MINUTES of a regular meeting of the City Council of the City of Redlands held in the Council Chambers, 212 Brookside Avenue, on December 17, 1991, at 3:00 P.M.

PRESENT

Charles G. DeMirjyn, Mayor
Swen Larson, Mayor Pro Tem
William E. Cunningham, Councilmember
Dee Ann Milson, Councilmember
James W. Foster, Councilmember-elect

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 None

The meeting was opened with an invocation by Councilmember Cunningham followed by the pledge of allegiance.

Minutes of the adjourned regular meeting of December 3, 1991, and the regular meeting of December 3, 1991, were approved as submitted.

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

Planning Commission Actions - December 10 ,1991

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

COMMUNICATIONS

The City Council received a copy of the letter from Harry Mays, County Administrative Officer, requesting $1,000 from Redlands to support the legal challenge to the federal census. City Manager Wheaton noted that if successful, all cities would benefit; however, the County proceeded on this matter without asking the Redlands City Council for its opinion which might have cautioned against action. Mr. Wheaton felt the lawsuit taken to a federal court has a slim chance of success considering the political and economic implications of a “new census” requirement. He also felt that if the County had sufficient funds to grant all of its employees a four percent raise and another four percent next summer, and Redlands does not have the funds to make any positive change in the paychecks of its hard-working and loyal employees, Redlands would be better off saving all it can today while looking forward to better times ahead and letting the County meet its own obligations. He suggested that if, as a result of the lawsuit, Redlands receives a new population greater than the now official number, to the extent that the General Funds of the City are increased, Redlands could consider a reimbursing contribution at that time. Councilmember Cunningham moved to deny the request of the County of San Bernardino for funds to pursue a court review of the federal census. Motion seconded by Councilmember Milson and carried unanimously.

The engineer's report on the Barton/Kaiser/Chapman Assessment District will be presented at the January 7, 1992, City Council meeting.

Commissions - Councilmember Foster suggested that in effort to reduce staff time and expense that the City consolidate its many commissions and form six new commissions with membership limited to one member from each Councilmanic district. Councilmembers Milson, Larson and Cunningham opposed appointments by district but indicated a willingness to review the duties and responsibilities of the existing commissions and advisory boards. Speaking from the audience were Theresa Kwappenberg and Michael Atencio. Conceding to the Councilmembers' comments, Councilmember Foster moved to direct staff to review the restructure of the number of commissions and to provide a complete list of all commissions, advisory boards, committees, task forces, subcommittees, and regional committees with their staff representatives. Motion seconded by Councilmember Larson and carried by the following vote:

AYES: Councilmembers Larson, Foster; Mayor DeMirjyn
NOES: Councilmembers Cunningham, Milson

Funds - At the request of the Cultural Arts Commission, Councilmember Cunningham moved to authorize expenditures from the Steele Foundation grant funds for the Youth Ensemble of Strings as follows: $100 for Karol Rulle, $100 for Allipe Smit, and $40 for Carol Robinson. Motion seconded by Councilmember Milson and carried unanimously.

Reports - Councilmember Cunningham briefly reported on the recent activities of the Solid Waste Task Force. Mayor DeMirjyn reported he had attended Omnitrans, SCAG, Traffic Commission, and Historic and Scenic Preservation Commission meetings.

Pharris EIR- Community Development Director Shaw reported on progress since the last City Council meeting on September 17, 1991, relating to the C.L. Pharris Group application. John Moore told Council that we must require the use of off-road haul roads. The applicant Ron Pharris urged Council to certify the Environmental Impact Report so that he could proceed with his project review and approval. Following discussion, Councilmember Milson moved to direct staff to correspond with the Bureau of Land Management and other affected agencies indicating our desire to pursue the haul roads issue. Motion seconded by Councilmember Cunningham. Councilmember Foster asked Council to continue this matter to January 7, 1991. His motion for this request did not receive a second and the vote on Councilmember Milson's motion was as follows:

AYES: Councilmembers Larson, Cunningham, Milson; Mayor DeMirjyn
NOES: None
ABSTAIN: Councilmember Foster

Council recessed at 4:20 P.M. to a Redevelopment Agency meeting and reconvened at 4:30 P.M. to a closed session for the purpose of discussing personnel matters, property acquisition, 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. at which time members of Boy Scout Troop 423 led the audience in the pledge of allegiance.

PRESENTATION

Police Department - Lt. Larry Bamrick, Investigative Services Coordinator, California Highway Patrol, and Dorothy M. Martinez, Assistant Manager of the Automobile Club of Southern California, Redlands, presented 10851 Awards in recognition of the efforts of Redlands police officers in recovering stolen vehicles to the following officers: Tony Perkins, Shawn Ryan, John Guthrie, Mike Smith, Rob Duke, Steve Dickey, Nancy Jacobson, Carlito Ventura, John Moore, and Pat Long.

