

MINUTES

of a regular meeting of the City Council of the City of Redlands held in the Council Chambers, 212 Brookside Avenue, at 3:00 P.M. on May 18, 1993.

PRESENT

Charles G. DeMirjyn, Mayor
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
Beatrice Sanchez, Deputy City Clerk
Steven Church, The Sun
Ted Thomaidis, Redlands Daily Facts

ABSENT

Swen Larson, Mayor Pro Tem

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

Minutes of the adjourned regular meeting of May 4, 1993, and the regular meeting of May 4, 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 Foster, seconded by Councilmember Milson, the report of the Planning Commission meeting held on May 11, 1993, was acknowledged as received by AYE votes of all present.

Hidden River Country Club Environmental Impact Report - In September, 1992, a Notice of Preparation of an Environmental Impact Report was circulated for the Hidden River Country Club Specific Plan. The Chambers Group, Inc. has been selected to prepare the EIR pursuant to the California Environmental Quality Act in an amount not to exceed \$82,500.00. The Chambers Group would work for the City on behalf of the applicant, Blankenship Land Company, Inc., The City Attorney has reviewed the contract and determined it to be acceptable. On motion of Councilmember Milson, seconded by Councilmember Foster, Council approved by AYE votes of all present a contract between the Chambers Group, Inc., and the City for preparation of an Environmental Impact Report for the Hidden River Country Club Specific Plan.

Hidden River Country Club Specific Plan Payment of Fees - Blankenship Land Company, Inc., has agreed to a payment plan for fees in connection with the Hidden River Country Club Specific Plan. Also addressed are areas such as suspension of work, termination, attorney's fees, indemnity and liability. The City Attorney has reviewed the contract and has determined it to be legally acceptable. On motion of Councilmember Milson, seconded by Councilmember Foster, Council approved a contract between Blankenship Land Company, Inc., and the City of Redlands concerning the payment of fees for the Hidden River Country Club Specific Plan by AYE votes of all present.

COMMUNICATIONS

Councilmanic Districts - Mr. Harold E. Klein informed Council he felt the Council had encouraged disenfranchisement rather than make possible the right to vote by their selection for redrawing the district boundaries. He called upon the Council to correct their action to curtail an increasing voter apathy and disenchantment. Mr. Klein then suggested each Councilmember resign and run again for their respective district which would allow everyone in the City to vote. Mr. Michael Atencio, in defense of Measure Q, stated that had the map been left alone, everyone could vote. He then urged Council to not delay and move forward. Councilmember Milson restated her displeasure with the map that was approved (No. 5) because Map No. 8 disenfranchised the least number of voters yet kept the large Hispanic vote in District No. 1. Mr. Tex Moore voice his displeasure with the map selected and stressed the best system would be voting at-large so no one would be disenfranchised. Mayor DeMirjyn, also unhappy with the District system, said that if the disenfranchised voters are that upset, they should go out and get the signatures to do away with the system and go back to the Councilmembers at-large system.

JOINT MEETING - REDEVELOPMENT AGENCY

Resolution No. 4977 - 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 commonly known as 501 Orange Street, Redlands, California, Assessor's Parcel No. 169-201-35. 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 Foster moved to adopt Resolution No. 4977, 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 Donald and Shery Otis. Motion seconded by Councilmember Milson and carried with Mayor DeMirjyn voting NO. (Also see Redevelopment Agency minutes dated May 18, 1993.)

Recess - The City Council meeting recessed at 3:40 P.M. to a Redevelopment Agency meeting and reconvened at 3:41 P.M. to a closed session for the purpose of discussing personnel matters and property disposition. The City Council meeting reconvened at 7:00 P.M.

PUBLIC HEARINGS

Resolution No. 4949 - General Plan Amendment No. 49 - Public hearing was advertised for this time and place to consider General Plan Amendment No. 49 to change the land use designation from Urban Reserve (Agricultural) to Low Density Hillside for property located south of San Timoteo Canyon Road, approximately one mile northwesterly of the intersection of San Timoteo Canyon Road and Alessandro Road (Lantech Group, applicant). Mayor DeMirjyn declared the meeting open as a public hearing. Attorney Jennifer Dolan read from a letter from Attorney Cynthia Ludvigsen opposing General Plan Amendment No. 49 as well as Zone Change 348. Also speaking in opposition was Dennis Hansberger, representing Larry Curti, who requested an Environmental Impact Report. There being no further comments, the Mayor closed the public hearing. Councilmember Cunningham moved to approve the Revised Negative Declaration that addressed issues that had been raised regarding General Plan Amendment No. 49 and directed staff to file and post a "Notice of Determination" in

accordance with the City's guidelines noting it has been determined this project will not individually or cumulatively affect wildlife resources as defined in Section 711.2 of the California Fish and Game Code. Motion seconded by Councilmember Milson and carried by AYE votes of all present. Councilmember Cunningham moved to adopt Resolution No. 4949. Motion seconded by Councilmember Milson and carried by AYE votes of all present.

