building supervision, omitting the set-up/clean-up fee, and stressing the Square Dance Club members are responsible for their own set-up and clean-up.

Holiday Street Festival - The Business Improvement District has planned a Holiday Street Festival with concessions and entertainment for Saturday, December 7, 1991, on State Street immediately following the parade. The BID will meet all expenses associated and requests that the City Council sanction the event. On motion of Councilmember Cunningham, seconded by Councilmember DeMirjyn, Council approved the request of the Business Improvement District to hold a Holiday Street Festival in downtown Redlands on December 7, 1991, with the stipulation that all costs associated with the event will be paid by the B.I.D.

Traffic Signal - A letter was received from Mr. Carl Zickert, who was not present, in recognition of the first anniversary of the decision to install traffic signals at the

intersection of Orange Street and Pioneer Avenue. Public Works Director Ron Mutter reported to Council the reason for the delay was efforts to put out to bid a package of several approved and pending traffic signal projects into one contract which would save a sizable amount of money for the City.

Reports - Mayor DeMirjyn stated he had recently attended a meeting of the Historic and Scenic Preservation Commission at which time he heard discussion on instituting limitations regarding the interiors of historic structures. He was opposed to any such program. Councilmember Beswick concurred and added that Redlands presently has a wonderful program that, in fact, is being honored with an award from the State Historic Preservation Office. This extent could ruin our program.

### UNFINISHED BUSINESS

Pharris - Public hearing was continued to this time for consideration and certification of Final Environmental Impact Report for Agreement adopting new conditions of approval for the Pharris Orange Street Aggregates Processing Plant permit and adoption of the Agreement adopting new conditions of approval for the Pharris Orange Street Processing Plant permit. Based on letters received from the City of Highland prior to September 17, 1991, a response was received with comments and requesting a continuance to the next available meeting because they are not able to attend today's meeting. Additionally, letters were sent to the Bureau of Land Management, the Flood Control District, and the San Bernardino Valley Water Conservation District requesting input. No responses have been received. On motion of Councilmember Cunningham, seconded by Councilmember Beswick, this item was continued to the meeting of November 19, 1991.

Council recessed at 4:00 P.M. to a Redevelopment Agency meeting and reconvened at 4:10 P.M. to a closed session for the purpose of discussing personnel matters, property disposition, 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.

Councilmember Milson was present for the evening session.

### PRESENTATION

Red Ribbon - Mayor DeMirjyn presented a proclamation to Recreation Superintendent Frank Guerrero proclaiming the week of October 19-26, 1991, in Redlands as Drug-Free Red Ribbon Week. Mr. Guerrero thanked the Mayor and encouraged all citizens to participate in drug awareness activities, making a visible statement that we are strongly committed to live a healthy drug-free lifestyle.

## PUBLIC HEARINGS

### Appeal - Variances Nos. 491 and 492 - Pavilion at Redlands, Ltd.

Public hearing was advertised for this time and place to consider an appeal to the decision of the Planning Commission to deny Variance No. 491 pertaining to multi-tenant signs and Variance No. 492 pertaining to the size of the freeway-oriented sign. Planning Director Jeff Shaw reported to Council that the multi-tenant sign is not permitted type of sign listed within the Code. The applicant claims their relationship to the freeway is unique, however, staff identified two other shopping centers which have freeway-visible signs without multi-tenants signs. The City has provisions for group signs but this provision is limited to directory type signs with each business is limited to one square foot. Variance No. 492 pertains to allowing a freeway oriented sign that exceeds the maximum size allowed. A maximum of 200 square feet is allowed and 450 square feet is proposed.

