MINUTES of a regular meeting of the City Council of the City of Redlands held in the Council Chambers, 212 Brookside Avenue, on November 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 D. Wheaton, City Manager
Ronald C. Mutter, Assistant City Manager
Daniel J., McHugh, City Attorney
Lorrie Poyzer, City Clerk
Ted Thomaidis, Redlands Daily Facts
Pamela Fitzsimmons, The Sun

ABSENT None

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

Minutes of the regular meeting of November 3, 1992, and the adjourned regular meetings of November 4, 1992, and November 5, 1992, were approved as submitted.

Bills and Salaries - In response to Councilmember Foster's question as to how we were going to pay our bills and salaries when the General Fund was "in the hole," staff responded the City of Redlands followed the standard California practice of utilizing pooled funds for the daily cash flow. Bills and salaries were then ordered paid as approved by the Finance Committee on motion of Councilmember Larson, seconded by Councilmember Milson, with Councilmember Foster voting NO.

PLANNING AND COMMUNITY DEVELOPMENT

Tentative Tract No. 14999 - Councilmember Foster moved to set a public hearing to hear an appeal to the Planning Commission's decision to deny an amendment to conditions of approval for a single family residential subdivision to allow the relocation of a drainage easement in a southerly direction and to modify the pad elevations for lots 1-13 for property located at 916 West Olive Avenue in the R-S (Suburban Residential) District in an application submitted by John Smith. Motion seconded by Councilmember Larson and carried with Councilmember DeMirjyn voting NO.

Planning Commission Actions - On motion of Councilmember Foster, seconded by Councilmember Larson, the report of the Planning Commission meeting held on November 10, 1992, was unanimously acknowledged as received.

COMMUNICATIONS

Live Oak Canyon Draft General Plan - Mr. William Cardie, President of Inland Commercial Investments, Inc., wrote a letter to the City Council as the owner of 487 acres abutting the City of Yucaipa at the east end of Live Oak Canyon expressing concerns about the land use element of the proposed Draft General Plan as it relates to the City of Redlands Annexation No. 72. At the meeting, Ron Whittier urged Council to authorize a development plan for this property with an average 2-1/2 acres which would conform to the designation of the Southeast Area Specific Plan. Ed Van Grouw, who owns the dairy in Live Oak Canyon, expressed concerns about development encroachment on his property. Council concurred to refer this matter to staff of a conceptual review but also noted the land designation were not yet finalized and would not be until the General Plan is adopted.

Public Works Commission - Mayor DeMirjyn nominated Calvin Wang to the Public Works Commission; this nomination was unanimously confirmed on motion of Councilmember foster, seconded by Councilmember Milson. Mayor DeMirjyn nominated Michael D. Meyers for appointment to the Public Works Commission to a term which will expire November 16, 1996; this nomination was unanimously confirmed on motion of Councilmember Foster, seconded by Councilmember Larson.

Traffic Commission - Mayor DeMirjyn nominated Julia Buchanan to fill the student vacancy on the Traffic Commission with her term to expire December 31, 1993; this nomination was unanimously confirmed on motion of Councilmember Larson, seconded by Councilmember Foster.

Paramedic Program - Noting he had hoped to expand the paramedic services to the Garden Street Fire Station following the recent annexation, Councilmember Cunningham moved to direct staff to explore all options through the paramedic services to provide for the care and transportation of the ill and to improve response time for south Redlands. Motion seconded by Councilmember Larson and carried unanimously.

The City Council meeting recessed at 3:45 P.M. to a Redevelopment Agency meeting and reconvened at 3:46 P.M. to a closed session for the purpose of discussing personnel matters, property acquisition and disposition, and pending litigation. In accordance with State law, the City Attorney prepared a confidential memo to the City Council providing justification for the pending litigation portion of the closed session. The City Council meeting reconvened at 7:00 P.M.

PRESENTATIONS

Certificate of Commendation - Mayor DeMirjyn presented a Certificate of Commendation to Mr. Skip Brown, teacher at the Redlands High School, in recognition of his heroic and life-saving actions on September 14, 1992, which resulted in saving the life of student Ben Liwnicz.

Certificate of Recognition - Mayor DeMirjyn presented a Certificate of Recognition to the Vice Principal of Redlands High School in recognition of their dedication to learning proper first-aid procedures and their efforts to interface with the Redlands Fire Department personnel at an emergency scene.

