MINUTES of a regular meeting of the City Council of the City of Redlands held in the Council Chambers, 212 Brookside Avenue, on June 2, 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 Larson followed by the pledge of allegiance.

Minutes of the adjourned regular meeting of May 19, 1992, and the regular meeting of May 19, 1992, were approved as submitted.

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

PLANNING AND COMMUNITY DEVELOPMENT

Planning Commission Actions - May 26, 1992

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

Planning Commission Determinations No. 57 - Batting Cages - Barry DeVries and James Kelly, Applicants

Councilmember Larson moved to approve Planning Commission Determination No. 57 finding that "indoor batting cages" should be allowed in the EV/IC District of the East Valley Corridor Specific Plan No. 40 and be incorporated and listed as a permitted use under Section EV3.9010(6) of said specific plan in that this use is similar to those uses listed as permitted under said section and that the use is in conformity with the intent and purpose of the EV/IC District and not more objectionable to the general welfare than the uses now listed as permitted in the same section. Motion seconded by Councilmember Foster and carried unanimously.

Landscape Maintenance District No. 1

Councilmember Milson moved to adopt Resolution No. 4872, a resolution of the City Council of the City of Redlands, County of San Bernardino, of preliminary approval of the Engineer's Report for fiscal year 1992-93 for Landscape Maintenance District No. 1. Motion seconded by Councilmember Larson and carried with Councilmember Foster voting NO.

Councilmember Milson moved to adopt Resolution No. 4873, a resolution of the City Council of the City of Redlands, County of San Bernardino, California, declaring its intention of levy and collect assessments for fiscal year 1992-93 in Landscape Maintenance District No. 1, an assessment district; declaring the work to be of more local than ordinary public benefit; specifying the exterior boundaries of the areas within Landscape Maintenance District No. 1; and determining that these proceedings shall be taken pursuant to the Landscaping and Lighting Act of 1972; and offering a time and place for hearing objections thereto (July 7, 1992, at 7:00 P.M.). Motion seconded by Councilmember Larson and carried with Councilmember Foster voting NO.

Street Lighting District No. 1

Councilmember Milson moved to adopt Resolution No. 4875, a resolution of the City Council of the City of Redlands, County of San Bernardino, State of California, of preliminary approval of Engineer's Report for fiscal year 1992-93 for Street Lighting District No. 1. Motion seconded by Councilmember Larson and carried with Councilmember Foster voting NO.

Councilmember Milson moved to adopt Resolution No. 4876, a resolution of the City Council of the City of Redlands, County of San Bernardino, California, declaring its intention to levy and collect assessments for fiscal year 1992-93 in Street Lighting District No. 1, an assessment district; declaring the work to be done of more local than ordinary public benefit; specifying the exterior boundaries of the areas within Street Lighting District No. 1 to be assessed the cost and expense thereof; designation said district that these proceedings shall be taken pursuant to the Landscaping and Lighting Act of 1972; and offering a time and place for hearing objections thereto (July 7, 1992, at 7:00 P.M.). Motion seconded by Councilmember Larson and carried with Councilmember Foster voting NO.

"Donut Hole" Area Annexation

Rufus Barkley, president of the East Valley Landowners Association, and James Barton indicated their support of the annexation of the land commonly referred to as the "donut hole" area in the northwest portion of Redlands. Following brief discussion, Councilmember Larson moved to direct staff to begin discussions with the property owners in the "donut hole" regarding annexation to the City of Redlands. Motion seconded by Councilmember Milson and carried with Councilmember Cunningham voting NO.

PUBLIC HEARING

Resolution No. 4880 - Assessment District No. 91-1 - Public hearing was continued to this time and place to consider a proposed special assessment district known as Assessment District No. 91-1 for the construction of certain public improvements. Mayor DeMirjyn declared the meeting open as a continued public hearing and called on the City Clerk for the following report: Notices of the public hearing and continued public hearing were mailed to the property owners on April 10, 1992, and May 13, 1992, notices of the public hearing were posted on the property involved on April 9, 1992; and a notice of public hearing was published in the Redlands Daily Facts and The Sun on April 13 and April 20, 1992. At this time, a representative from NBS Lowry, the assessment engineer, summarized the Engineer's Report and responded to questions. Following his presentation, the Mayor asked the City Clerk for a summary of all written objections or protests; City Clerk Poyzer responded that no written objections or protest had been received. Mayor DeMirjyn then called for any questions, comments, protests or objections from the audience. Mr. James Barton indicated he was comfortable with the standards established by the East Valley Corridor Specific Plan and was pleased to be building his project in Redlands. There being no further comments, the public hearing was declared closed. Councilmembers Larson moved to adopt Resolution No, 4880, a resolution of the City Council of the City of Redlands confirming assessment and ordering construction of improvements for Assessment District No. 91-1. Motion seconded by Councilmember Milson and carried with Councilmember Cunningham voting NO.

