

MINUTES

of a regular meeting of the City Council of the City of Redlands held in the Council Chambers, 212 Brookside Avenue, on August 3, 1993, at 3:00 P.M. This being the time set for a regular meeting of the City Council and there being no quorum present, the City Clerk declared the meeting recessed to 6:30 P.M. for a closed session. There being no quorum present for the closed session, the meeting briefly recessed and 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
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 Mayor Pro Tem Larson followed by the pledge of allegiance.

Minutes of the adjourned regular meeting of July 20, 1993, and the regular meeting of July 20, 1993, were approved as submitted.

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

PUBLIC HEARING

Resolution No. 5000 - Historic Resource - Public hearing was advertised for this time and place to consider the recommendation of the Historic and Scenic Preservation Commission to designate the Barton House, located at 11245 Nevada Street, as a historic landmark. Community Development Director Shaw reported this structure was nominated by the Historic and Scenic Preservation Commission to protect it from future demolition. The house is both architecturally unique and historically significant. There is some evidence to suggest that the structure may have been built in 1859; if so, it would be the oldest fire brick house in Southern California. Mayor DeMirjyn declared the meeting open as a public hearing for any questions or comments concerning this matter. On behalf of Jane Potter, owner of the property, Guay Wilson said they were vehemently opposed to this action by the City. There being no further

comments, the public hearing was declared closed. Noting he did not think the intent of the historic ordinance was to take over property, Councilmember Foster moved to deny Resolution No. 5000, a resolution of the City Council of the City of Redlands designating the Barton House as a historic landmark (Historic Resource No. 86). Motion seconded by Councilmember DeMirjyn and following discussion failed with Councilmembers Cunningham, Milson, and Larson voting NO. Councilmember Larson then moved to adopt Resolution No. 5000. Motion seconded by Councilmember Cunningham and carried with Councilmembers DeMirjyn and Foster voting NO.

COMMUNICATIONS

Mural Regulations - Planning and Community Development Director Shaw reported on the status of the proposed mural ordinance. At the City Council meeting held on July 6, 1993, staff was directed to draft an ordinance relating to murals; in the transition period all murals would be approved by the City Council. Since that time, the City has had one mural proposal which was submitted by Katherine Thomerson. The Municipal Code is fairly strict in defining what constitutes a sign and staff could not avoid that definition in trying to process Ms. Thomerson's proposal. Based on this, staff and the City Attorney determined that this mural could not be processed until an ordinance was prepared. Mr. Shaw said the City Attorney is currently drafting an ordinance which should be ready for the City Council's consideration in early September. The Planning staff has been researching the issue with other jurisdictions and found that few cities have guidelines on this subject and limited resources to enforce Code.

San Timoteo Creek Trails - A copy of the Draft Environmental Assessment for the San Timoteo Creek Recreation Bicycle and Equestrian Trail, San Bernardino County, California, was presented for the City Council's information. Comments on the proposed project or the Draft Environmental Assessment will be accepted until September 13, 1993.

UNFINISHED BUSINESS

Resolution No. 5004 - One Stop Landscape Supply Composting Facility - Community Development Director Shaw reported the City Council considered action relative to a Solid Waste Facilities Permit for One Stop Landscape Supply on July 20, 1993. Concerns were raised by property owners in the area that nonauthorized grading and mining were occurring at the site. On July 28, 1993, staff inspected the One Stop Landscape Supply Center and surrounding acreage owned by the applicant, and found no evidence of a mining operation. The following activities were observed: dredging of sand and silt from a

detention basin; clearing of roads and grading for Edison to obtain access to utility lines; scraping of the hills around the yard waste collection area for fire clearance purposes; and fire breaks on tops of slopes which did not appear to be recent clearances. Speaking in opposition to this action were: Thomas M. Slamal, Janice Brown, Dr. William Buss, Jane MacDonald, and Frank Maka. Councilmember Foster moved to approve Resolution No. 5004, a resolution of the City Council of the City of Redlands approving the site identification and description for: The One-Stop Landscape Supply Composting Facility, Identification #36-AA-3008. Motion seconded by Councilmember Larson and carried with Councilmember Cunningham and Milson voting NO.

Ordinance No. 2228 - Newspaper Rack Regulations - City Attorney McHugh explained the contents of a proposed ordinance regulating the location of newsracks within the City and including provisions to ensure that sexually explicit and other harmful material to minors that might be contained in such newsracks be restricted from view. Ordinance No. 2228, and ordinance of the City of Redlands adding Chapter 8.70 to the Redlands Municipal Code relating to the regulation of newsracks, was read by title only by City Clerk Poyzer, and on motion of Councilmember Larson, seconded by Councilmember Milson, further reading of the ordinance text was unanimously waived. Ordinance No. 2228 was introduced with unanimous Council approval and laid over under the rules with second reading scheduled for September 7, 1993, on motion of Councilmember Larson, seconded by Councilmember Milson.