Ordinance No. 2215 - Zone Change No. 348 - Public hearing was advertised for this time and place to consider Zone Change No. 348, a change of zone from A-1 (Agricultural) District to R-R (Rural Residential) District for an area south of San Timoteo Canyon Road, approximately one mile northwesterly of the intersection of San Timoteo Canyon Road and Alessandro Road (Lantech Group, applicant). 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. 2215, 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. 348, was given its first reading of the title by Deputy City Clerk Sanchez, and on motion of Councilmember Milson, seconded by Councilmember Cunningham, further reading of the ordinance text was unanimously waived. Ordinance No. 2215 was introduced by AYE votes of all present and laid over under the rules with second reading scheduled for June 1, 1993, on motion of Councilmember Milson, seconded by Councilmember Cunningham.

UNFINISHED BUSINESS

Agreement with City of Highland - Inspections for Mining Projects - In response to a lead agency determination request by the City of Highland, the State Mining and Geology Board found a need existed for regulation of mining activities at the C. L. Pharris Sand and Gravel Company Inc. "Johnson Pit" and "Redlands Aggregates" mining sites and further recommended that Highland and Redlands enter into a joint agreement for the purpose of regulating such sites. The main purpose of the agreement is to provide for a common consultant for the purposes of conducting inspections of the "Johnson Pit" and "Redlands Aggregates" mining sites which are divided jurisdictionally by Highland and Redlands. Consultant costs shall be shared equally by each city. These services shall be paid for by the miners. On motion of Councilmember Milson, seconded by Councilmember Foster, Council approved an agreement between Redlands and Highland for regulation of the mining activities at the C. L. Pharris Sand and Gravel Company, Inc. Johnson Pit" and Redlands Aggregates" mining sites by AYE votes of all present.

California Street/Interstate 10 Interchange - This item was continued from May 4, 1993, to allow additional time for review. As reported at that meeting, the primary purpose of this study is to provide the City with a conceptual design for long-range improvements to the California Street Interchange necessary to satisfy the City's growth plan. The study report will be used as the guideline for development of more detailed studies and specific plan adoptions in the future. Councilmember Foster moved to accept the findings of the April 30, 1993, California Street Interchange Modification Report, prepared by Dokken Engineering and authorized staff and consultants to request funding from SANBAG for the design of the interchange. Motion seconded by Councilmember Cunningham and carried by AYE votes of all present.

Request for Waiver of Fees - As reported to the City Council on April 20, 1993, and May 4, 1993, the Southern California Housing Development Corporation has requested deferment of City fees associated with an 85-unit townhouse development. At previous meetings, Council was provided with an overview of the Redevelopment Agency set-aside funds and alternative HOME Project funding. The request was continued for two weeks to allow the applicant and staff time to pursue HOME Project funding through San Bernardino County Economic and Community Development. To staff's knowledge there has been no significant progress and recommended continuance. Councilmember Foster moved to continue this item to the morning meeting of June 1, 1993. Motion seconded by Councilmember Milson and carried by AYE votes of all present.

NEW BUSINESS

Ordinance No. 2218 - Human Relations Commission - At the City Council meeting of February 17, 1993, the City Attorney was directed to prepare an ordinance establishing a Human Relations Commission. Mr. John Coleman expressed his appreciation to Council for the draft ordinance mailed out in advance and then described three recommendations the YWCA Racism Free Coalition submitted that they felt would broaden and strengthen the ordinance. Councilmembers jointly reviewed the three suggestions and concurred to incorporate them into the final ordinance. Mayor DeMirjyn expressed that he was not in support of or thought there was a need for such an ordinance in Redlands. Councilmembers Cunningham and Milson expressed their support because they have witnessed the demographic changes and this Commission would provide a good sounding board. Ordinance No. 2218, an ordinance of the City of Redlands adding Chapter 2.66 to the Redlands Municipal Code to establish a Human Relations Commission, was read by title only by Deputy City Clerk Sanchez, and on motion of Councilmember Cunningham, seconded by Councilmember Milson, further reading of the ordinance text was waived. Ordinance No. 2218 was introduced and laid over under the rules with second reading scheduled for June 1, 1993, on motion of Councilmember Cunningham, seconded by Councilmember Milson, with the understanding that the three recommendations prepared by the YWCA Racism Free Coalition would be included into the final ordinance by the following vote:

