

MINUTES of a regular meeting of the City Council of the City of Redlands held in the Council Chambers, 212 Brookside Avenue, on April 21, 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 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 Milson followed by the pledge of allegiance.

Settlement Agreement - Council recessed at 3:02 P.M. to a closed session for the purpose of discussing pending litigation. In accordance with State law, the City Attorney prepared a confidential memo to Council providing justification for the closed session. Council reconvened at 3:17 P.M. at which time City Attorney Amanda Susskind, Richards, Watson & Gershon, announced the City Council authorized a settlement agreement with the Inland Valley Development Agency (IVDA) with Councilmember Cunningham voting NO. Press releases were made available to members of the press.

Minutes of the adjourned regular meetings of April 6, 1992, and April 7, 1992, the regular meeting of April 7, 1992, and the adjourned regular meeting of April 14, 1992, were approved as submitted.

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

PLANNING AND COMMUNITY DEVELOPMENT

Planning Commission Actions - April 14, 1992

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

NEW BUSINESS

Contract Award - Street Sweeping - Bids were opened and publicly declared on March 27, 1992, by the City Clerk for a contract to provide street sweeping service to the City of Redlands; a bid opening report is on file in the Office of the City Clerk. At this time, it is the recommendation of the General Services Department that the responsible bidder submitting the bid for said project which will result in the lowest cost to the City is R. F. Dickson Company, Downey, California, and it is in the best interest of the City that this contract be awarded to said firm. Jim Meith, San Bernardino Public Employees Association addressed Council expressing concerns about the letting of a contract for a service provided by the City; he urged that this item and Ordinance No. 2189, scheduled for a public hearing during the evening session, be postponed until the "meet and confer" process has been completed. Following discussion, Councilmember Foster moved to award the contract to provide street sweeping service as recommended. Motion seconded by Councilmember Larson and carried with Councilmembers Cunningham and Milson voting NO.

Additional New Business matters were acted upon during the evening session.

COMMUNICATIONS

Agricultural Preserve Removal Policy - Patrick J. Meyer, Urban Environs, requested Council consider an amendment to Resolution No. 3649 which established an Agricultural Preserve removal policy. Mr. Meyer's suggestion addressed property located in the newly annexed areas, i.e. San Timoteo Canyon and Live Oak Canyon. Councilmembers concurred to refer this request to staff for study and a report.

UNFINISHED BUSINESS

TRANS - Finance Director Chapman reviewed the study session held earlier today addressing the recommendation to issue Tax and Revenue Anticipation Notes as staff felt this was the most advantageous method of financing the City's General Fund cash flow needs. Councilmember Larson moved to authorize issuing Tax and Revenue Anticipation Notes for fiscal year 1992-93 with the actual sizing of the issue to be presented to the City Council at a later date (June) as a communication item, and to approve the agreements with Best, Best & Krieger as bond counsel and N. K. McPhail as financial advisory and authorized the Mayor to sign said agreements. Motion seconded by Councilmember DeMirjyn and failed with Councilmembers Cunningham, Milson, and Foster voting NO.

Certificates of Participation - City Manager Wheaton reviewed the study session held earlier today addressing the refunding of the Certificates of Participation originally issued in 1986 and 1987, and recommended approval of Resolution No. 4870 subject to the modifications discussed this morning to remove the viable interest rates and include a fixed, long-term rate and include a sequestered funds clause. Councilmember Larson moved to approve Resolution No. 4870

authorizing the sale of Certificates of Participation (1992 Refunding of 1986 and 1987 Issues). The motion was seconded by Councilmember DeMirjyn but tabled on motion of Councilmember Cunningham, seconded by Councilmember Larson, to April 18, 1992, at 6:00 P.M. at which time the amended documents will be available for Council's review.

Additional Unfinished Business items were acted upon during the evening session.

Council recessed at 4:00 P.M. to a Redevelopment Agency meeting and reconvened at 4:02 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 Certificate of Commendation to Reserve Officer Thomas Reid in recognition of his unselfish dedication and service he has provided to the Redlands Police Department.

The City Council appointed a 21-member General Plan Citizens Committee with the charge of providing guidance to City staff and the Plan's consultants in the preparation of the new General Plan. The committee members represented all areas of the City as well as a wide range of social and cultural interest; they were extremely dedicated and committed to their work. Mayor DeMirjyn presented members of the General Plan Citizens Committee certificates of recognition on behalf of the City.

PUBLIC HEARINGS

Resolution No. 4856 - Historic Resource - Public hearing was advertised for this time and place to consider the recommendation of the Historic and Scenic Preservation Commission to designate the House of Neighborly Service located at 612 Lawton Street as a historic property. Mayor DeMirjyn declared the meeting open as a public hearing for any questions or comments concerning this matter. On behalf of the Board of Directors of the House of Neighborly Service, President Swen Larson reported this structure has always been used for civic purposes and urged approval of this designation. There being no further comments, the public hearing was declared closed. Councilmember Milson moved to adopt Resolution No. 4856, a resolution of the City Council approving this recommendation. Motion seconded by Councilmember Cunningham and carried unanimously.