PUBLIC HEARINGS

Impasse Hearing - On behalf of the general employees of the City of Redlands, Jim Meith, San Bernardino Public Employees Association, reviewed their salary and benefits negotiation frustrations which have been in progress since April 1990. Seventeen items have been agreed upon and they have agreed to remove any requests for any across-the-board salary increase but urged Council to approve their final request for a one-time additional 20 hours of vacation time. Also supporting this request were City employees John Canvaness, Annette Bergeron, and Bill Roberts. Council briefly recessed to a closed session at 7:37 P.M. to discuss this matter and reconvened at 7:40 P.M. at which time Mayor DeMirjyn announced that due to the City's fiscal restraints, the City Council was unable to comply with the employees' request. Councilmember Milson moved to resolve the impasse hearing in favor of the City on the one-time vacation leave proposal and acknowledged that the City's negotiation tem have come to an agreement on seventeen other negotiated items. Motion seconded by Councilmember Larson and carried unanimously.

Ordinance No. 2178 - Slopes - Public hearing was advertised for this time and place to consider Ordinance No. 2178, an ordinance of the City of Redlands amending Chapter 18.144 of the Redlands Municipal code by adopting Zoning Ordinance Text Amendment No. 216 relating to grading restrictions which will allow 2:1 slopes within the H-D (Hillside Development) Districts, Redlands Planning Commission Resolution No. 782. Community Development Director Shaw presented new language to be included in Ordinance No. 2178. Mayor DeMirjyn declared the meeting open as a public hearing for any questions or comments. None being forthcoming, the public hearing was declared closed. Councilmember Larson moved to approve the Environmental Review Committee's Negative Declaration for Ordinance No. 2178 and directed staff to file and post a Notice of Determination in accordance with the City's guidelines and to acknowledge that it has been determined this project will not individually or cumulatively have an adverse impact on wildlife resources as defined in Section 711.2 of the California Fish and Game Code. Motion seconded by Councilmember Cunningham and carried unanimously. Ordinance No. 2178 was read by title only by City Clerk Poyzer, and on motion of Councilmember Larson, seconded by Councilmember Milson, further reading of the ordinance text was unanimously waived. Ordinance No. 2178 was introduced with unanimous Council approval and laid over under the rules with second reading scheduled for January 7, 1992, on motion of Councilmember Larson, seconded by Councilmember Milson.

Appeals - Tentative Tract No. 14232 and Variance No. 472 - Paul G. Marshall -

Public hearing was continued to this time and place to consider an appeal to the decision of the Planning Commission to approve the condition requiring dry sewers and laterals in all streets within said application for the subdivision of 45 acres of land into 22 lots for property located south of Route 38, east of the City of Redlands Henry Tate Water Treatment Plant and west of Bryant Street in the R-R (Rural Residential) District. This matter was again reviewed by the Planning Commission on December 10, 1991, at which time they confirmed their decision to approve the entire project and recommended that the sewer requirement be deleted given the distance from the main sewer line which is over three miles away. Mayor DeMirjyn declared the meeting open as a public hearing for any questions or comments. On behalf of the applicant, Paul Welsh indicated they concurred with the staff and commission recommendation and expressed appreciation for the City's consideration. There being no further comments, the public hearing was declared closed.

Councilmember Milson moved to delete the dry sewer requirement from Tentative Tract No. 14232 and Conditional Use Permit No. 545 as per Section 17.52 of the Redlands Municipal Code. Motion seconded by Councilmember Larson and carried unanimously. Councilmember Foster moved to approve the Negative Declaration for Conditional Use Permit No. 545, Variance No. 472 and Tentative Tract No. 14232 and directed staff to file and post a "Notice of Determination" in accordance with the City's Guidelines as it has been determined this project will have an impact on wildlife resources and has been appropriately mitigated and correct fees will be paid to the California Department of Fish and Game. Motion seconded by Councilmember Milson and carried unanimously. Councilmember Foster moved to approve Conditional Use Permit No. 545 based on the following findings: (1) that the use applied for at the location noted is proper for a Conditional Use Permit; (2) that the use is necessary, essential, or desirable for the public welfare and convenience and for the development of the community, and conforms to the elements and objectives of the General Plan; (3) that the use is not detrimental to existing or permitted uses in the zone where it would be located; (4) the size and shape of the site are adequate; (5) the site properly relates to streets and highways designed and improved to carry the type and quantity of traffic to be generated by the proposed use; (6) the conditions set forth on this Conditional Use Permit are deemed necessary and reasonable to protect the public health, safety and general welfare; the best interests of the neighborhood; and the intent of the General Plan; (7) that substantial evidence exists in the record that the proposed project will be consistent with the existing General Plan; and (8) that Conditional Use Permit No. 545 therefore be approved subject to all departmental recommendations. Motion seconded by Councilmember Larson and carried unanimously.

