MINUTES of a regular meeting of the City Council of the City of Redlands held in the Council Chambers, 212 Brookside Avenue, on April 20, 1993, 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
Gary Luebbers, Assistant City Manager
Daniel J. McHugh, City Attorney
Lorrie Poyzer, City Clerk
Ted Thomaidis, Redlands Daily Facts
Bill Rogers, The Sun

ABSENT None

The meeting was opened with a moment of silence in memory of former Mayor Waldo Burroughs who died April 15, 1993. Councilmember Milson delivered an invocation followed by the pledge of allegiance.

Minutes of the adjourned regular meeting of April 6, 1993, the regular meeting of April 6, 1993, and the adjourned regular meetings of April 13, 1993, and April 14, 1993, were approved as submitted.

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

PLANNING AND COMMUNITY DEVELOPMENT

Planning Commission Actions - On motion of Councilmember Larson, seconded by Councilmember Milson, the report of the Planning Commission meeting held on April 13, 1993, was unanimously acknowledged as received.

COMMUNICATIONS

San Bernardino International Airport Authority - Mayor Pro Tem Larson updated Councilmembers regarding the activities of the San Bernardino International Airport Authority.

Appointments - B.I.D. Advisory Board - On motion of Councilmember Cunningham, seconded by Councilmember Milson, Council unanimously appointed the following to the Business Improvement District Advisory Board: Tricia Jeffers to serve the balance of Kevin Mackesy's term; Sherry Hill to serve the balance of Matt Bromberger's term; and Angie White to serve the balance of the term vacated by Tom Payne.

Redlands Symphony Association - Due to renovations taking place at the University of Redlands, an indoor location is not available for the Redlands Symphony Association's pre-concert dinner to be held on May 1, 1993; therefore, they have applied for use of the City's tent and requested a waiver of the $400.00 rental charge. Councilmember Cunningham moved to waive the fee with the understanding the Redlands Symphony Association would be responsible for conveyance to and from the City's Corporate Yard, erecting and taking down the tent; and any damages incurred. Motion seconded by Councilmember Larson and carried unanimously.

JOINT MEETING - REDEVELOPMENT AGENCY

Resolution No. 4960 - Sale of Redevelopment Agency Property - Public hearing was advertised for this time and place for a joint meeting of the City Council and the Redevelopment Agency of the City of Redlands to consider the sale of Redevelopment Agency-owned property located at 511 Third Street. Mayor DeMirjyn declared the meeting open as a public hearing for any questions or comments. None being forthcoming, the public hearing was declared closed. Mr. Cunningham was assured by Executive Director Wheaton that the specific plan was still in effect allowing us land use control. Councilmember Larson moved to adopt Resolution No. 4960, a resolution of the City Council of the City of Redlands approving and authorizing execution of escrow instructions between the Redevelopment Agency of the City of Redlands and Jorge Zuniga Garcia and Maria J. Zuniga. Motion seconded by Councilmember Foster and carried unanimously. (Also see Redevelopment Agency minutes dated April 20, 1993.)

Resolution No. 4961 - Sale of Redevelopment Agency Property - Public hearing was advertised for this time and place for a joint meeting of the City Council and the Redevelopment Agency of the City of Redlands to consider the sale of Redevelopment Agency-owned property located at the southwest intersection of Orange Street and Pearl Avenue. Mayor DeMirjyn declared the meeting open as a public hearing for any questions or comments. None being forthcoming, the public hearing was declared closed. Mr. Cunningham was assured by Executive Director Wheaton that the specific plan was still in effect allowing us land use control. Councilmember Larson moved to adopt Resolution No. 4961, a resolution of the City Council of the City of Redlands approving and authorizing execution of escrow instructions between the Redevelopment Agency of the City of Redlands and Norris Development. Motion seconded by Councilmember Foster and carried unanimously. (Also see Redevelopment Agency minutes dated April 20, 1993.)