Certificates of Recognition - Mayor DeMirjyn presented Certificates of Recognition to the following members of the Sunrise Rotary Club in recognition of their spirit of volunteerism for community service projects benefiting the Redlands Fire Department: Fred Ford, Pat Gilbreath, Jim McCallum, Chuck Millett, Jim Rieck and Kirk Stitt. Over the years, more than 700 blue dot fire hydrant markers have been installed on nearly every street in the City by Rotarians. This past year they provided 30 smoke detectors and assisted in their installation in the homes of elderly or handicapped people. And several months ago, the Rotarians completely refurbished the office at Fire Station No. 1.

PUBLIC HEARINGS

Beaver Medical Clinic, Inc. - Public hearing was advertised for this time and place to consider an application for a mitigated Negative Declaration for a 399-space parking structure on approximately 1.06 acres of land in the proposed P (Off-Street Parking) District; Variance No. 508 to reduce a 25-foot side yard setback in the P (Off-Street Parking) District to 10.25 feet to allow development of a 399-space parking structure; Variance No. 509 to reduce a front yard setback in the A-P (Administrative-Professional) District from 15 feet to zero feet to allow a stairway and elevator in association with the development of a 399-space parking structure; and possible introduction and first reading of Ordinance No. 2205 for Zone Change No. 347 for approximately 1.06 acres of land from A-P (Administrative-Professional) District to P (Off-Street Parking) District for property located at the southwest corner of Cajon Street and Fern Avenue.

Community Development Director Shaw reported that at its public hearing on October 13, 1992, the Planning Commission heard extensive public testimony and unanimously approved Redlands Planning Commission Resolution No. 802 recommending approval of Zone Change NO. 347. On October 21, 1992, the applicant submitted amended plans for the parking structure that changed the project. Briefly, one level of the structure is proposed below grade which reduces the height of the overall structure. The pedestrian bridge spanning Fern Avenue was removed and access will be via the signalized walkway and Cajon Street. As a result, Variance No. 509 for the addition of stairs and an elevator on the north side o Fern Avenue at the property line is no longer required. The actual specifics of the development project will be analyzed and reviewed by the Planning Commission at their December 8, 1992, hearing. Mayor DeMirjyn declared the meeting open as a public hearing.

On behalf of the applicant, Pay Meyer urged the City Council to approve this application for a change of zone. Also speaking in favor of this application were: Manuel Ruiz, Robert Rentschler, M.D., and Jane Un MacDonald. Planning Commissioner Chas Wick reviewed several of his concerns including the air quality test, noise and traffic. Speaking in opposition were: Andy Testman, Bettie D. Siebuhr, Cliff Alexander, Lee Young, Bettina McLeod, Ruth Cook, and Jon Harrison. Planning Commission Chairman Diane Christensen clarified the position of the Planning Commission noting they only dealt with the zone change; that they have not yet seen the project and they have not approved or denied it and are staying neutral at this time. Pat Meyer and David DeVault from the Beaver Medical Clinic answered questions from the audience and Councilmembers. The public hearing was declared closed at 8:20 P.M. Councilmembers Milson and Cunningham both felt they wanted additional mitigation measures and therefore voted against the application at this meeting.

Councilmember Foster moved to approve the Environmental Review Committee's Negative Declaration for the project (Zone Change No. 347, Variance No. 508, and Planning Commission Review and Approval No. 651), 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 Larson and carried with Councilmembers Cunningham and Milson voting NO. Ordinance No. 2205, 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. 347, was given its first reading of the title 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. 2205 was introduced and laid over under the rules with second reading scheduled for December 1, 1992, on motion of Councilmember Larson, seconded by Councilmember Foster, with Councilmembers Cunningham and Milson voting NO.

The meeting briefly recessed at 8:26 P.M. and reconvened at 8:35 P.M.

<u>Concept Plan No. 3 - Chapman Investment Company</u> - Public hearing was advertised for this time and place to consider a proposed concept plan and mitigated Negative Declaration for a 68.2 acre commercial-industrial development located east of Bryn Mawr Avenue, south of Lugonia Avenue, west of California Street, and north of Interstate 10 in the SD (Special Development) District of the East Valley Corridor Specific Plan area. The westerly 51.3 acres portion is controlled by Chapman Investment Company and the easterly 16.9 acres parcel is owned by Griffin/Related Properties. The Griffin/Related Properties are designated General Commercial and have an approved office project for their site. The Chapman Investment Company property is divided into 12 parcels with a majority of land designated General Commercial and a segment adjacent to Bryn Mawr designated Commercial Industrial. Two parcels occupying 2.6 acres are designated for Open Space and help to provide a pedestrian focus, promote pedestrian access throughout the Marigold Plaza, and create a significant visual corridor into and throughout the project. Primary access to the site will be from California Street and Lugonia Avenue. The Concept Plan details a complete infrastructure system, a landscape concept plan, development standards and an implementation component. Community Development Director Shaw reported staff evaluated and recommended clarification and amendments to the concept plan in the form of conditions of approval.

