

MINUTES

of a regular meeting of the City Council of the City of Redlands held in the Council Chambers, 212 Brookside Avenue, on July 6, 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
(Afternoon session only)
Daniel J. McHugh, City Attorney
Lorrie Poyzer, City Clerk
Ted Thomaidis, Redlands Daily Facts
Steven Church, The Sun

ABSENT

None

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

Minutes of the special meeting of June 11, 1993, the adjourned regular meeting of June 15, 1993, and the regular meeting of June 15, 1993, were approved as submitted.

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

PLANNING AND COMMUNITY DEVELOPMENT

Mural Policy - Community Development Director Shaw reported in recent week the City has had code enforcement issues associated with the painting of murals in the City and how they may relate to overall signage for a business. In addition, there have been requests for guidelines on murals from numerous business owners. Mr. Shaw reviewed current provisions within the Redlands Municipal Code and presented several alternatives to process applications for murals. He recommended that an ordinance be prepared defining and clarifying the review and approval process for murals, and that during the transitional period, murals be reviewed by the Planning Department to insure the proposal is not a sign and then be forwarded to the City Council for final approval.

Following discussion, Councilmember Larson moved to direct staff to prepare an ordinance as recommended with a review process through the Planning Commission and Cultural Arts Commission with the inclusion of maintenance requirements, criteria which would allow for significant Redlands' history matter, and setting an annual limit, and accept staff's recommendations for the transitional period. Motion seconded by Councilmember Milson and carried unanimously.

Tentative Tract No. 14981 - Larry Luebe, applicant - Time Extension - On motion of Councilmember Larson, seconded by Councilmember Milson, Council unanimously granted a one year time extension for Tentative Tract No. 14981, a subdivision of approximately 5.3 acres of land into nine single family lots in the R-1 Zone for property located on the northwest corner of Citrus Avenue and La Salle Street.

Minor Subdivision No. 198 - Joseph Tong, applicant - Time Extension - On motion of Councilmember Larson, seconded by Councilmember Milson, Council unanimously granted a one year time extension for Minor Subdivision No. 198 and the related Lot Line Adjustment No. 285, a minor subdivision to divide 1.95 acres in the R-S District into four single family lots located on the north side of Magnolia Avenue, approximately 430 feet west of San Mateo Street.

COMMUNICATIONS

Cutstone Curbs - Assistant City Manager/Public Works Director Mutter responded to a letter dated June 24, 1993, from Paul W. Foster, chairman of the Historic and Scenic Preservation Commission regarding the protection of the cutstone curbs in the East Fern Historic and Scenic Preservation District. Mr. Mutter clarified the boundaries of the historic district and explained the curb returns were replaced without use of the cutstones for the safety and welfare of the public. A 50 foot section of cutstone curbs in the 200 block of East Fern Avenue was inadvertently replaced with regular curb facing materials. Councilmember Larson moved to direct staff to replace this section of curb with the cutstones in accordance with Resolution No. 4577. Motion seconded by Councilmember Milson and carried with Councilmember DeMirjyn voting NO.

Appointments - Mayor DeMirjyn moved to reappoint J. Philip Cline and Ted Thompson to the Airport Advisory Board; motion seconded by Councilmember Larson and carried unanimously. Mayor DeMirjyn moved to reappoint David DeValk, Thelma Foerster, and Fred Hollaus to the Parking Advisory Board;

motion seconded by Councilmember Milson and carried unanimously. Mayor DeMirjyn moved to appoint Marvin E. Duncan to the Parks Commission to fill a term which will expire June 16, 1994; motion seconded by Councilmember Larson and carried unanimously. Mayor DeMirjyn moved to appoint Katherine Thomerson and Karen Wilmot to serve on the Downtown Sign Advisory Committee; motion seconded by Councilmember Larson and carried unanimously.

Budget Study Session

1993-94 Budget - Finance Director Steve Chapman presented a revised budget summary for the General Fund with explanation notes and funding plans. Following brief discussion, Councilmember Larson moved to approve the 1993-94 budget. Motion seconded by Councilmember Foster and carried with Councilmembers Cunningham and Milson voting NO.

Recess - The City Council meeting recessed at 3:39 P.M. to a Redevelopment Agency meeting and reconvened at 3:40 P.M. to a closed session for the purpose of discussing personnel matters, property acquisition and/or 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.

