MINUTES of a regular meeting of the City Council of the City of Redlands held in the Council Chambers, 212 Brookside Avenue, on March 17, 1992, at 3:00 P.M.

PRESENT

Charles G. Demirjyn, Mayor
Swen Larson, Mayor Pro Tem
William E. Cunningham, Councilmember
Dee Ann Milson, Councilmember
Jim Foster, Councilmember

James C. Wheaton, City Manager
Ronald C. Mutter, Assistant City Manager
Daniel 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 March 3, 1992, the regular meeting of March 3, 1992, and the adjourned regular meetings of March 9, 1992 and March 10, 1992, were approved as submitted.

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

PLANNING AND COMMUNITY DEVELOPMENT

Planning Commission Actions - March 10, 1992

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

Funds

Parking Analysis - Heritage Area Specific Plan

At the April 2, 1991, City Council meeting, staff was directed to develop a specific plan for the area generally located south of downtown. The task force for the Heritage Area Specific Plan has been meeting since September 1991. In order for the project to proceed, a parking analysis is needed. It was noted there will be future costs related to this specific plan for environmental analysis and review, application processing, document preparation, public hearing notifications and revisions. The costs are unknown at this time; however, the churches, businesses and neighbors have indicated they will be contributing some monies toward funding. Councilmember Larson moved to authorize $4,800.00 for the parking analysis for Heritage Area Specific Plan. Motion seconded by Councilmember Foster and carried unanimously.

Minor Subdivision No. 214 - Inland Empire Equities - Final Approval

On motion of Councilmember Larson, seconded by Councilmember Milson, Council unanimously granted final approval for Minor Subdivision No. 214, a subdivision of approximately 6.30 acres of land into three lots of property located at the northeast corner of Barton Road and Iowa Street, as all requirements and conditions were met.

Tentative Tract No. 10179 - Hill Williams- Final Approval

On motion of Councilmember Larson, seconded by Councilmember Cunningham, Council unanimously granted final approval for Tentative Tract No. 10179, a 36 lot subdivision of 10.1 acres of property located on the north side of Pioneer Avenue, 211 feet east of Glover Street, as all requirements and conditions were met.

COMMUNICATIONS

Park Land Offer

Dr. Gary Groves offered to donate a four-acre canyon below Sunset Drive, which can be accessed from Alessandro Road. The Parks Commission and the Open Space Committee reviewed this offer approximately 18 months ago, and at that time recommended that Lot "A" be retained by the property owners and that an assessment district be formed for its maintenance. It was recommended that prior to any decision regarding acceptance of this land, a fiscal impact report be prepared pertaining to public safety costs as well as park maintenance. Councilmember Foster moved to direct staff to prepare a fiscal impact report. Motion seconded by Councilmember Larson and carried unanimously.

League Boundaries

A task force has been appointed to consider the boundaries of the Inland Division of the League of California Cities and asked for an advisory vote of the cities in the district to determine further action. Councilmember Cunningham moved to change the boundaries as follows: Western Riverside County cities and Western San Bernardino County cities (all cities other than Twenty Nine Palms, Yucca Valley and Needles) as one division; Eastern Riverside County as the other division with discussions to consider the possibility of Twenty Nine Palms, Yucca Valley and Needles leaving the Desert Mountain Division to join this one (Option B). Motion seconded by Councilmember Milson and carried unanimously.

San Timoteo Canyon — Councilmember Cunningham reminded Councilmembers of promises made to Loma Linda and property owners in the canyon to process a zone change and honor pre-annexation agreements following approval of Annexation No. 72; he then moved to direct staff to start this process. Motion seconded by Councilmember Larson and carried unanimously.

Council Liaisons — Councilmember Foster moved to cancel all assignments of Councilmembers as liaisons to City boards and commissions and directed the Mayor to send letters to the chairman of each board or commission explaining this action and to encourage them to treat a Councilmember who may attend a meeting as they would any member of the public. Motion seconded by Councilmember Larson and carried unanimously.

<u>NEW BUSINESS</u>

Councilmember Larson moved to add the following items to the agenda, which arose subsequent to the agenda being posted:

1. Authorize loans from Sewer Operations and Sewer Capital Improvements Funds to Water Source Acquisitions Fund for the purchase of water stock.
2. Resolution No. 4863 - Authorization to expend City monies for water stock acquisition prior to reimbursement from bond proceeds.

Motion seconded by Councilmember Milson and carried with Councilmember Foster voting NO.

Loans — Councilmember Larson moved to authorize loans for the purchase of water stock as follows: $575,125 from Sewer Operations Fund to Water Source Acquisition Fund and $500,000 from Sewer Capital Improvement Fund to Water Source Acquisition Fund. Motion seconded by Councilmember Milson and carried with Councilmember Foster voting NO.

Resolution No. 4863 Expenditure — Councilmember Larson moved to adopt Resolution No. 4863, a resolution of the City of Redlands making certain determinations with respect to reimbursement of proposed advances from certain funds of the City of Redlands from the proceeds of a tax-exempt financing. Motion seconded by Councilmember Milson and carried with Councilmember Foster voting NO.

