MINUTES of a regular meeting of the City Council of the City of Redlands held in the Council Chambers, 212 Brookside Avenue, on September 21, 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

Gary Luebbers, 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 regular meeting of September 7, 1993, were approved as submitted.

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

Candidates - Mayor DeMirjyn acknowledged City Council candidates who were present at this meeting: Pat Gilbreath, Jesse Siglow, and incumbent Swen Larson.

STUDY SESSION

Budget Review- RDA Bond Refinancing - Finance Director Steve Chapman presented a three-year projection of financing sources and requirements for 1993-94 through 1995-96 for the General Fund and a summary of the 1993-94 financing sources and requirements for the Redevelopment Agency Fund Group. Mr. Norman K. McPhail reported he, Glen Stephens from Best, Best & Krieger and Mr. Chapman have been working to develop a viable plan to further reduce the City's General Fund debt service costs and repay the Redevelopment Agency's pooled cash debt. To accomplish this, they have focused on freeing up tax increment revenues through a refunding of the existing RDA debt. These savings could then be used to pay debt service on the Redlands Mall Parking

Lease Revenue Bonds which is currently being paid by the General Fund. In addition, a taxable new money financing could be used to purchase the existing Wal-Mart Parking Facilities Lease. Councilmember Foster moved to authorize staff to expend the necessary funds to initiate proceedings to refinance the Redevelopment Agency debts. Motion seconded by Councilmember Larson and carried by the following vote:

AYES: Councilmembers Larson, Foster; Mayor DeMirjyn
NOES: Councilmember Milson
ABSTAIN: Councilmember Cunningham

Wal-Mart Lease - Councilmember Foster moved to authorize staff to continue negotiations and proceed with bringing forward all information regarding the Wal-Mart Parking Facilities Lease Agreement. Motion seconded by Councilmember Milson and carried unanimously. (Also see minutes of the Redevelopment Agency meeting held on September 21, 1993.)

I-10 and California Street Interchange - Public Works Director Ron Mutter updated Council on the status of the I-10 and California Street Interchange; he has met with Wes McDaniel, SANBAG, who has indicated Measure I funding may be available for this project. Councilmember Foster expressed concern regarding Dokken Engineering's involvement with this project. Councilmember Larson moved to stop the process for further evaluation. Motion seconded by Councilmember Foster and carried unanimously.

Recess - The City Council meeting recessed at 4:25 P.M. to a closed session for the purpose of discussing personnel matters, property 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.

Candidates - Mayor DeMirjyn acknowledged City Council candidates present: Pat Gilbreath, Gilberto Gil, Jesse Siglow, Rolland Moore and incumbent Swen Larson.

COMMUNICATIONS

Open Space and Strategic Planning Report - Open Space Committee Chairman Kay Mason presented and reviewed the Open Space Report dated June 1, 1993, which depicts some of the history of the Open Space Committee as well as recommendations by the Committee for the acquisition of lands for parks, open space and preservation purposes. The Open Space Committee has been one of the City's most successful endeavors with the passage of Measure "O" and acquisition of some key parcels of land. The Committee, and especially Kay Mason, Robert Schuler, and Barbara Wormser, were commended for their long hours of volunteer service to the City.

Cable Television Rates - Community Services Director Rodriguez reported the Federal Communications Commission (FCC) is now accepting certification forms from franchising authorities that wish to regulate the basic tier cable rates in their communities. The FCC will authorize the City to regulate rates thirty days after the completed application is received by them and as soon as the City has passed the requisite ordinance or amended franchise agreement. He also explained that a form is available through City Hall that allows citizens to complain to the FCC regarding the increase in cable rates. This is the only means by which the rates for this service can be reviewed at this time. Councilmember Cunningham moved to authorize the filing of FCC Form 328 with the Federal Communications Commission in order to comply with the certification process authorizing the City of Redlands to regulate cable television rates. Motion seconded by Councilmember Milson and carried unanimously.