AYES: Councilmembers Cunningham, Milson, Foster m

NOES: Mayor DeMirjyn

ABSENT: Mayor Pro Tem Larson

Request for Easement - Redlands Foothill Groves - Councilmember Foster declared his wish to not participate in any discussion in order to avoid any possible conflict of interest because of his interest in a parcel in the vicinity of the parcel being discussed. Redlands Foothill Groves submitted a letter to City Manager Jim Wheaton requesting a permanent 25 feet easement along the Zanja which would allow added safety for their citrus harvesting operation. Public Works Director Ron Mutter reported that the City acquired the subject property as part of a future storm drain project. Congress authorized the Army Corps of Engineers to study the flood control problems along the Mill Creek Zanja watershed and to determine whether there is an opportunity for Federal assistance in the development and implementation of a flood control project. On May 13, 1993, the Corps held a workshop to discuss the potential of this project. Staff is also studying the feasibility. It is recommended that the easement be approved until the property is needed for flood control purposes. Mr. Tim Farmer, representing Redlands Foothill Groves, responded to Councilmember Cunningham that they had no objection to absorbing any documentation costs. On motion of Councilmember Cunningham, seconded by Councilmember DeMirjyn, Council authorized

staff to prepare the appropriate easement forms with provisions for reversion of the easement back to the City at such time as citrus packing operations cease or the property is required for flood control purposes with Councilmember Foster abstaining.

Resolution No. 4982 - Abandoned Vehicle Abatement Program - San Bernardino County cities have been requested to approve resolutions endorsing establishment of a vehicle abatement service authority which would permit imposing a \$1.00 per vehicle registration fee to be collected by the State for funding abandoned vehicle abatement programs. The need has risen because the County eliminated the portion of landfill tipping fee which supports this service to the cities. Mr. Ray Beggs urged Council not to approve this resolution because there are already provisions in the Municipal Code to address abandoned vehicles and he thought this was double charging. Following a short discussion to not support adding costs to vehicle registration, Councilmember Cunningham moved to not approve Resolution No. 4982, abandoned vehicle abatement program. Motion seconded by Councilmember Milson and carried by AYE votes of all present.

Solid Waste Recycling Access Act of 1991 - The State has mandated a SWRAA program and requires cities to adopt an ordinance by September 1, 1993. The Act requires that an area be established within new development for recycling activity. A model ordinance was prepared by the California Integrated Waste Management Board that would be effective by September 1, 1993, which mandates this requirement to establish adequate areas for collecting and loading recyclable materials that are compatible with surrounding land uses so as not to be an impediment to diverting solid waste from landfilling. The new requirements apply to all new development and alterations to existing development, except as noted in AB 1327. Additionally, Public Works Department staff will need to be trained to management and/or accomplish writing conditions, plan checking, perform calculations, and keep records. On motion of Councilmember Cunningham, seconded by Councilmember Foster, Council moved to accept the model ordinance prepared by the California Integrated Waste Management Board which shall be enforced and have the same effect as if adopted by a local ordinance on September 1, 1993.

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

Resolution No. 4984 - Cooperative Agreement with County of San Bernardino for CDBG Fund Program - Every three years the County requalifies as an urban county for Community Development Block Grant entitlement funding and each city must decide to set up their own program or participate in the joint CDBG program. As an entitlement city, our yearly allocation would be larger. However, the County takes a percentage for grant administration and County-wide programs available to the City of Redlands. Following discussion, Councilmember Foster moved to approve the Cooperation Agreement for Community Development Block Grant Funds for fiscal years 1994-95, 1995-96 and 1996-97. Motion seconded by Councilmember Cunningham and carried by AYE votes of all present. On motion of Councilmember Foster, seconded by Councilmember Cunningham, Council approved Resolution No. 4984, a joint resolution authorizing a request to the United States Department of Housing and Urban Development (HUD) for Metropolitan City/Urban County joint recipient status, by AYE votes of all present.