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 the sale of City property and 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. Mayor DeMirjyn acknowledged the presence of students from Redlands Senior High School who will be taking over City government positions on March 19, 1992, for the annual Civics Day. He also acknowledged a number of Boy Scouts in attendance.

Report

City Attorney McHugh reported that City Council approved a settlement agreement with Mader Special Situation Investment Fund, a Florida limited partnership, owner of property located at the northwest corner of Wabash and Brockton Avenues, with Councilmembers Cunningham and Milson voting NO.

PUBLIC HEARINGS

Ordinance No. 2182

Public hearing was advertised for this time and place to consider Ordinance No. 2182, an ordinance of the City of Redlands amending the Redlands Municipal Code pertaining to temporary signage and adopting Zoning Ordinance Text Amendments Nos. 219 and 221.

Signs

Mayor DeMirjyn declared the meeting open as a public hearing for any questions of comments concerning this public hearing. Councilmember Cunningham moved to continue this public hearing to April 21, 1992, to allow the City Attorney to review the ordinance. Motion seconded by Councilmember Milson and carried unanimously.

Ordinance No. 2183

Public hearing was advertised for this time and place to consider Ordinance No. 2183, an ordinance of the City of Redlands amending the Redlands Municipal Code pertaining to temporary signage for car dealers and adopting Zoning Ordinance Text Amendment No. 220.

Signs

Mayor De Mirjyn declared the meeting open as a public hearing for any questions or comments concerning this ordinance. Councilmember Foster moved to continue this public hearing to April 21, 1992, at the request of several citizens. Motion seconded by Councilmember Larson and carried unanimously.

Special Events

Public hearing was advertised for this time and place to consider Ordinance No. 2187, an ordinance of the City of Redlands amending Section 3.16.040 of the Redlands Municipal Code relating to fee and service charges and establishing a special event application fee. Also scheduled for action at this time was Ordinance No. 2177, an ordinance of the City of Redlands amending Chapters 8.64 and 12.40 of the Redlands Municipal Code relating to outdoor festivals, parades and public assemblies. A list of community-wide events that have typically been more or less "sponsored" by the City was provided as requested by the City Council at their last meeting. Mayor DeMirjyn declared the meeting open as a public hearing for any questions or comments. Councilmember Cunningham moved to continue these matters to April 7, 1992, in order to allow time to review the exemption list. Motion seconded by Councilmember Milson and carried unanimously.

Resolution No. 4852 Conflict of Interest Code	Public hearing was noticed for this time and place to amend the City's Conflict of Interest Code pursuant to Government Code Section 87306.5. 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 Milson moved to acknowledge the State of Review of the Conflict of Interest Code of the City of Redlands and directed the City Clerk to forward a copy to the Fair Political Practices Commission (FPPC). Motion seconded by Councilmember Foster and carried unanimously. Councilmember Milson moved to adopt Resolution No. 4852, a resolution of the City Council of the City of Redlands amending the Conflict of Interest Code of the City of Redlands and amending Resolution No. 4667. Motion seconded by Councilmember Foster and carried unanimously.

PUBLIC COMMENTS

Commendation	Sandy Smink read a letter of recommendation for Robert Lopez and Jimmy Miller who work in the Solid Waste Division and pick up the recyclables throughout the City. Ms. Smink expressed her pleasure with their diligent and excellent job performance noting they frequently go well beyond the call of duty to assist the citizens.
Petition	Joseph R. Neumen presented a petition signed by 28 neighbors expressing concerns about the property located at 81 West Highland Avenue which is currently being utilized as a church. Mr. Neumen asked Council to direct City staff to investigate their concerns and close down all illegal operations as soon as possible; keep the neighborhood informed of the progress for the removal of the illegal operations, and stated their opposition to approving any such use in the future.

UNFINISHED BUSINESS

Appeal	The appeal to the Planning Commission's decision to approve Variance No. 495, an application for a variance from the development standards of the Redlands Municipal Code to permit a detached canopy rather than a continuous roof structure connecting the customer pump area with the station roof for property located at 517 East Redlands Boulevard, and Conditional Use permit No. 496 (Revised), an application for revisions to an existing gasoline station to permit a mini-mart/delicatessen/ice cream parlor in addition to gasoline sales on the same property was continued to this meeting to allow staff to provide additional information on who qualifies as an "authorized applicant" and to provide alternative negative findings if it is determined the conditional use permit and variance requests should be denied. Councilmember Foster left the dais and did not

participate in this discussion due to a possible conflict of interest. City Attorney McHugh reported to Council that a review of all applicable laws found no legal authority to show that a lease gives a lessee the authority to proceed; therefore, the application submitted by Mr. Robert Gomez is not complete as it needs a letter from the property owner.

Mr. Gomez, the applicant, expressed surprise at this ruling and urged the City Council to continue this matter so that he could meet with the City Attorney. On behalf of the appellant, Greg Brittain urged Council to uphold the appeal.