The applicant and the Planning Commission concurred with the recommendations of staff. The applicant requested clarification regarding Condition No. 11 of the Utilities Division, Public Works Department, regarding private walls. It was recommended the applicant review this item with the Public Works Department prior to action on the minor subdivision which was continued to the Planning Commission meeting of December 8, 1992. Mayor DeMirjyn declared the meeting open as a public hearing. The applicant, Stan Chapman, and his project manager, Robert Odle, urged approval of their application. There being no further comments, the public hearing was declared closed.

Councilmember Milson moved to approve Environmental Review Committee's Negative Declaration and associated Mitigated Monitoring Program for Concept Plan NO. 3 and directed staff to file and post a Notice of Determination in accordance with the City's guidelines. Motion seconded by Councilmember Larson and carried unanimously. Councilmember Milson moved to approve Concept Plan No. 3 of the East Valley Corridor Specific Plan. Motion seconded by Councilmember Larson and carried unanimously.

Appropriations Limits - Public hearings were advertised for this time and place to consider Resolution No. 4918 which establishes a $38,385414 appropriations limits for fiscal year 1991-92 pursuant to Article XIIIB of the California Constitution, and Resolution No. 4919 which establishes a $38,794,610 appropriations limit for fiscal year 1992-93 pursuant to Article XIIIB of the California Constitution. Mayor DeMirjyn declared the meeting open as a public hearing for any questions or comments concerning these resolutions. None being forthcoming, the public hearings were declared closed. Councilmember Larson moved to adopt Resolution No. 4918. Motion seconded by Councilmember Cunningham and carried unanimously.

PUBLIC COMMENTS

San Timoteo Canyon - Nancy Hatfield from the Happy Ours Ranch, Marie Hanson and Ron Burke again addressed Council regarding the odors in San Timoteo Canyon and asked what was going to be done. Councilmembers assured the citizens they were aware of their concerns and indicated they would place this item on the next agenda for discussion and possible action.

UNFINISHED BUSINESS

Ordinance No. 2207 - Mobilehome Rent Stabilization - City Attorney McHugh reviewed his memorandum dated November 12, 1992, relating to the requested revisions to the City's mobilehome rent stabilization ordinance. The current ordinance limits the amount of annual rent which park owners may charge their tenants. However, the ordinance also allows a mobilehome park owner to negotiate fair market-value rents for new tenants upon an existing tenant's vacancy or sublease of a mobilehome. Recently a number of tenants of mobilehome parks have requested the City Council to consider modifying its mobilehome rent stabilization ordinance to prohibit the decontrol of rents upon a vacancy of a mobilehome and to roll back rents to 1987 levels and certain other significant revisions to the current ordinance. Mr. McHugh summarized each change page-by-page. Urging approval of this ordinance were: Lewis F. Frye, Walter P. Garrett, R. H. Whited, Wally Ann Lynard and Helen Alexander. Opposed to the ordinance as presented were Bill Talley, Inland Empire Manufactured Housing Educational Trust; Michelle Brooks, Western Mobilehome Association; and Richard Bessire, owner of Orange Grove Mobile Estates and Sylvan Mobile Estates.

Councilmembers Larson and Foster suggested forming a Committee comprised of two Councilmembers, two owners and two tenants to re-visit the proposal and attempt to work out a compromise acceptable to both sides of the issue. Councilmember Cunningham suggested giving the ordinance first reading at this meeting and then allow for further study of each issue. With the Council's concurrence, City Clerk Poyzer read the title only of Ordinance No. 2207, an ordinance of the City of Redlands amending Chapter 5.48 of the Redlands Municipal Code relating to rent stabilization for mobilehome parks. On motion of Councilmember Cunningham, seconded by Councilmember Milson, further reading of the ordinance text was unanimously waived. Ordinance No. 2207 was introduced as amended by the changes recommended by the City Attorney in Sections 5. 48.070 and 5.48.090 with unanimous Council approval and laid over under the rule on motion of Councilmember Cunningham, seconded by Councilmember Milson. Councilmember Foster moved to form a Committee to review the ordinance comprised of himself and Councilmember Cunningham, two representatives of the owners of the parks and two tenants. Motion seconded by Councilmember Larson and carried unanimously.