Tow Truck Complaints - Police Chief Lewis Nelson reviewed his department's report regarding Loma Linda Towing's complaint regarding A&B/Servco Towing registered at the prior City Council meeting. He also indicated concerns had been brought to his attention as late as today regarding Loma Linda Towing. He suggested the need to have a meeting with the parties involved to address all concerns, and he would report back to the City Council in September. Judy Miller addressed Council in support of Paul Beagle, owner of A&B Towing. Paul Beagle also addressed the City Council explaining the status of the two towing companies. Fred Ford expressed concern that the operation of Loma Linda Towing on Stuart Avenue did not comply with City Code.

NEW BUSINESS

Ordinance No. 2227 - Parking Violation Penalties - Ordinance No. 2227, an ordinance of the City of Redlands amending Chapter 10.12 of the Redlands Municipal Code relating to parking violations, was read by title only by City Clerk Poyzer, and on motion of Councilmember Milson, seconded by Council-

member DeMirjyn, further reading of the ordinance text was unanimously waived. Ordinance No. 2227 was introduced and laid over under the rules with second reading scheduled for September 7, 1993, on motion of Councilmember Milson, seconded by Councilmember Larson, with Councilmember Foster voting NO.

CC&R's Amendment - Councilmember Foster moved to direct the City Attorney to review and approve changes to the Covenants, Conditions, and Restriction (CC&R's) for Assessor's Parcel No. 173-071-87 (3.89 acres of property located north of Cypress Avenue and west of Redlands Boulevard) with any City Attorney costs to be paid by the applicant. This proposed amendment eliminates development of the property as a congregate care facility as approved under Conditional Use Permit No. 500.

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

Employee Vacancies - On motion of Councilmember Larson, seconded by Councilmember Foster, Council unanimously authorized the following positions be filled: Recreation Supervisor and Mechanic Assistant.

Resolution No. 5006 - FEMA Application - On motion of Councilmember Larson, seconded by Councilmember Foster, Council unanimously approved Resolution No. 5006, a resolution of the City Council of the City of Redlands substituting designation of the applicant's agent (Gary M. Luebbers, Interim City Manager) for the purpose of obtaining federal financial assistance for Agreement Nos. FEMA-935-DR, FEMA-947-DR, and FEMA-979-DR.

Minor Subdivision No. 185 - Time Extension - On motion of Councilmember Larson, seconded by Councilmember Foster, Council unanimously approved a one-year time extension for Minor Subdivision No. 185, a land division of 1.173 acres of land into four single family lots for property located between Clay and Ohio Streets, approximately 467 feet south of Pennsylvania Avenue (Maria Gonzales).

Tentative Tract No. 14999 (Revision II) - Time Extension - On motion of Councilmember Larson, seconded by Councilmember Foster, Council unanimously approved a one-year time extension to August 20, 1994, for Tentative Tract No. 14999, a residential subdivision of approximately 9.3 acres into 17 lots located at 916 West Olive (The Smith Family, applicant).

Minor Subdivision No. 186 - Time Extension - On motion of Councilmember Larson, seconded by Councilmember Foster, Council unanimously approved a

one year time extension for Minor Subdivision No. 186, a subdivision of 1.75 acres of land into three single family lots for property located on the north side of Cypress Avenue, approximately 200 feet east of Sunnyside Avenue (Terry and Celia McDuffee, applicant).

Tentative Tract No. 14796 - C.U.P. No. 554 - Time Extension - On motion of Councilmember Cunningham, seconded by Councilmember Larson, Council unanimously approved a one year time extension to August 13, 1994, for Tentative Tract No. 14796 and Conditional Use Permit No. 554, a Planned Residential Development (Specific Plan No. 43) for the subdivision of approximately 26.57 acres of land into ten residential lots located east of Alessandro Road and south of Sunset Drive (Dwight Yeoman, applicant). Community Development Director Shaw assured Councilmembers that Code Enforcement would look into a complaint about trash on the property.

Tentative Tract No. 14762 - C.U.P. No. 540 - Time Extension - On motion of Councilmember Larson, seconded by Councilmember Foster, Council unanimously approved a one year time extension to September 18, 1994, for Tentative Tract No. 14762 and Conditional Use Permit No. 540 for a Planned Residential Development for the subdivision of approximately 14.5 acres of land into 47 residential lots located west of University Street between Pennsylvania and San Bernardino Avenues (Randall Properties/Steve Rosenberg, applicant).