COMMUNICATIONS

Larry Curti, One Stop Landscape Supply, sent a letter to the City Council dated May 21, 1992, requesting the City withdraw its letter of appeal for the Notice of Determination filed for his solid waste composting facility located in San Timoteo Canyon. This application was acted upon by the Department of Environmental Health on May 5, 1992. Following discussion, Councilmember Foster moved to direct the City Manager and the Community Development Director to withdraw the appeal to the Curti project's negative declaration for his solid waste sludge composting facility. Motion seconded by Councilmember Larson and carried with Councilmembers Cunningham and Milson voting NO.

Tentative Tract No. 10461 - Time Extension Request - The request for a time extension for Tentative Tract No. 10461 which expired in April, 1992, was continued to the 7:00 P.M. session at the request of the applicant's representative, Michael J. Atencio, Environmental Planning Systems. During the evening session, Mr. Atencio addressed Council and referred to his letter dated April 24, 1992, indicating he felt his client was entitled to additional time as the City had initiated a moratorium. In a letter dated April 30, 1992, City Attorney McHugh explained that a development moratorium did not exist as defined by State law during this period of time. No action was taken by the City Council.

Reservoir - Staff received a request from Dr. Bill Orr, representing Crafton Hills College requesting permission to paint the CHC logo on the side of the City of Redlands-owned water reservoir located near the northeast corner of the CHC campus to celebrate their twentieth anniversary. Public Works Director Mutter recommended approval of this request noting the reservoir was located within the City of Yucaipa and the college would also have to comply with their local sign code. Councilmember Foster moved to approve this request. Motion seconded by Councilmember Milson and carried with Councilmembers DeMirjyn voting NO.

The City Council meeting recessed at 3:44 P.M. and reconvened at 4:00 P.M. to meeting jointly with members of the Planning Commission.

General Plan - On behalf of the Planning Commission, Chairman Diane Christensen expressed concern about the processing of the draft General Plan and made several suggestions as to procedure including a tracking system, receipt of a staff report prior to the study session, and adding the Planning and Community Development Director to the process. Planning Commissioners also felt the City Council should cease holding their study sessions until the Planning Commission had completed their meetings and had submitted their recommendations. Speaking from the audience, Mr. Louis Fletcher suggested an alternative: leave the General Plan as is. Following much discussion, Councilmember Cunningham moved to direct the City Manager to bring a recommendation to Council relating to responsibility assignments in the Planning Department and to impose a hiatus on the City Council workshops until receiving a report from the Planning Commission. Motion seconded by Councilmember Larson and carried with Councilmembers Foster and DeMirjyn voting NO.

The City Council meeting recessed at 4:46 P. M. and reconvened at 7:00 P. M.

PUBLIC HEARINGS (continued)

Resolution No. 4878 - Public hearing was advertised for this time and place to consider the recommendation of the Historic and Scenic Preservation Commission to designate the William Batty Building located at 302-308 Brookside Avenue as an 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 Cunningham moved to adopt Resolution No. 4878, a resolution of the City Council approving this recommendation. Motion seconded by Councilmember Milson and carried unanimously.

PUBLIC COMMENTS

Anne Chaffee and Jeff Capen urged the City Council to deny the application for a low income housing project proposed by USA Properties to be located near Wabash and Brockton Avenues. (Note: USA Properties withdrew their application in a letter dated June 2, 1992.)