Mayor DeMirjyn declared the meeting open as a public hearing on this matter. Mr. Charles Floca, representing the applicant and project The Pavilion at Redlands, and Mr. Earl Charles, the sign consultant, addressed the Council. They presented to Council six sets of drawings illustrating the freestanding signage currently allowed by the City and alternate freeway pylon sign and small pole sign. Mr. Floca added that the word "entity" in our Sign Code was confusing. He explained that this project is in reality two separate entities because Wal-Mart is sole owner of their own parcel and The Pavilion at Redlands owns the remainder. Planning Director Shaw pointed out to Council that this variance will have a major impact; many requests have been received in the past for multi-tenant signs but his department has taken a strong position against them. Councilmember Beswick concurred on the importance of this decision because of the effect it will have on the rest of the Corridor. Discussion then followed regarding rear signage on the freeway side. Mr. Floca stressed the center's relationship to the freeway is unique so their two large anchors have unique situations. Councilmembers were receptive to the request but how could the situation be addressed. Planning Director Shaw suggested returning to Council with a change to the Code for this type of situation; perhaps a distinction could be made for different sizes of tenants or centers. Following further discussion on the type of situation; perhaps a distinction could be made for different sizes of tenants or centers. Following further discussion on the size of the Wal-Mart store and the rest of the center, this item be continued to November 5, 1991, for further consideration. Councilmember Beswick seconded and stressed that staff should look into any ramifications. Planning Director Shaw agreed to come back with findings and tie down the parameters for each sign's size. Motion carried by the following vote:

AYES: Councilmembers Beswick, Cunningham, Milson  
NOES: Mayor DeMirjyn  
ABSENT: Councilmember Larson

Ordinance No. 2172 - Excavation and Grading - Public hearing was advertised for this time and place to consider Ordinance No. 2172, an ordinance of the City of Redlands amending the Uniform Building Code, 1988 Edition, Appendix Chapter 70, involving excavation and grading, as adopted by reference in the Redlands Municipal Code. Councilmember Cunningham cautioned that we must look at some attempts to grade under the guise of agricultural grading. Building Official Anderson agreed and assured him that grading will be outlined. Mayor DeMirjyn declared the meeting open as a public hearing for any questions or comments concerning this ordinance. None being forthcoming, he declared the public hearing closed. Ordinance No. 2172 was read by title only by Deputy City Clerk Sanchez, and on motion of Councilmember Milson, seconded by Councilmember Cunningham, further reading of the ordinance text was unanimously waived. Ordinance No. 2172 was introduced by AYE votes of all present and laid over under the rules with second reading scheduled for November 5, 1991, on motion of Councilmember Milson, seconded by Councilmember Cunningham.

Ordinance No. 2174 - Sign Code - Public hearing was advertised for this time and place to consider Ordinance No. 2174, an ordinance of the City of Redlands amending Chapter 15.36 of the Redlands Municipal Code by adopting Zoning Ordinance Text Amendment No. 214 relating to the Sign Code. Mayor DeMirjyn 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. 2174 was read by title only by Deputy City Clerk Sanchez, and on motion of Councilmember Beswick, seconded by Councilmember Milson, further reading of the ordinance text was waived by AYE votes of all present. Ordinance No. 2174 was introduced and laid over under the rules with second reading scheduled for November 5, 1991, on motion of Councilmember Milson, seconded by Councilmember Beswick, and carried by AYE votes of all present.

### PUBLIC COMMENTS

On behalf of his neighbors, who were present, Carl Zickert presented a petition with 42 signatures urging Council to expedite the signal installation at the intersection of Orange Street and Pioneer Avenue. Mr. Zickert apologized for not being present earlier but he was not aware of when this item was going to be heard. Public Works Director Ron Mutter once again explained the reason for the delay as being an attempt to save funds for the City by combining four signal projects so as to reduce the cost for each.

Mr. Anthony Alberico inquired about the status of the noise ordinance that was proposed. He pleaded for help with his personal problem of a motor home parked adjacent to his home with equipment running. He was assured that the pending noise ordinance is just being refined by staff and does include a section that addressed motor homes.

## UNFINISHED BUSINESS (Continued)

Ordinance No. 2159 - In-Lieu Parking Fee - Ordinance No. 2159, an ordinance of the City of Redlands amending Chapter 18.164 of the Redlands Municipal Code relating to the parking and loading space requirements (in-lieu fee to meet parking requirement), was given its second reading of the title by Deputy City Clerk Sanchez, and on motion of Councilmember Beswick, seconded by Councilmember Milson, further reading of the ordinance text was waived. Councilmember Cunningham reiterated the need for keeping the fund separate and not pooled. Ordinance No. 2159 was adopted on motion of Councilmember Beswick, seconded by Councilmember Milson, by the following vote:

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

Ordinance No. 2169 - Hillside Development - Ordinance No. 2169, an ordinance of the City of Redlands amending Chapter 18.138 of the Redlands Municipal Code by adopting Zoning Ordinance Text Amendment No. 209 relating to the HD (Hillside Development) District, was given its second reading of the title by Deputy City Clerk Sanchez, and on motion of Councilmember Milson, seconded by Councilmember Beswick, further reading of the ordinance text was waived. Ordinance No. 2169 was adopted on motion of Councilmember Milson, seconded by Councilmember Beswick, by the following vote:

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

## NEW BUSINESS

Resolution No. 4808 - Solid Waste Capital Improvements Documents - Resolution No. 4808, authorizing approval of all documents related to Solid Waste Capital Improvements Financing was continued to this time from this morning's meeting. Councilmember Milson apologized for missing the workshop. Councilmember Cunningham stated he was not in a position to approve the Resolution. On motion of Councilmember Beswick, seconded by Councilmember Milson, this item was continued to October 22, 1991, by AYE votes of all present.

Outdoor Merchandise Displays - A request was made by the Business Improvement District for an amendment to the Sign Code which would allow outdoor merchandise displays, portable signage, and a temporary stay of enforcement during this review within the Town Center District. Town Center Manager Marjie Pettus informed Council that the BID board received numerous letters from members indicating that enforcement and copies of letters were submitted to Councilmembers. The existing sign code prohibits outdoor merchandise (such as flower baskets in recessed entryways) and "sandwich board" signs. Merchants who have relied on these techniques to attract customers

are now experiencing a decrease in sales activity. The following business owners also addressed Council and requested an amendment to the Sign Code: Cindy Junkin Calderon, Anne Muscatelli, Sherry Hill, and Becky Willmitt. Councilmember Milson moved that appropriate City staff be directed to review those sections of the Municipal Code pertaining to outdoor storage/merchandise and portable signs within the Town Center District; and that enforcement of the sign ordinance within the Town Center District be granted a temporary stay of enforcement during this review. Motion seconded by Councilmember Beswick and carried by AYE votes of all present.

Honeywell Energy Management Program - The Energy Management Program proposed by Honeywell was continued to this time from this afternoon. Councilmember Cunningham stated he could not vote on this item until he had an opportunity to review the proposal. On motion of Councilmember Beswick, seconded by Councilmember DeMirjyn, Council authorized Honeywell to proceed with an analysis of facilities to evaluate electrical, gas, and water consumption along with maintenance and repair costs associated with the facilities by the following vote:

AYES: Councilmembers DeMirjyn and Beswick  
NOES: Councilmember Cunningham  
ABSENT: Councilmember Larson  
ABSTAIN: Councilmember Milson

The following items were acted upon during the afternoon session:

Report - On motion of Councilmember Beswick, seconded by Councilmember Cunningham, the monthly contract monitoring report was accepted as presented by Public Works Director Ron Mutter.

Contract Award - Sewer Main Replacements - Bids were openly and publicly declared on September 19, 1991, by the City Clerk for the construction of the sewer replacements project; a bid opening report is on file in the Office of the City Clerk. At this time, it is the recommendation of the Department of Public Works that the lowest qualified bidder submitting the bid for said project which will result in the lowest cost to the City is T.L. Pavlich Construction in the amount of \$150,650.00 and it is in the best interest of the City that this contract be awarded to said firm. It was noted by staff that a lower bid was received from Bud Davis Backhoe but rejected it because it did not contain a bid bond or cashier's check as required by State law. On motion of Councilmember Beswick, seconded by Councilmember Cunningham, this recommendation was approved by AYE votes by all present.

Bid Report - Ballfield and Lighting Improvements - On September 19, 1991, bids were opened in the Office of the City Clerk for the Clement Junior High School Ballfield and Lighting Improvements project. Empire Landscape Inc. was the lowest qualified bid at \$304,657.00. However, an additional appropriation would

have to be approved in the amount of \$200,000.00. For this reason, the Public Works Department is recommending rejection of all bids for constructions. On motion of Councilmember Beswick, seconded by Councilmember Cunningham, all bids for the construction of the Clement Junior High School Ballfield and Lighting Improvements project were rejected due to insufficient funds.

