MINUTES of a regular meeting of the City Council of the City of Redlands held in the Council Chambers, 212 Brookside Avenue, on July 20, 1993, at 3:00 P.M.

Recess and Closed Session - This being the time set for a regular meeting of the City Council of the City of Redlands and there being no quorum present, the City Clerk declared the meeting recessed to 6:00 P.M. in the Redlands Plaza Conference Room, 2 East Citrus Avenue, Suite 15C, for a closed session for the purpose of discussing personnel in accordance with Government Code Sections 54957 and 54957.6, property disposition, and pending litigation in accordance with Government Code Section 54956.9. 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.

PRESENT

Charles G. DeMirjyn, Mayor
Swen Larson, Mayor Pro Tem
William E. Cunningham, Councilmember
Dee Ann Milson, Councilmember
Jim Foster, Councilmember

Gary Luebbers, Interim City Manager
Ronald C. Mutter, Assistant City Manager
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 Milson followed by the pledge of allegiance.

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

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

CLOSED SESSION REPORT

Property Sales - City Attorney McHugh reported the City Council approved the sale of the City-owned properties located at 136 Grant Street and 154 Fourth Street.

Biggs Lawsuit - City Attorney McHugh reported the failure of a motion, based on the allegation the City might be dropped in the Biggs lawsuit, to terminate special legal counsel and cease legal payments in defense of Councilmembers Larson and Foster. Said motion failed with Councilmembers DeMirjyn, Larson, and Foster voting NO.

Appointment - Police Chief - Interim City Manager Luebbers reported the City Council unanimously appointed Lewis Nelson as Police Chief effective January 1, 1994.

PRESENTATION

Donation - Owner of Marci's Hair Styles Susie Halim presented the City Council a check in the amount of $406.42 representing the proceeds received during their tenth anniversary celebration on May 28, 1993. Ms. Halim and her employees designated these funds be donated for Joslyn Senior Center's use.

PLANNING AND COMMUNITY DEVELOPMENT

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

Minor Subdivision No. 202 - Barton Development Company - On motion of Councilmember Foster, seconded by Councilmember Larson, Council unanimously approved a one-year time extension to August 13, 1993, for Minor Subdivision No. 202, a subdivision of approximately 305 acres of land into 11 commercial lots in Concept Plan No. 1 of the Special Development District of the East Valley Corridor Specific Plan.

Resolution No. 5004 - One Stop Landscape - Community Development Director Shaw reported One Stop Landscape Supply has completed a Solid Waste Facilities Permit application. This facility will recycle agricultural wastes/green waste, soil, pretreated and dewatered sewage treatment plant sludge, and wood wastes into a variety of soil amendments and fertilizers. Assembly Bill 2296 and the Public Resources Code, Section 5000, provide that the establishment of a new or expanded solid waste facility that has not been identified in a County

Solid Waste Management Plan be determined by review and approval of the Board of Supervisors and by a majority vote of the cities/towns within the County having a majority of the incorporated population. The Department of Environmental Health Services, through its Local Enforcement Agency, has been designated to implement the permitting review and/or siting process with a concurrence required from the California Integrated Waste Management Board. Mr. Shaw explained the procedures developed, pursuant to State law, for the site approval/disapproval process. Jane Un MacDonald summarized the neighbors concerns relating to odors, water contamination, and traffic problems. She also informed Councilmembers they had aerial photos which indicate mining activities are taking place on the property. Tom Slano urged the City Council not to take any action on this matter until the end of the summer to see if the problems with odor control return. A representative from the Citizens for a Livable and Safe Environment read a letter dated July 20, 1993 expressing concerns that One Stop landscape Supply Center may not be able to comply with all of the requirements of the various laws, regulations and conditions applicable. Another neighbor, Bill Lazrides told Councilmembers that at times the odor from this location was unbearable. Following discussion, Councilmember Larson moved to continue this matter to August 3, 1993, and directed staff to do another site inspection and investigate the allegation of mining activities. Motion seconded by Councilmember Foster and carried with Councilmembers Cunningham and Milson voting NO as they felt the site was not appropriate.