Councilmember Foster moved to approve Tentative Tract No. 14232 subject to conditions of approval, and based upon the following findings: (1) That the proposed map is consistent with applicable general and specific plans; (2) that the design or improvement of the proposed subdivision is consistent with applicable general and specific plans; (3) that the site is physically suitable for the proposed type of development; (4) that the site is physically suitable for the proposed density of development; (5) that the design of the subdivision of the proposed improvements are not likely to cause substantial environmental damage or substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat; (6) that the design of the subdivision or type of improvements is not likely to cause serious public health problems; (7) that the design of the subdivision or the type of improvement will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision; (8) that pursuant to California Government Code Section 66475.6 the discharge of waste from this subdivision apparently will not result in violation of existing requirements prescribed by the Santa Ana Regional Water Quality Control Board pursuant to Division 7 of the California Water Code; and (9) the substantial evidence exists in the record that the proposed project will be consistent with the existing General Plan. Motion seconded by Councilmember Larson and carried unanimously.

PUBLIC COMMENTS

Newton W. Miller, 702 Esther Way, presented a letter regarding the noise control ordinance in which he requested Council consider prohibiting gasoline-powered leaf blowers and workers from playing their radios outdoors while on the job. He also offered to prepare a financial system for enforcement for this ordinance. Council asked him to share this information with them.

NEW BUSINESS

CDBG Funds - Following discussion, Councilmember Cunningham moved to direct staff to advertise for a public hearing to reprogram Community Development Block Grant (CBDG) Funds from the Street Lighting Phase II Project and the Historic Preservation Loan Project to the Senior Nutrition Facility with the understanding detailed information would be available on these projects for the public hearing. Motion seconded by Councilmember Larson and carried unanimously.

Resolution No. 4831 - Holidays - Councilmember Larson moved to add the following item to the agenda which arose subsequent to the agenda being posted: “Resolution No. 4831, a resolution of the City of Redlands rescinding Resolution No. 4819 and designating holidays to be observed by all City employees of the City of Redlands.” Motion seconded by Councilmember Foster and carried unanimously. Councilmember

Larson moved to adopt Resolution No. 4831 as presented. Motion seconded by Councilmember Milson and carried unanimously.

The following items were acted upon during the afternoon session:

On motion of Councilmember Larson, seconded by Councilmember Milson, the report of the Parking Advisory Board actions of November 20, 1991, was unanimously acknowledged as received.

On motion of Councilmember Larson, seconded by Councilmember Milson, the report of the Traffic Commission actions of December 5, 1991, was unanimously acknowledged as received.

Bid Rejection - Bids were opened and publicly declared on November 21, 1991, by the City Clerk for the construction of the California Street Landfill Monitoring Wells project; a bid opening report is on file in the Office of the City Clerk. This project has been mandated by the Santa Ana Regional Water Quality Control Board and the City could be subject to fines for failure to construct this project. At this time it is the recommendation of the Public Works Department that these bids be rejected because staff has been made aware of additional requirements that must be met during construction of this project. These requirements would necessitate negotiating a change order with the successful bidder and delay in completion of the project. On motion of Councilmember Larson, seconded by Councilmember Milson, Council unanimously rejected all bids and authorized staff to readvertise the project.

Pharris EIR - Following discussion, on motion of Councilmember Larson, seconded by Councilmember Foster, Council authorized final payment to Tom Dodson and Associates for the C. L. Pharris Environmental Impact Report Contract with the understanding that if additional work is necessary it will be contracted and paid for by the applicant, C. L. Pharris, with Councilmember DeMirjyn voting NO.

Resolution No. 4822 - Towing Franchise - On motion of Councilmember Larson, seconded by Councilmember Milson, Council unanimously adopted Resolution No. 4822, a resolution of the City Council of the City of Redlands granting to L & L Towing, 1143 Park Avenue, a franchise to operate authorized tow trucks over, along and upon the streets of the City of Redlands and to operate an authorized storage garage for impounded or stored vehicles in the City of Redlands.

Appointments - Student Commissioners - On motion of Councilmember Larson, seconded by Councilmember Milson, Council unanimously appointed for one year terms as student Commissioners the following: Erin Pearse, Parks Commission; Tiffany Thompson, Recreation Advisory Commission; Peter Miller, Traffic Commission.

Resolution No. 4810 - Traffic - On motion of Councilmember Larson, seconded by Councilmember Milson, Council unanimously adopted Resolution No. 4810, a resolution of the City Council of the City of Redlands establishing the following traffic regulation pursuant to Title 10 of the Redlands Municipal Code: establish no parking on the south side of North Place from Buena Vista Street to 100 feet westerly.

Airport Lease Amendment - On motion of Councilmember Larson, seconded by Councilmember Milson, Council unanimously approved Amendment No. 3 to the Master Lease Agreement with Redlands Aviation Corporation for parcels Nos. 1, 2, and 3 at the Redlands Municipal Airport. This amendment extends lobby control for 18 months with provisions for another year option by the City and provides for RACOR (Redlands Aviation Corporation) to lease the vacated Airport Manager's office in the airport lobby and requires specified janitorial services by RACOR to maintain the lobby and patio areas for an annual fee of $1, 500.00.

There being no further business, the meeting adjourned at 8:16 P.M. to an adjourned regular meeting to be held on Tuesday, January 7, 1992, at 9:00 A.M. in the City Hall Auditorium, 30 Cajon Street, Redlands, California.

Next regular meeting, January 7, 1992, at 3:00 P.M.