PUBLIC HEARINGS

Ordinance No. 2222 - Zone Change No. 346 - Public hearing was advertised for this time and place to consider Ordinance No. 2222, an ordinance adopting Zone Change No. 346, a change of zone from A-1 (Agricultural) District to C-4 (Highway Commercial) District for approximately 9.41 acres of land located on the northwest corner of Lugonia Avenue and Wabash Avenue, as recommended by Redlands Planning Commission Resolution No. 810. Mayor DeMirjyn declared the meeting open as a public hearing for any questions or comments concerning this change of zone. On behalf of the owner of the property and applicant, Metro-California, Pat Meyer indicated their support of the staff's recommendation and urged approval of this ordinance. There being no further comments, the public hearing was declared closed. Councilmember Foster moved to approve the Environmental Review Committee's Negative Declaration for Zone Change No. 346 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. 2222, 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. 346 , was given its first 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. 2222 was introduced and laid over under the rules with second reading scheduled for July 20, 1993, on motion of Councilmember Foster, seconded by Councilmember Larson, with Councilmembers Cunningham and Milson voting NO.

Resolution No. 4992 - Concept Plan No. 3 Amendment - Public hearing was advertised for this time and place to consider Resolution No. 4992, a resolution of the City Council of the City of Redlands amending Concept Plan No. 3 for the East Valley Corridor Specific Plan Area (Chapman Investment Company) to allow a recreational facility that incorporates the following uses: Nine hole golf course, driving range, miniature golf facility, batting cages, clubhouse and associated facilities for property located on the southeast corner of Bryn Mawr and Lugonia Avenues in the EV/SD (Special Development) District. Mayor DeMirjyn declare the meeting open as a public hearing for any questions or comments concerning this amendment. Representing Chapman Investment Company, Matt Claybaugh urged approval of their application. James Barton, who owns the property to the north, also urged approval. there being no further comments, the public hearing was declared closed. Councilmember Milson moved to adopt Resolution No. 4992; motion seconded by Councilmember Foster and carried unanimously.

Resolution No. 4988 - Appropriations Limit - Public hearing was advertised for this time and place to consider Resolution No. 4988, a resolution of the City Council of the City of Redlands establishing an appropriations limit of \$40,520,970.00 for the fiscal year 1993-94 pursuant to Article XIII B of the California Constitution. 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 Larson moved to adopt Resolution No. 4988; motion seconded by Councilmember Foster and carried unanimously.

NEW BUSINESS

Utilities User's Tax - A revised draft of an initiative ordinance of the City of Redlands adding Chapter 3.64 to the Redlands Municipal Code levying a utility users' tax, was presented for Council's consideration for placement on the November 1993 ballot. Following brief discussion, Councilmembers concurred to take no action on this matter at this time.

Resolution No. 4991 - General Municipal Election - City Clerk Poyzer presented Resolution No. 4991, a resolution of the City Council of the City of Redlands calling and giving notice of the holding of a general municipal election for the election of a Councilmember from Districts 1, 3, and 5, and requesting the Board of Supervisors of the County of San Bernardino to consolidate said election with the election to be held on Tuesday, November 2, 1993. The following citizens addressed Council expressing their displeasure with the recently approved district map and urging action on the part of the City Council to allow this election to be conducted with at-large voting: Mike Haverty, Sandy Smink, Tex Moore, and Gini Banda. Michael Atencio urged the City Council to abide by the rules and regulations established for amending initiative ordinances. On motion of Councilmember Larson, seconded by Councilmember Foster, Resolution No. 4991 was approved with Councilmembers Cunningham and Milson voting NO. (See Public Comments for an amendment to this resolution.)

Resolutions Nos. 4996 and 4997 - Impartial Analysis and Arguments - No action was necessary on these two resolutions as the City Council did not place the proposed utility users' tax initiative ordinance on the November 1993 ballot.

Ordinance No. 2225 - Downtown Redlands Business Association - Ordinance No. 2225, an ordinance of the City of Redlands amending Chapter 2.22 of the Redlands Municipal Code relating to the advisory board for the Downtown Parking and Business Improvement Area, and changing the name from Business Improvement District to Downtown Redlands Business Association, 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. 2225 was introduced with unanimous Council approval and laid over under the rules with second reading scheduled for July 20, 1993, on motion of Councilmember Larson, seconded by Councilmember Foster.