PUBLIC HEARINGS

Ordinance No. 2229 - Specific Plan No. 47 - Public hearing was advertised for this time and place to consider a specific plan for a proposed development of 110 acres into 24 residential lots located at the southerly extension of South Lane and Sutherland Drive in the R-R (Rural Residential) District (Donald and Julie Van Wieren, applicants). Community Development Director Shaw reviewed the application noting several public hearings were held by the Planning Commission and that all concerns expressed have been addressed and met. Mayor DeMirjyn declared the meeting open as a public hearing for any questions or comments. President of the Redlands Horticultural and Improvement Society Richard A. Boetcher expressed their pleasure with the plan which provides for the preservation of the existing oak grove. On behalf of the applicants, Pat Meyer said they were in complete agreement with the staff report and urged approval of the Specific Plan. There being no further comments, the public hearing was declared closed. Councilmember Larson moved to approve the Environmental Review Committee's Negative Declaration for Specific Plan No. 47 based on the finding that the project will not have a significant effect on the environment and directed staff to file and post a Notice of Determination in accordance with the City's guidelines. Motion seconded by Councilmember Foster and carried unanimously. Ordinance No. 2229, an ordinance of the City Council of the City of Redlands adopting Specific Plan No. 47, was read by title only 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. 2229 was introduced with unanimous Council approval and laid over under the rules with second reading scheduled for October 5, 1993, on motion of Councilmember Larson, seconded by Councilmember Cunningham.

Mentone Water Rates - Prior to the opening of the public hearing for Ordinance No. 2216 (see next paragraph), Mayor DeMirjyn expressed his frustration with the process to review and lower the water rates for the Mentone residents, several of which were present at this meeting. Public Works Director Ron Mutter explained this ordinance sets out procedures for new connections, and does not address rates. He again explained the former City Manager would not authorize the transfer of funds needed for the outside rate study, but the study was now underway and staff was scheduling a public hearing on this matter for November 16, 1993. Mentone resident Chuck Stewart complained bitterly about their rates. At the end of the meeting under Public Comments, Mentone resident Carol Thompson was informed the public hearing scheduled for November 16, 1993, would be held at 7:00 P.M.

Ordinance No. 2216 - Utility Connection Availability - Public hearing was advertised for this time and place to consider Ordinance No. 2216 which establishes new regulations to implement Measure "N" for outside the City water and sewer connections to residential development projects, sets fees for an availability review, and establishes an allocation process. Mayor DeMirjyn declared the meeting open as a public hearing for any questions or comments regarding this ordinance; none being forthcoming, the public hearing was declared closed. Ordinance No. 2216, an ordinance of the City of Redlands amending Chapter 13.60 of the Redlands Municipal Code to implement the provisions of Measure "N" and regulate the extension of outside City water and sewer connections to residential development projects, 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. 2216 was introduced and laid over under the rules with second reading scheduled for October 5, 1993, on motion of Councilmember

Larson, seconded by Councilmember Milson, with Councilmember Cunningham voting NO as he felt this ordinance did not support Measure N's goal to encourage single lot construction.

NEW BUSINESS

Resolution No. 5021 - Drainage Easement Acquisition - A hearing was noticed for this time and place for the City Council to consider the adoption of a resolution of necessity to acquire a drainage easement from the property located at 1201 Washington Street (APN 167-243-13) for the Community Center Parking Lot project. Councilmember Foster excused himself from the Council Chambers noting a possible conflict of interest in this matter. Mayor DeMirjyn declared the meeting open for a hearing on this matter. City Clerk Poyzer reported a letter noticing this hearing was mailed to Ralph and Lottie Davis on September 3, 1993, and a response was received on September 16, 1993, from Mr. Davis regarding this hearing. Community Development Director Shaw reported his project has been a multi-year, multi-faceted project. The City has purchased four properties; relocated and purchased homes for the property owners; conducted an asbestos survey; demolished and removed the structures; and provided a training area for the City's Fire Department. Community Development Block Grant funds are funding the construction of the parking lot project. This easement will provide a location for the construction of an underground storm drain to carry storm water from the parking lot to Western Avenue. Mr. Shaw reviewed a report including staff's attempts to contact the property owners to negotiate the acquisition of this necessary easement and an analysis and the required findings. Mayor DeMirjyn called upon all persons with an interest in the property who wished to be heard. None forthcoming, he then closed the hearing. Councilmember Larson moved to adopt Resolution No. 5021, a resolution of the City Council of the City of Redlands declaring that the acquisition of an easement interest in certain real property by eminent domain is necessary for construction, operation and maintenance of underground drainage facilities. Motion seconded by Councilmember Cunningham and carried with Councilmember Foster abstaining.