Landscape Grant Agreement - On motion of Councilmember Larson, seconded by Councilmember Milson, Council unanimously approved a Landscape Cooperative Agreement between the State of California Department of Transportation, San Bernardino Associated Governments, and the City of Redlands for improvements in and near Redlands along the I-10 Corridor and State Route 30 Interchange, and authorized the Mayor and City Clerk to execute said agreement on behalf of the City.

Resolution No. 5008 - Traffic - Deputy Public Works Director Pete Laaninen reported that Orange Street was closed at the Santa Ana River in January as a result of the Orange Street bridge being severely damaged by heavy flows in the river. As a part of the traffic control to support the closures, stop signs were installed on Orange Street at Pioneer Avenue. These stop signs were removed on July 1, 1993, in preparation for the opening of the street on July 6, 1993. Requests have been received by residents of the area that the stop signs on Orange Street remain and that the intersection be made a four-way stop. A traffic study has been conducted and the intersection does not meet warrants; therefore, staff recommended the four-way stop not be installed at this time and that this request be referred back to the Traffic Commission for further study. The Traffic Commission, at its meeting on July 22, 1993, recommended the four-way stop be installed. Following discussion, Councilmember Cunningham moved to adopt Resolution No. 5008, a resolution of the City Council of the City of Redlands establishing traffic regulations pursuant to Title 10 of the Redlands Municipal Code and directing the erection of a four-way stop at the intersection of Orange Street and Pioneer Avenue. Motion seconded by Councilmember Milson and carried with Councilmember Foster voting NO.

Resolution No. 5002 - Fire Department Personnel - On motion of Councilmember Larson, seconded by Councilmember Foster, Council unanimously approved Resolution No. 5002, a resolution of the City Council of the City of Redlands increasing the number of authorized positions by creating the position of Communications Coordinator within the Redlands Fire Department. This new position shall be utilized to support the CONFIRE Joint Powers Authority and costs associated with the increase are reimbursable to the City by the JPA. The Communication Coordinator position shall exist only as long as it is fully funded by the JPA.

Contract Award - Bids were opened and publicly declared on July 15, 1993, by the City Clerk for replacement and/or repair of sidewalks in various location within the Community Development Block Grant area; a bid opening report is on file in the Office of the City Clerk. At this time, it is the recommendation of the Public Works Department that the responsible bidder submitting the bid for said project which will result in the lowest cost to the City is IPS Services, Inc., San Bernardino, in the amount of \$15,612.50, 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 Foster, this recommendation was unanimously approved.

RDA Cash Advance - The request to approve an interest-free advance from the General Fund to the Redevelopment Fund to provide cash to meet current year operating expenses and the prior years' accumulated cash deficit was continued

to the September 7, 1993, meeting, on motion of Councilmember Larson, seconded by Councilmember Foster.

Salary for Interim City Manager - On motion of Councilmember Larson, seconded by Councilmember Foster, Council unanimously approved a ten percent (10%) increase in salary in the amount of \$655.00 per month for the period of time Gary Luebbbers serves as Interim City Manager.

Resolution No. 5005 - Personnel Rules and Regulations - On motion of Councilmember Larson, seconded by Councilmember Foster, Council unanimously approved Resolution No. 5005, a resolution of the City of Redlands adopting rules and regulations for the administration of a personnel system for the City of Redlands and repealing Resolution No. 3400.

Medi-Cal Exemption for Fire Department - On motion of Councilmember Larson, seconded by Councilmember Foster, Council unanimously authorized the Mayor to sign a letter asking the State Department of Health to grant the City of Redlands exempt status which will qualify the City for cost recovery of paramedic expenses on eligible Medi-Cal patients.

Mayor DeMirjyn left the Council Chambers at 9:27 P.M.

PUBLIC COMMENTS

Initiatives and Council Agenda - Tony Martinez expressed his displeasure with the placement of the two initiative measures regarding the Councilmembers' election process on the November 1993 ballot; he also wanted Public Comments to appear earlier on future Council meeting agendas. Tex Moore commended the City Council for their action on July 6, 1993, regarding the initiatives.

Mayor DeMirjyn returned to the Council Chambers at 9:34 P.M.

Recess - The City Council meeting recessed at 9:34 P.M. to a Redevelopment Agency meeting and reconvened at 9:35 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. No report was expected following the closed session.

Adjournment - The City Council meeting adjourned following the closed session. The next regularly scheduled meeting on August 17, 1993, will not be held. The City Council will meet on September 7, 1993.

City Clerk