PUBLIC COMMENTS

Ballot Measures - Election of Councilmembers - On behalf of a group of citizens circulating two initiative ordinances providing for a change in the process for the election of City Councilmembers, Tex Moore urged the City Council to place the initiative ordinances on the November ballot. Mr. Moore felt they would get enough signatures to force a special election, but placement of these measures on the November ballot would save the City the cost of verifying the signatures and the cost of a special election. As this was the deadline to adopt the resolution necessary to call an election in November, 1993, and the need arose after the posting of the agenda, Councilmember Milson moved to add this matter to the agenda for discussion and possible action. Motion seconded by Councilmember Larson and carried with Councilmember Foster voting NO. Councilmember Milson moved to place the following measures on the November 1993 ballot: (1) an initiative ordinance of the City of Redlands providing for the election of the City Councilmembers at large, and (2) an initiative ordinance of the City of Redlands providing for the election of the City Councilmembers from districts. Motion seconded by Councilmember Cunningham and following discussion carried with Councilmembers Larson and Foster voting NO. Councilmember Cunningham then moved to amend Resolution No. 4991, a resolution of the City Council of the City of Redlands, California, calling and giving notice of the holding of a General Municipal Election and requesting the Board of Supervisors of the County of San Bernardino to consolidate said election with the election to be held on Tuesday, November 2, 1993, to include the necessary language for these two measures. Motion seconded by Councilmember Milson and carried with Councilmembers Larson and Foster voting NO. It was noted the City Attorney will prepare impartial analyses of these measures for inclusion in the sample ballot.

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

Sale of City Property - On motion of Councilmember Larson, seconded by Councilmember Milson, Council unanimously approved the sale of the residential property located at 800 South Wabash Avenue for \$130,000.00; the City will carry a first trust deed in the amount of \$119,000.00 for three years at eight percent (8%).

Resolution No. 4995 - Grant application - On motion of Councilmember Larson, seconded by Councilmember Milson, Council unanimously adopted Resolution No. 4995, a resolution of the City Council of the City of Redlands approving the application for grant funds from the National Recreational Trails Act to design and develop a multi-purpose trail from Sylvan Park to Wabash Avenue at Crafton Elementary School following the Zanja as well as passing along surface streets.

Employee Vacancy - On motion of Councilmember Larson, seconded by Councilmember Milson, Council unanimously authorized filling the vacant position Assistant Planner.

Agreement - United Way of the East Valley - On motion of Councilmember Larson, seconded by Councilmember Milson, Council unanimously approved an agreement with the United Way of the East Valley for the use of grant funds received for "scholarships" for those in need wishing to participate in Youth Sports, Day Camp, and Before/After School Care programs, and authorized the Mayor and City Clerk to sign said agreement on behalf of the City.

Funds - Texas Street Pumping Plant - On motion of Councilmember Larson, seconded by Councilmember Milson, Council unanimously authorized the Public Works Department to engage the firm of Richard C. Slade and Associates to conduct a preliminary site investigation for soil contamination at the Texas Street Pumping Plant, and approved an additional appropriation in the amount of \$10,000.00 to fund the investigation.

Funds - Steele Foundation Grant Fund - On motion of Councilmember Larson, seconded by Councilmember Milson, Council unanimously authorized an expenditure of \$150.00 from the Steele Foundation Grant Fund to support the fall issue of the *Redlands Living Community Magazine*.

Resolution No. 4989 - Downtown Parking Regulations - On motion of Councilmember Larson, seconded by Councilmember Milson, Council unanimously adopted Resolution No. 4989, 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: No parking will be permitted on Thursdays between the hours of 5:30 P.M. and 9:00 P.M. in the northeast section of the Redlands Mall parking lot between the trellis and the First Interstate Bank and on State Street between Orange Street and Ninth Street.

Resolution No. 4998 - Salary Guidelines - On motion of Councilmember Larson, seconded by Councilmember Milson, Council unanimously adopted Resolution No. 4998, a resolution of the City of Redlands adopting local guidelines to require deductions from the salary of exempt employees for absences of less than one day, in accordance with the Department of Labor regulations implementing a special "salary basis" rules for public sector employees.

HOME Funds Agreement - On motion of Councilmember Larson, seconded by Councilmember Milson, Council unanimously approved continuance of its Cooperative Agreement with San Bernardino County for the purpose of receiving and administering HOME Investment in Affordable Housing funds and authorized the Mayor and City Clerk to sign the agreement on behalf of the City.

Resolution No. 4999 - Loma Linda University Medical Center Project - On motion of Councilmember Larson, seconded by Councilmember Milson, Council unanimously adopted Resolution No. 4999, a resolution of the City Council of the City of Redlands approving the substitution of trustee for the Certificates of Participation (Loma Linda University Medical Center Project) Series 1990-C.

Adjournment - There being no further business, the City Council meeting adjourned at 8:00 P.M. to an adjourned regular meeting to be held on July 13, 1993, at 9:00 A.M. in the Redlands Plaza Conference Room, 2 East Citrus Avenue, Suite 15C, Redlands, California.

City Clerk