Contract Award - Community Center Parking Lot - Bids were opened and publicly declared on August 12, 1993, by the City Clerk for the construction of the Community Center parking lot; 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 Planning and Community Development that the responsible bidder submitting the bid for said project which will result in the lowest cost to the City is Redlands-Pacific General Engineering Contractors, Redlands, in the amount of

$107,000.00, and it is in the best interest of the City that this contract be awarded to said firm. On motion of Councilmember Cunningham, seconded by Councilmember Milson, this recommendation was unanimously approved.

Ordinance No. 2230 - Commission Appointments - City Attorney McHugh presented Ordinance No. 2230 which was prepared at the request of the City Council to change the manner in which citizens are appointed to City advisory commissions. This proposal would require that each member of the City Council appoint a commission member to each of the City's advisory commissions subject to the approval of the full City Council. It also provides that the terms of appointed commission members run concurrent with the terms of the Councilmembers who appoint them. In order to implement the new appointment system, all persons currently serving on existing commissions would have to be removed. Councilmembers Milson and Cunningham did not support this ordinance. Councilmember Larson did not support this ordinance at this time and suggested an alternative which would allow current commissioners to complete their terms. Following discussion, Councilmember Foster moved to continue this matter for two months. Motion seconded by Councilmember Larson and carried with Councilmembers Cunningham and Milson voting NO.

Ordinance No. 2223 - Historic Preservation and Housing Commissions - City Attorney McHugh presented Ordinance No. 2223 which was prepared at the request of the City Council to combine the Historic and Scenic Preservation Commission and the Housing Commission into one single body. Councilmembers Cunningham and Milson did not support this ordinance. Councilmember Larson indicated he could not support it at this time as he wanted to see a table of organization for the Housing Commission, and moved to table this matter indefinitely. Motion seconded by Councilmember Foster and failed by the following vote:

AYES:	Councilmembers Larson and Foster
NOES:	Councilmembers Cunningham and Milson
ABSTAIN:	Mayor DeMirjyn

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

Planning Commission Actions - On motion of Councilmember Foster, seconded by Councilmember Larson, the report of the Planning Commission meeting held on September 14, 1993, was unanimously acknowledged as received.

Airport Advisory Board Actions - On motion of Councilmember Foster, seconded by Councilmember Larson, the report of the Airport Advisory Board meeting held on September 1, 1993, was unanimously acknowledged as received.

Parking Advisory Board Actions - On motion of Councilmember Foster, seconded by Councilmember Larson, the report of the Parking Advisory Board meetings held on July 28, 1993, and August 25, 1993, was unanimously acknowledged as received.

Resolution No. 5019 - Parking Regulations - On motion of Councilmember Foster, seconded by Councilmember Larson, Council unanimously adopted Resolution No. 5019, a resolution of the City Council of the City of Redlands prohibiting parking on the north side of Redlands Boulevard, east of Eighth Street and between Central Avenue and the first drive approach to the east pursuant to Title 10 of the Redlands Municipal Code.

Employee Memoranda of Understandings - On motion of Councilmember Foster, seconded by Councilmember Larson, Council unanimously approved the Memorandum of Understanding with the Redlands Police Officers' Association for the period February 2, 1993, to September 30, 1994; the Memorandum of Understanding with the Redlands Mid-Management Employees for the period January 1, 1993, to September 30, 1994; the Memorandum of Understanding with the Redlands Professional Firefighters' Association for the period August 2, 1993, to September 30, 1994; the Letter Agreement dated August 20, 1993, for the Management/Confidential Employees; and approved the same benefit package contained in the Letter Agreement dated August 20, 1993, for the Management/Confidential Employees for the City Treasurer and City Clerk.

Sale of City Property - On motion of Councilmember Larson, seconded by Councilmember Milson, Council approved the sale of the property located at 126 Garden Hill to Tony and Sandra Grano for $200,000.00 with Councilmember Foster voting NO.

Funds - California Street Landfill - On motion of Councilmember Larson, seconded by Councilmember Cunningham, 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 California Street Landfill. An additional appropriation was not needed as indicated on the agenda.

Adjournment - There being no further business, the City Council meeting adjourned at 8:22 P.M. Next regular meeting, October 5, 1993.

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City Clerk