Request for waiver of fees - The Southern California Housing Development Corporation is proposing to develop a first time home buyer project for 35 units within an 85 unit townhouse development to be located on the south side of Orange Avenue, easterly of Alabama Street. They are requesting deferment of the City's fees, calculated to total $1,024,000, and indicating they could be recouped in the future from the Redevelopment Agency's housing set-aside fund. The Redevelopment Agency indicated the availability of set-side funds to pay for the City fees would take in excess of ten years, with the availability of funds depending on various factors to include the changes the State has made recently be reducing tax increment funding. A ten year "deferment" of City fees has the same impact on the various City departments as a waiver of fees. The fees relate directly to services and improvements impacted by the project. Without the fees, funds for these services and improvements cannot be provided. Following discussion, Councilmember Foster moved to continue this matter for two weeks and directed staff to meet with the applicant. Motion seconded by Councilmember Larson and carried with Councilmember Cunningham voting NO as he could not support a new project at this time. (Also see Redevelopment Agency minutes dated April 20, 1993.)

Recess - The City Council meeting recessed at 3:31 P.M. to continue the Redevelopment Agency meeting and reconvened at 3:33 P.M. to a closed session for the purpose of discussing personnel matters, property dispositions, 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

Proclamation - Mayor DeMirjyn presented Captain Lewis Nelson, who will become Interim Police Chief on May 1, 1993, following the retirement of Robert Brickley, and Bill Cozzo, a supporter of law enforcement, proclamations declaring the week of May 2-8, 1993, as Blue Ribbon Week in recognition and support of all peace officers and law enforcement agencies and urged citizens to display a blue ribbon during that week to demonstrate their support for every police agency now serving us.

UNFINISHED BUSINESS

Councilmanic Districts - In accordance with State law, the City Council has been reviewing the City Councilmanic District boundaries as relates to the latest census information. A total of ten alternative maps were prepared for their consideration. At this time the following citizens addressed Council: Tony Martinez, Bob Roberts, Mike Atencio, and Tim Gehrke who supported adoption of Map No. 5; John Wycoff, Bettine McLeod, Dora W. Morris, Cliff Alexander, and Jon Harrison urged approval of Map No. 8, which was prepared by citizen Jon Harrison, as they felt it disenfranchised the least number of citizens who were unable to vote in the last election and will not be allowed to vote again in next November's election and allowed more neighborhood cohesiveness. As one of the many disenfranchised voters, City Clerk Poyzer passed Ordinance No. 2219 to her deputy, Beatrice Sanchez. Ordinance No. 2219 was read by title only by Deputy City Clerk Sanchez, and on motion of Councilmember Foster, seconded by Councilmember Larson, further reading of the ordinance text was unanimously waived. Ordinance No. 2219 was introduced and laid over under the rules with second reading scheduled for May 4, 1993, on motion of Councilmember Foster, seconded by Councilmember Larson, with Councilmembers Cunningham and Milson voting NO.

NEW BUSINESS

Employee Vacancies - Councilmember Foster moved to authorize the following positions be filed: Senior Administrative Clerk, Public Works Department, and two Solid Waste Collectors. Motion seconded by Councilmember Larson and carried unanimously.

Ballot Measures - Mr. Claude W. Johnson requested Council consider the placement of a measure on the November 1993 ballot to provide for the election of mayor at large for a term of two years and election of councilmembers from four districts for a term of four years. Mr. Johnson reported in the process of taking the initial steps to circulate an initiative petition, the City will incur legal and administrative costs that could be avoided to some extent if the City Council placed the proposal on the ballot. Mike Haverty presented two notices of intent to circulation petition; the first proposed a "from district" system and the second proposed returning to the "at large" system for the election of Members of the City Council. He also urged

Council to consider the placement of these measures on the November 1993 ballot. Councilmember Cunningham moved to refer the three measures to staff for review. Motion seconded by Councilmember Milson and carried unanimously.

Consent Calendar - The following items were acted upon during the afternoon session:

Contract Monitoring Reports - The monthly contract monitoring reports updated through April 14, 1993, for projects currently being administered by the Public Works Department were presented for Council's information.