UNFINISHED BUSINESS

Resolution No. 4870 - Bond Refunding - At its meeting of April 21, 1992, the City Council directed staff to explore the savings available to the City if two series of the City's outstanding Certificates of Participation originally issued in 1986-1987 were refunded with refunding Certificates of Participation. The purpose of the refunding is to achieve a lower rate of interest and thereby reduce the amount due annually for the payment of the 1986 and 1987 projects. The City's goal with respect to the refunding was to achieve a savings of at least five percent. Two alternative resolutions which approve the refunding of the 1986 and 1987 Certificates were presented at this meeting. One resolution approves refunding Certificates of Participation, which have a variable rate of interest. This resolution provided for an irrevocable direct draw letter of credit which would be used to pay principal of and interest on the refunding Certificates of Participation. The City would reimburse the letter of credit bank for amounts drawn on the letter of credit pursuant to the terms of a reimbursement agreement. The refunding Certificates will be remarketed to achieve a different interest rate. The second resolution alternatively provided for refunding Certificates of Participation which have a fixed rate of interest. Each resolution provides further that the Certificates shall not be marketed unless a present value savings of at least five percent is achieved. Following discussion, Councilmember Foster moved to adopt the variable rate resolution, Resolution No. 4870, a resolution of the City Council of the City of Redlands, authorizing the sale of its Certificates of Participation (1992 refunding of 1986 and 1987 issues) authorizing execution and delivery by the City of a Lease Agreement, a Site and Facilities Lease, a Remarketing Agreement, Escrow Deposit and Trust Agreements, a Trust Agreement, a Remarketing Agreement, an Assignment Agreement and Purchase Contract, approving and authorizing preparation and delivery of a Preliminary Official Statement and Final Official Statement with respect to the issuance and sale of Certificate of Participation (1992 Refunding of 1986 and 1987 Issues) appointing a trustee, authorizing the issuance of such Certificates and making other findings relating thereto; and to approve the agreement with Best, Best and Krieger for special counsel services for the proposed Certificates of Participation (1992 Refunding of 1986 and 1987 Projects) and to authorize the Mayor to sign the agreement on behalf of the City. Motion seconded by Councilmember Larson and carried with Councilmember Cunningham and Milson voting NO.

NEW BUSINESS

Resolution No. 4881 - BID Annual Report - Councilmember Cunningham moved to adopt Resolution No. 4881, a resolution of the City Council of the City of Redlands of the County of San Bernardino, State or California, of preliminary approval of annual report for fiscal year 1992-93 for Parking and Business Improvement Area B. Motion seconded by Councilmember Milson and carried unanimously.

Resolution No. 4882 - BID Assessment - Councilmember Cunningham moved to adopt Resolution No. 4882, a resolution of the City Council of the City of Redlands, County of San Bernardino, State of California, declaring its intention of levy and collect assessments for fiscal year 1992-93 in Parking and Business Improvement Area B, an assessment district; and offering a time and place for hearing objections thereto (July 7, 1992, at 7:00 P.M. Motion seconded by Councilmember Milson and carried unanimously.

The following matter were acted upon during the afternoon session:

The monthly contract monitoring reports updated through May 26, 1992, for projects currently being administered by the Public Works Department were presented for Council's information.

Funds - On motion of Councilmember Cunningham, seconded by Councilmember Larson, Council unanimously appropriated an additional $5,314.00 to the Community Services Department, Recreation Division, to fund full and part-time salaries for the Summer Youth Employment Training Program (SYETP).

Gas Emissions - On motion of Councilmember Larson, seconded by Councilmember Milson, Council unanimously approved the purchase of a portable organic vapor analyzer for monitoring landfill gas emissions at the California Street Landfill.

Resolution No. 4879 - Traffic - On motion of Councilmember Larson, seconded by Councilmember Milson, Council unanimously adopted Resolution No. 4879, a resolution of the City Council of the City of Redlands establishing the following traffic regulations pursuant to Title 10 of the Redlands Municipal Code: Designate Glenwood Drive between Grant Street and Parkwood Drive one-way westbound during events at the Redlands Bowl.

There being no further business, the meeting adjourned at 7:36 P.M. to an adjourned regular meeting to be held on Tuesday, June 9, 1992, at 9:00 A.M. in the City Hall Plaza, 2 East Citrus Avenue, Suite 15C, Redlands.

Next regular meeting, June 16, 1992.

ATTEST:

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City Clerk

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