Ordinance No. 2193 - Public Parks - Noting the Parks Commission had expressed some concerns about possible inconsistencies regarding consumption of alcohol on City property, Councilmember Cunningham moved to table Ordinance No. 2193 for two weeks. Motion seconded by Councilmember Larson and carried unanimously.

San Bernardino International Airport Authority - Mayor Pro Tem Larson reported a joint meeting will be held in two weeks with the Inland Valley Development Agency and the San Bernardino International Airport Authority to establish a concept plan/use policy for the airport which will be scheduled for public hearing. Councilmember Milson indicated noise standards and the hours of operation were very important matters. Councilmember Cunningham indicated he wanted incoming and outgoing flights to the west.

NEW BUSINESS

1992-93 Budget - Finance Director Steve Chapman presented the 1992-93 budget which reflected all of the Counci-approved additions and deletions from budget workshops. He reported some of the changes have been made to beginning of the year fund balances based upon the most current audit adjustments. For the General Fund, a four-page summary of adjustments to Schedule I was submitted to provide a detail of budget changes in programs, revenues, and other available financing sources and financing requirements. Councilmember Foster moved to adopt the 1992-93 budget as presented and including all Counicl-approved additions and deletions from previous budget workshops as shown on the Summary of Adjustments to Schedule 1 and presented at this meeting. Motion seconded by Councilmember Larson and carried with Councilmembers Cunningham and Milson voting NO.

The following items were acted upon during the afternoon session:

California Street Landfill - Councilmember Foster moved to continue the items relating to the financial responsibility for closure and post closure maintenance for the California Street Landfill to December 1, 1992. Motion seconded by Councilmember Larson and carried unanimously.

Mary Evelyn Scott Estate - On motion of Councilmember Foster, seconded by Councilmember Milson, Council unanimously accepted the proceeds from the Mary Evelyn Scott Estate and authorized the funds be placed into an interest bearing account designated for the Joslyn Senior Center. It has been made clear, through the estate settlement process, that the funds may be used for materials, improvements, supplies and equipment for the Joslyn Senior Center. The amount ultimately to be released is expected to be $143,496.00

Community Ballfield - On motion of Councilmember Foster, seconded by Councilmember Milson, Council unanimously authorized an appropriation of $12,400.00 within the Parks Division budget for replacement of the electrical structure at Community Ballfield which was damaged by fire, and an increase of the revenues for the General Fund in the amount of $11,400.00 to reflect reimbursement from Aetna Insurance Company for this repair.

Mid-Valley/Fontana Sanitary Landfill - On motion of Councilmember Foster, seconded by Councilmember Milson, Council unanimously approved Resolution No. 4922, a resolution of the City Council of the City of Redlands approving the site identification and description for the Mid-Valley/Fontana Sanitary Landfill Facility, Facility Identification No. 36-A-A-0055.

City Employees Salary Schedule - On motion of Councilmember Foster, seconded by Councilmember Milson, Council unanimously adopted Resolution No. 4924, a resolution of the City of Redlands rescinding Resolution No. 4800 establishing a salary schedule and compensation plan for City Employees. This resolution reflects all of the changes in staffing levels and salaries that have occurred over the past few months due to layoffs, restructuring/reorganization due to layoffs and reclassifications.

Traffic Commission Actions - On motion of Councilmember Foster, seconded by Councilmember Milson, the report of the Traffic Commission meeting held on October 22, 1992, was unanimously acknowledged as received.

Airport Advisory Board Actions - On motion of Councilmember Foster, seconded by Councilmember Milson, the report of the Airport Advisory Board meeting held on November 4, 1992, was unanimously acknowledged as received.

Paramedic Program Computer - Thanking the American Legion Post No. 106 for their generous donation of $1,200.00, Councilmember Larson moved to accept this donation and authorized an additional appropriation in the same amount for the Fire Department to be used to purchase computer equipment for the Paramedic Program. Motion seconded by Councilmember Cunningham and carried unanimously.

Funds - Defective Transformer - On motion of Councilmember Foster, seconded by Councilmember Milson, Council unanimously approved an appropriation not to exceed $4000.00 from the Redevelopment Agency Capital Project Fund (28) for replacement of a defective transformer at Redlands Plaza which is needed for the use of the City's computers' uninterruptable power supply.

There being no further business, the meeting adjourned at 10:34 P.M. to an adjourned regular meeting to be held on November 18, 1992, at 6:30 P.M. in the Council Chambers, 212 Brookside Avenue, Redlands, California.

Next regular meeting, December 1, 1992.