Resolution No. 4983 - Authorizing the Issuance and Sale of 1993-94 Tax and Revenue Anticipation Notes - On April 6, 1993, the City Council authorized the issuance of 1993-94 Tax and Revenue Anticipation Notes. This is the resolution Council was advised would follow to identify the sizing of the aggregate amount of the Notes and approval of all related documents. Councilmember Cunningham moved to approve Resolution No. 4983, a resolution of the City Council of the City of Redlands authorizing the issuance and sale of 1993-94 Tax and Revenue Anticipation Notes in the aggregate principal amount of not to exceed \$6,000,000, prescribing the terms of the sale of said Notes, approving forms of Official Statement, Official Notice of Sale and Notice of Intention to Sell Notes and approving certain other matters relating thereto. Motion seconded by Councilmember Milson and carried by the following vote:

AYES: Councilmembers Cunningham, Milson, Foster; Mayor DeMirjyn

NOES: None

ABSENT: Mayor Pro Tem Larson

Resolution No. 4973 - Special Tax Assessment for Emergency Paramedic Service - Ordinance No. 1900 empowers the City to establish a fee assessment in the amount necessary to fund anticipated paramedic expenses provided the assessment does not exceed the maximum allowance limits set forth in that ordinance. On motion of Councilmember Foster, seconded by Councilmember Milson Councilmembers approved Resolution No. 4973, a resolution of the City Council of the City of Redlands setting the special tax for Emergency Paramedic Service.

Resolution No. 4981 - Increase of Authorized Positions - Fire Department - In an attempt to allow the CONFIRE Joint Powers Authority to merge the positions of CAD Coordinator and Communications Coordinator into one position thus saving over \$20,000 per year and lowering the cost to every user of the Joint Powers Authority CAD and Communications System, it is recommended the Council authorize increasing the authorized firefighter positions from 24 to 25. Said new position shall be utilized to support the CONFIRE Joint Powers Authority, costs associated with the increase is reimbursable to the City of Redlands by the Joint Posers Authority. Councilmember Foster moved to approve Resolution No. 4981, a resolution of the City Council of the City of Redlands increasing the authorized positions of the Redlands Fire Department and amending Resolution No. 4924. Motion seconded by Councilmember Milson and carried by AYE votes of all present.

Resolutions Nos. 4978 and 4979 - Business Improvement District - In addition to the preliminary approval of the 1993-94 Annual Report for Parking and Business Improvement Area B (BID) (which outlines assessments, district boundaries, proposed improvements and activities and budgets), two administrative changes are also proposed: name change to Downtown Redlands Business Association (DRBA) and restructuring to include Market Night and downtown maintenance. The proposed restructuring will eliminate the need for a contract between BID/City of Redlands/Redevelopment Agency. Existing staff would be assigned, part-time, to the BID, who would pay actual administrative costs for staffing. On motion of Councilmember Foster, seconded by Councilmember Milson, Council approved Resolution No. 4978, a resolution of the City Council of the City of Redlands of preliminary approval of Annual Report for Fiscal Year 1993-94 for Parking and Business Improvement Area B. On motion of Councilmember Foster, seconded by Councilmember Milson, Council approved Resolution No. 4979, a resolution of the City Council of the City of Redlands declaring its intention to levy and collect assignments for fiscal year 1993-94 in Parking and

Business Improvement Area B, an Assessment District; and offering a time and place for hearing objections thereto as being June 15, 1993.

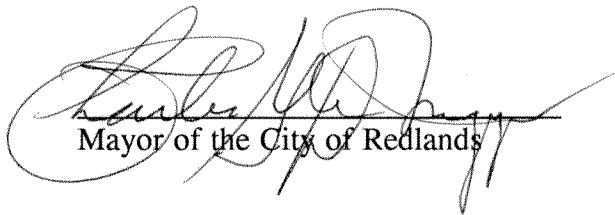
PUBLIC COMMENTS

Mr. John Shone appealed to the City Council for assistance in securing information from the Police Department regarding a recent robbery at the Bear Valley Water Company office. City Manager Wheaton assured Mr. Shone he would receive a call the next day.

Utility Users' Tax - Mayor DeMirjyn again requested the City Council support a three percent Utility Users' Tax because he does not want to see employees laid off and perhaps we can save what employee morale is left. Councilmember Milson stated she could not support without strict direction for the funding. Councilmembers Cunningham recalled that staff was directed to return with a report on this; he was advised it was still being prepared.

Recess - The Council meeting recessed at 8:07 P.M. to a closed session for the purpose of discussing the disposition of property. Following the closed session, the City Council reconvened and made the following report: The City Council authorized staff to enter into escrow for the sale of property located at 120 Olive Street, Redlands.

Adjournment - There being no further business the meeting adjourned to an adjourned regular meeting to be held on May 25, 1993, at 9:00 A.M. in the A. K. Smiley Library Assembly Room, 125 West Vine Street, Redlands, to hold a study session to review the proposed 1993-94 budget.


Mayor of the City of Redlands

ATTEST:


Deputy City Clerk

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