Contract Award - Redlands Municipal Airport - Bids were opened and publicly declared on March 25, 1993, by the City Clerk for a contract for administrative services at the Redlands Municipal Airport; 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 Aerodrome Aircraft Rental and Flight Training, Inc. in the amount of $475.00 per month, 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.

Contract Award - Bids were opened and publicly declared on March 25, 1993, by the City Clerk for the construction of the California Street Landfill Storm Drain Project; 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 Floyd Construction Company, Redlands, in the amount of $447,379.46, 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. 4959 - Historical Preserve Areas - Following brief discussion, on motion of Councilmember Foster, seconded by Councilmember Larson, Council unanimously approved Resolution No. 4959, a resolution of the City Council establishing an historical preserve of citrus consisting of eight citrus groves.

Landscape Maintenance District - On motion of Councilmember Larson, seconded by Councilmember Cunningham, Council approved Resolution No. 4963, 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 1993-94 for Landscape Maintenance District No. l, with Councilmembers DeMirjyn and Foster voting NO. On motion of Councilmember Larson, seconded by Councilmember Cunningham, Council approved Resolution No. 4964, 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 1993-94 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; determining that these proceedings shall be taken pursuant to the Landscaping and Lighting Act of 1972; and offering a time and place (June 1, 1993, at 7:00 P.M. in the City Council Chambers) for hearing objections hereto, with Councilmembers DeMirjyn and Foster voting NO.

Street Lighting District - On motion of Councilmember Larson, seconded by Councilmember Cunningham, Council approved Resolution No. 4966, 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 1993-94 for Street Lighting District No. 1, with Councilmembers DeMirjyn and Foster voting NO. On motion of Councilmember Larson, seconded by Councilmember Cunningham, Council approved Resolution No. 4967, 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 1993-94 in Street Lighting 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 Street Lighting District No. 1 to be assessed cost and expense thereof; designating said District as Street Lighting District No. 1; determining that these proceedings shall be taken pursuant to the Landscaping and Lighting Act of 1972; and offering a time and place (June 1, 1993, at 7:00 P.M. in the City Council Chambers) for hearing objections hereto, with Councilmembers DeMirjyn and Foster voting NO.

Contract Award - Bids were opened and publicly declared on April 8, 1993, by the City Clerk for the construction of a parking lot and installation of irrigation and landscaping for Project Home Again; a bid opening report is on file in the Office of the City Clerk. This is a Community Development Block Grant Fund project, and at this time, it is the recommendation of the Department of Community Development, that the responsible bidder submitting the bid for said project which will result in the lowest cost to the City is Larry Jacinto Construction, Inc. in the amount of $66,150.77, 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.

CLOSED SESSION REPORT

Disability Retirements - City Attorney McHugh reported the City Council approved the following matters during the closed session: Resolution No. 4969 determining that Mark Bush, a local safety member of the Public Employees' Retirement System is incapacitated within the meaning of the Public Employees' Retirement Law for performance of his duties in the position of Police Corporal effective April 20, 1993; Resolution No. 4970 determining that Alan Neas, a local safety member of the Public Employees' Retirement System, is incapacitated within the meaning of the Public Employee's Retirement Law for performance of his duties in the position of Police Sergeant effective May 20, 1993; and Resolution No. 4971 determining that Thomas Grimes, a local safety member of the Public Employees' Retirement System is incapacitated within the meaning of the Public Employees' Retirement Law is incapacitated within the meaning of the Public Employees' Retirement Law for performance of his duties in the position of Police Corporal effective March 29, 1993.

Property Sales - City Attorney McHugh reported the City Council, during the closed session, authorized staff to enter into escrow for the sale of the following properties: 185 Eureka Street in the amount of $40,000.00 to Ted Sutton; 154 Fourth Street in the amount of $70,000.00 to the First Congregational Church of Redlands; and 126 Grant Street in the amount of $132,000.00 to William Hulse and Rosemary Hunter.

Adjournment - There being no further business, the City Council meeting adjourned at 7:44 P.M. to an adjourned regular meeting to be held on April 21, 1993, at 6:30 P.M. in the City Council Chambers, 212 Brookside Avenue, Redlands, California.

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City Clerk