Cultural Arts Programs - Councilmember Beswick moved to authorize expenditure of \$6,000 from the Steele Foundation Grant for initiation of a grant program oriented to youth performing arts program and to fund music and art scholarships for children for the 1991-92 fiscal year. Motion seconded by Councilmember Cunningham and approved by AYE votes of all present.

Resolution No. 4804 - Supporting Measure "L" - On motion of Councilmember Beswick, seconded by Councilmember Cunningham, Resolution No. 4804, a resolution of the City of Redlands endorsing Measure "L" on the November 5, 1991, ballot, was approved by AYE votes of all present. Measure "L", if passed, would assess on property owners an additional sixty-four cents per month for the construction of additional classrooms at Crafton Hills College and San Bernardino Valley College.

Damaged Street Light Poles - The Public Works Commission recommended the Council approve replacement of five street light poles determined to be a safety hazard and replace any future street lights found to be in a state of failure. Councilmember Cunningham moved to approve: 1) the replacement of the five damaged street lights that were determined by the City maintenance crews to be a safety hazard, together with the transferring of \$7,000 from the Traffic Signal Maintenance Fund to cover costs; and 2) the implementation of a policy that will, in the future, allow for the replacement of any other street lights found to be in a state of failure. Motion seconded by Councilmember DeMirjyn and carried by AYE votes of all present.

United Way Funding - On motion of Councilmember Beswick, seconded by Councilmember Cunningham, Council authorized the Community Service Department, Recreation Division, to apply for funding from the United Way of Redlands Area to provide scholarships for the Recreation Division's child care and youth sports programs. In addition, should the Recreation division be successful in securing the scholarships funds grant funds, the Recreation Superintendent is authorized to accept and expend the funds for scholarships.

I.R.N.E.T - On September 17, 1991, the Council authorized the Redlands Police Department to participate with the County in the Inland Regional Narcotics Enforcement Team. Councilmember Beswick moved to approve the contract with San Bernardino County for participation in the Inland Regional Narcotics Enforcement Team and authorized the Mayor to sign on behalf of the City of Redlands. Motion seconded by Councilmember Cunningham and carried by AYE votes of all present.

Resolution No. 4806 - Traffic - On motion of Councilmember Beswick, seconded by Councilmember Cunningham, Council approved Resolution No. 4806, a resolution of the City Council of the City of Redlands establishing speed limits on Brookside Avenue as follows pursuant Title 10 of the Redlands Municipal Code: 35 MPH between San Mateo Street and Center Street; 30 MPH between Center Street and Eureka Street; and 35 MPH between San Mateo Street and Lakeside Street.

Resolution No. 4807 - Traffic - On motion of Councilmember Beswick, seconded by Councilmember Cunningham, Council approved Resolution No. 4806, a resolution of the City Council of the City of Redlands establishing speed limits on Barton Road as follows pursuant Title 10 of the Redlands Municipal Code: 55 MPH between San Timoteo Canyon Road and Terracina Boulevard; 45 MPH between Terracina Boulevard and Alabama Street; and 35 MPH between Alabama Street and Lakeside Avenue.

Airport Master Lease Agreement - Staff recommended Council approve Amendment No. 3 to the Master Lease Agreement with Redlands Aviation Corporation at Redlands Municipal Airport extending control of the lobby by the for 18 months with option for another year. The amendment was reviewed by the Airport Advisory Board and recommended the Council disapprove Amendment No. 3 and discontinue City control of the airport lobby. On motion of Councilmember Beswick, seconded by Councilmember Cunningham, Council continued this item to the next regular meeting on November 5, 1991.

Prospect Park Caretaker - Because security is an on-going concern at Prospect Park and the Park Commissioners felt the presence of another person living at the park, in the carriage house, would be a deterrent, Councilmember Cunningham moved that a formal agreement be developed by the City Attorney to allow a caretaker to reside in the Carriage House at Prospect Park for maintenance and security purposes, pending habitability review by the Chief Building Official. Motion seconded by Councilmember Beswick and carried by AYE votes of all present.

There being no further business, the meeting adjourned at 8:48 P.M.

Next regular meeting, November 5, 1991.