Councilmember Larson moved to uphold the appeal and deny the applications based on the information provided by the City Attorney. Motion seconded by Councilmember Cunningham and carried by the following vote:

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

Honeywell Contract

Following brief discussion, Councilmember Larson moved to approve the contract for comprehensive municipal services related to replacement of various HVAS, lighting, and other such equipment, including maintenance agreements over the term of the contract, with Honeywell, Inc. contingent upon review by the City Attorney. Motion seconded by Councilmember Milson and carried unanimously.

NEW BUSINESS (Continued)

The following items were acted upon during the afternoon session:

Funds

On motion of Councilmember Cunningham, seconded by Councilmember Larson, Council unanimously approved an additional appropriation of $45,000.00 for the City Weed Abatement Program account in order to maintain the current level of service. All contractual costs, together with administrative costs are recoverable.

Resolution No. 4842 Towing Franchise

On motion of Councilmember Larson, seconded by Councilmember Milson, Council unanimously adopted Resolution No. 4842, a resolution of the City Council of the City of Redlands granting to Loma Linda Towing a franchise to operate authorized tow trucks over, along, and upon the streets of the City of Redlands to operate an authorized storage garage for impounded or stored vehicles in the City of Redlands.

Contract
Inspection Services

On motion of Councilmember Larson, seconded by Councilmember Milson, Council unanimously awarded a contract for OSA inspections on Clement Junior High School Ballfield Lighting project to Eagle Enterprises, Corona.

Contract Award

Bids were opened and publicly declared on February 27, 1992, by the City Clerk for the construction of the California Street Landfill Monitoring wells; 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 responsible bidder submitting the bid for said project which will result in the lowest cost to the City is American Caisson, Inc., in the amount of $59,935.00 and it is in the best interest of the City that this contract be awarded to said firm. On motion of Councilmember Larson, seconded by Councilmember Milson, this recommendation was unanimously approved.

Airport

An offer has been received by the City from Aspects, Inc., to grant permission to the City for removal of trees on their property in exchange for the installation of a gate at the east end of the airport. Aspects, Inc., is located on the east side of Opal Avenue, across from the airport. The trees are on line with the runway and make it impossible for landing aircraft to use the full length of the runway. The Airport Advisory Board at its January 8, 1992 meeting voted to recommend to the City Council that the City install a gate at the east end of the airport in exchange for an agreement to remove the trees at Aspects, Inc. On motion of Councilmember Cunningham, seconded by Councilmember Milson, this recommendation was unanimously approved.

Airport

On motion of Councilmember Larson, seconded by Councilmember Milson, Council unanimously authorized the following for the Redlands Municipal Airport in relation to the National Pollutant Discharge Elimination System: (1) submittal of a Notice of Intent to the State Water Resources Control Board, (2) participation in the American Association of Airport Executives California Storm Water Monitoring Group Program and (3) the issuance of an invitation to lessees at the Redlands Municipal Airport to be included in the Notice of Intent and to share the cost of the program.

H.O.M.E.
Agreement

On motion of Councilmember Cunningham, seconded by Councilmember Larson, Council unanimously authorized an Cooperative Agreement with San Bernardino County for the purpose of forming a Consortium with other general local governments for the purpose of receiving and administering H.O.M.E. funds under the National Affordable Housing Act of 1990.

Bid	Bids were opened and publicly declared on February 20, 1992, by the City Clerk for the installation of a new roof for the Redlands Day Nursery with Community Development Block Grant Funds; a bid opening report is on file in the Office of the City Clerk.
Rejection	At this time, it is the recommendation of the planning and Community Development Department and the San Bernardino County Department of Economic and Community Development to reject all bids and readvertise with revised specifications providing information pertaining to the facility's insulation. On motion of Councilmember Larson, seconded by Councilmember Milson, this recommendation was unanimously approved.
Audit Services	On motion of Councilmember Larson, seconded by Councilmember Milson, Council unanimously directed staff to solicit proposals for audit services for fiscal years 1991-92 through 1995-96.
Contract Award	Bids were opened and publicly declared on February 20, 1992, by the City Clerk for the construction of the lighting improvements at Clement Junior High School in cooperation with the Redlands Unified School District; a bid opening report is on file in the Office of the City Clerk.
Clement Ballfield	At this time, it is the recommendation of the Public Works and Community Services Departments that the responsible bidder submitting the bid for said project which will result in the lowest cost to the City is David-Richards Electric, San Bernardino, in the amount of $114,312.00 and it is in the best interest of the City that this contract be awarded to said firm. On motion of Councilmember Larson, seconded by Councilmember Milson, this recommendation was unanimously approved.

There being no further business, the meeting adjourned at 7:35 P.M. to an adjourned regular meeting to be held on Tuesday, March 24, 1992, at 6:00 P.M. in the City Hall Auditorium, 30 Cajon Street, Redlands, California.

Next regular meeting, April 7, 1992.

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City Clerk