Resolution 4857 - Historic Resource - Public hearing was advertised for this time and place to consider the recommendation of the Historic and Scenic Preservation Commission to designate the Major David Shaw House located at 928 Orange Street as a historic property. 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 Milson moved to adopt Resolution No. 4857, a resolution of the City Council approving this recommendation. Motion seconded by Councilmember Cunningham and carried unanimously.

Resolution No. 4858 - Historic Resource - Public hearing was advertised for this time and place to consider the recommendation of the Historic and Scenic Preservation Commission to designate the R. J. Dunn House located at 112 West Olive Avenue as a historic property. 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 Milson moved to adopt Resolution No. 4858, a resolution of the City Council approving this recommendation. Motion seconded by Councilmember Cunningham and carried unanimously.

Resolution No. 4859 - Historic Resource - Public hearing was advertised for this time and place to consider the recommendation of the Historic and Scenic Preservation Commission to designate the F. C. Laney House located at 126 West Olive Avenue as a historic property. 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 Milson moved to adopt Resolution No. 4859, a resolution of the City Council approving this recommendation. Motion seconded by Councilmember Cunningham and carried unanimously.

Resolution No. 4860 - Historic Resource - Public hearing was advertised for this time and place to consider the recommendation of the Historic and Scenic Preservation Commission to designate the Charles A. Wood House located at 203 West Olive Avenue as a historic property. 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 Milson moved to adopt Resolution No. 4860, a resolution of the City Council approving this recommendation. Motion seconded by Councilmember Cunningham and carried unanimously.

Ordinance No. 2182 - Sign Code - Public hearing was continued to this time and place to consider Ordinance No. 2182, an ordinance amending the Redlands Municipal Sign Code to change the temporary sign definition and allow for more temporary signage along with permitting such signs. Mayor DeMirjyn declared the meeting open as a public hearing for any questions or comments concerning this ordinance. Member of the Citizens Volunteer Patrol Susan Neese offered their services in the removal of illegal signs. There being no further comments, the public hearing was declared closed. Ordinance No. 2182, an ordinance of the City of Redlands amending Chapter 15.36 of the Redlands Municipal Code relating to signage, 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. 2182 was introduced with unanimous Council approval and laid over under the rules with second reading scheduled for May 5, 1992, on motion of Councilmember Larson, seconded by Councilmember Milson.

Ordinance No. 2183 - Signs - Public hearing was continued to 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. Mayor DeMirjyn declared the meeting open as a public hearing, and on motion of Councilmember Foster, seconded by Councilmember Larson, this public hearing was unanimously continued to September 15, 1992.

Ordinance No. 2187 - Special Event Fee - Public hearing was continued to this time and place to consider Ordinance No. 2187 which would establish a special event application fee. Mayor DeMirjyn declared the meeting open as a public hearing. There being no comments, the public hearing was declared closed and no action was taken as staff recommended withdrawing the item from the agenda.

Ordinance No. 2177 - Parades - Public hearing was continued to this time and place to consider 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. 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. 2177 was read by title only by City Clerk Poyzer, and on motion of Councilmember Larson, seconded by Councilmembers Milson, further reading of the ordinance text was unanimously waived. Ordinance No. 2177 was introduced with unanimous Council approval and laid over under the rules with second reading scheduled for May 5, 1992, on motion of Councilmember Larson, seconded by Councilmembers Milson.

Ordinance No. 2189 - Street Sweeping Fee - Public hearing was advertised for this time and place to consider Ordinance No. 2189, an ordinance of the City of Redlands amending Chapter 5.96 of the Redlands Municipal Code to revise the street sweeping fee. Since the program fee was effective November 1, 1991, the monthly fee was adjusted to receive the annual cost within eight months. Ordinance No. 2189, with contract services, reflects the fee necessary to provide the street sweeping service plus the costs associated with the federally mandated National Pollutant Discharge Elimination System (NPDES) permits required for storm drain system and the general government overhead charge. 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. 2189, an ordinance of the City of Redlands amending Chapter 5.96 of the Redlands Municipal Code to establish a street sweeping fee with contract services, was read by title only by City Clerk Poyzer, and on motion of Councilmember Larson, seconded by Councilmember Foster, further reading of

the ordinance text was unanimously waived. Ordinance No. 2189 was introduced with unanimous Council approval and laid over under the rules with second reading scheduled for May 5, 1992, on motion of Councilmember Larson, seconded by Councilmembers Foster, with Councilmember Cunningham voting NO.