UNFINISHED BUSINESS

Ordinance No. 2222 - Zone Change No. 346 - 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, a change of zone from A-1 (Agricultural) District to C-4 (Highway Commercial) District for 9.41 acres of property located at the northwest corner of Lugonia Avenue and Wabash Avenue (Metro California Business Enterprises, applicant), was given its second 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. 2222 was adopted on motion of Councilmember Larson, seconded by Councilmember Foster, by the following vote:

AYES: Councilmembers Larson, Foster; Mayor DeMirjyn
NOES: Councilmembers Cunningham, Milson
ABSENT: None

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, was given its second reading of the title by City Clerk Poyzer, and on motion of Councilmember Milson, seconded by Councilmember Larson, further reading of the ordinance text was unanimously waived with Councilmember Cunningham abstaining from the vote due to a possible conflict of interest. Ordinance No. 2225 was adopted on motion of Councilmember Milson, seconded by Councilmember Larson, by the following vote:

AYES: Councilmembers Larson, Milson, Foster; Mayor DeMirjyn
NOES: None
ABSTAIN: Councilmember Cunningham
ABSENT: None

NEW BUSINESS

Newspaper Rack Regulations - City Attorney McHugh reported he had reviewed other cities' ordinances regulating newspaper racks regarding location, number, and size and height, and the use of blinder racks. Councilmember concurred to have the City Attorney draft an ordinance for their consideration at the August 3, 1993, meeting.

Contract Monitoring Reports - The monthly contract monitoring reports updated through July 13, 193, for projects currently being administered by the Public Works Department were presented for Councilmembers information.

Employee Vacancies - On motion of Councilmember Foster, seconded by Councilmember Larson, Council unanimously authorized the following positions be filled: Animal Control Officer, Solid Waste Collector, and Water Quality Technician.

Athletic Fields Agreement - On motion of Councilmember Foster, seconded by Councilmember Larson, Council unanimously authorized a joint use agreement with the Redlands Unified School District for the Orangewood High School athletic fields.

Quitclaim Deed - La Paloma Street - Following an explanation from Public Works Director Mutter, Councilmember Foster moved to authorize execution of a quitclaim deed to First Interstate Bank of California for property known as La

Paloma Street and a portion of the adjoining alley (Parcel Map No. 9216, recorded on September 25, 1985, for property on the north side of Cypress Avenue, west of Redlands Boulevard, behind the Kimberly Apartments) to the adjoining property owner for the sum of $1.00 and reimbursement of staff and material costs estimated to be $350.00. Motion seconded by Councilmember Larson and carried unanimously.

Resolution No. 5001 - Measure O Bonds - On motion of Councilmember Foster, seconded by Councilmember Larson, Council unanimously adopted Resolution No. 5001, a resolution of the City Council levying a tax rate for fiscal year 1993-94 for the General Obligation Bond Series, 1988A (Measure O).

Resolution No. 5003 - Weed Abatement Charges - On motion of Councilmember Foster, seconded by Councilmember Larson, Council unanimously adopted Resolution No. 5003, a resolution of the City Council of the City of Redlands providing for the assessment of costs resulting from the abatement of weeds which constitute a fire hazard.

Freeway Maintenance Agreement - On motion of Councilmember Foster, seconded by Councilmember Larson, Council unanimously approved a freeway maintenance agreement between the State of California Department of Transportation (Caltrans) and the City of Redlands, covering portions of the roadways related to the completion of State Route 30, and authorized the Mayor and City Clerk to sign the agreement on behalf of the City.

Contract - Parking Citations - On motion of Councilmember Foster, seconded by Councilmember Larson, Council unanimously approved a contract between the City of Redlands and the City of San Bernardino to provide a hearing officer for contested parking citations, and authorized the Mayor and City Clerk to sign said agreement on behalf of the City.

Sale of City Equipment - On motion of Councilmember Foster, seconded by Councilmember Larson, Council unanimously authorized the sale of two surplus street sweepers, specifically a 1986 Vanguard 3000 Broom Sweeper and a 1986 Vanguard Air Sweeper to D & S Sweeping Service, San Luis Obispo, for $7,500.00 and $5,000.00 respectively.

Trade of City Equipment - On motion of Councilmember Foster, seconded by Councilmember Larson, Council unanimously authorized the General Services Director to negotiate the trade of excess City equipment (namely a sweeper) to the City of Loma Linda for a used aqua vacuum which will be used to clean storm drains and to authorize conversion of the equipment at equal value.

Subordination Agreement - On motion of Councilmember Foster, seconded by Councilmember Larson, Council unanimously authorized execution of a subordination agreement for property located at 926 Ramona Drive.

PUBLIC COMMENTS

Tow Trucks - Leopole E. Wenzel, owner of Loma Linda Towing, informed Council that he believed that A&B Towing and SERVCO have either merged or a purchase and sale by one to the other has occurred which has resulted in an unfair rotation of calls from the Police Department for his business. Council asked staff to report their findings on this matter at the August 3, 1993, meeting.

ADJOURNMENT

There being no further business, the City Council meeting adjourned at 7:40 P.M. to an adjourned regular meeting to be held on August 3, 1993, at 9:00 A.M. in the Redlands Plaza Conference Room, 2 East Citrus Avenue, Redlands, California.

Mayor

ATTEST:

City Clerk