PUBLIC COMMENTS

Helen Alexander and Lewis Frey, residents of the Lugonia Fountains Mobilehome Park, urged Council to review the existing rent stabilization ordinance and revise it to reflect recent Supreme Court decisions and address other concerns of mobilehome park tenants as contained in their letter dated April 21, 1992. This request was referred to staff for their review.

Art Garcia asked Councilmembers what the status was for the appointment of commissioners to the Historic and Scenic Preservation Commission. Mayor DeMirjyn indicated they were readvertising for applicants and advised Mr. Garcia to renew his application which is on file in the City Council's Office.

UNFINISHED BUSINESS (Continued)

Ordinance No. 2184 - Zone Change No. 343 - Ordinance No. 2184, an ordinance of the City of Redlands amending Title 18 of the Redlands Municipal Code by adopting an additional land use zoning plan as part of the official land use zoning map and effecting Zone Change No. 343 for an area south of West Sunset Drive, east of Alessandro Road and west of Wabash Avenue, if extended, was given its second reading of the title by City Clerk Poyzer, and on motion of Councilmember Foster, seconded by Councilmember Larson, further reading of the ordinance text was unanimously waived. Ordinance No. 2184 was adopted on motion of Councilmember Larson, seconded by Councilmember Foster, by the following vote:

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

Ordinance No. 2186 - Zone Change No. 342 - Ordinance No. 2186, an ordinance of the City of Redlands amending Title 18 of the Redlands Municipal Code by adopting an additional land use zoning plan as part of the official land use zoning map and effecting Zone Change No. 342, a change of zone from A-1 (Agricultural) District to R-R (Rural Residential) District for approximately 110.3 acres of property located at the southerly extension of South Land and Southerland Drive, was given its second reading of the title by City Clerk Poyzer, and on motion of Councilmember Foster, seconded by Councilmember Larson, further reading of the ordinance text was unanimously waived. Ordinance No. 2186 was adopted on motion of Councilmember Foster, seconded by Councilmember Larson, by the following vote:

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

NEW BUSINESS (Continued)

Sidewalk Policy - The request to consider a policy on the repair of damaged sidewalk as recommended by the Public Works Commission was unanimously continued to May 5, 2011 on motion of Councilmember Foster, seconded by Councilmember Larson.

Fire Department - Councilmember Larson moved to authorize the position of Cost Recovery Officer in the Fire Department and the commencement of the cost recovery program. Motion seconded by Councilmember Milson and carried with Councilmember Foster voting NO.

The following items were acted upon during the afternoon session:

Report - The monthly contract monitoring reports updated through April 13, 1992, for projects currently being administered by the Public Works Department were presented for Councilmembers' information.

Report - A summary of the Traffic Commission's actions taken at their March 26, 1992, meeting was presented for Councilmembers' information.

Environmental Mitigation Fund - The City of Redlands is entitled to receive monies from the Environmental Mitigation Fund because the County owned and operated San Timoteo Landfill has been within our sphere of influence and is currently within our corporate boundaries. Monies may be used by the City to fund any of several programs that meet the criteria. On motion of Councilmember Cunningham, seconded by Councilmember Milson, Council unanimously approved the Memorandum of Understanding between the City of Redlands and the County of San Bernardino to establish the procedures for the disbursement of funds by the County from the Environmental Mitigation Fund.

Resolution No. 4866 - Traffic - On motion of Councilmember Larson, seconded by Councilmember Milson, Council unanimously approved Resolution No. 4866, a resolution of the City Council of the City of Redlands establishing traffic regulations pursuant to Title 10 of the Redlands Municipal Code as follows: Establish a passenger loading zone on Fifth Avenue at the opening into the playing field at Moore Junior High School and establish a no parking zone on the east side of Washington Street from Lugonia Avenue to Delaware Avenue.

Resolution No. 4869 - Assessment District 91-1 - On motion of Councilmember Larson, seconded by Councilmember Milson, Council unanimously approved Resolution No. 4869, a resolution of the City Council of the City of Redlands

amending Resolution No. 4815 to modify the description of the improvements for Assessment District No. 91-1.

Contract Award - Well Equipment - Bids were opened and publicly declared on April 2, 1992, by the City Clerk for the purchase and installation of equipment at the Well 38 and the Church Street Well sites; 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 Beylik Drilling, Inc., in the amount of \$121,474.00 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.

Resolution No. 4868 - Stormwater Agreement - On motion of Councilmember Larson, seconded by Councilmember Milson, Council unanimously approved Resolution No. 4868, a resolution of the City Council of the City of Redlands adopting the National Pollutant Discharge Elimination System (NPDES) Stormwater Permit Implementation Agreement and designating a signatory for related applications.

There being no further business, the meeting adjourned at 8:19 P.M. to an adjourned regular meeting to be held on Tuesday, April 28, 1992, at 6:00 P.M. in the City Hall Auditorium, 30 Cajon Street, Redlands, California.

ATTEST:

City Clerk