

MINUTES

of a regular meeting of the City Council of the City of Redlands held in the Council Chambers, 212 Brookside Avenue, on December 21, 1993, at 3:00 P.M.

PRESENT

Swen Larson, Mayor
Jim Foster, Mayor Pro Tem
William E. Cunningham, Councilmember
Gilberto Gil, Councilmember
Pat Gilbreath, 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

Mayor Larson opened the meeting and extended condolences to Mayor Pro Tem Foster for the recent death of his sister-in-law. Councilmember Cunningham delivered the invocation followed by the pledge of allegiance.

PLANNING AND COMMUNITY DEVELOPMENT

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

Contract Award - Bids were opened and publicly declared on December 9, 1993, by the City Clerk for the construction of the Senior Multipurpose Center to be attached to the northerly end of the Community Center; a bid opening report is on file in the Office of the City Clerk. Community Development Director Shaw reported there was an irregularity in the bid document since it did not have a listing of all subcontractors, as required by State law. The City Attorney evaluated this irregularity and determined that while the bid document did not contain the technical language; nevertheless, it did comply with the spirit of the law and resulted in no prejudice to any bidder. The City has received protests from LAD Construction and Williams Development Corporation. On behalf of Gibraltar Construction, Randy Terrazas urged Council to award the contract to his company as he felt the bids received were fair and tight. Noting Councilmembers needed to discuss possible litigation on this matter, Councilmember Foster moved to continue this matter to the 7:00 P.M. session.

Motion seconded by Councilmember Gilbreath and carried unanimously. Later in the evening, this matter was further discussed under Unfinished Business. Mr. Shaw reviewed the staff's recommendations and the budget for this project, noting the need to reprogram Community Development Block Grant projects for additional funding. Following discussion, Councilmember Gil moved to award a construction contract to Gibraltar Construction Company of San Bernardino in the amount of \$719,539.00 for the construction of the Senior Multipurpose Center to be attached to the northerly end of the Community Center. Motion seconded by Councilmember Cunningham and carried unanimously. Councilmember Gilbreath moved to direct staff to advertise a public hearing to reprogram the following Community Development Block Grant projects: \$46,281.00 for the Historic Preservation Grant; \$30,000.00 for the Seismic Retrofit; and \$1,000.00 for the Redlands Yucaipa Guidance Clinic to the Redlands Senior Multipurpose Center project in order to include the following alternatives: passenger loading area on Washington Street; kitchen equipment; FRP board in kitchen; and furnishings and installation of projection screen. Motion seconded by Councilmember Cunningham and carried unanimously.

Hidden River County Club Specific Plan Environmental Impact Report - On motion of Councilmember Cunningham, seconded by Councilmember Foster, Council unanimously approved an amendment to the contract between the Chambers Group and the City for the Hidden River Country Club specific plan environmental impact report to allow an increase in fees of \$2,890 for the study of the Stevens kangaroo rat.

Minor Subdivision No. 228 - On motion of Councilmember Cunningham, seconded by Councilmember Foster, Council unanimously granted final approval for Minor Subdivision No. 228, a subdivision of 16 acres of property into two lots of 6.7 and 9.3 acres each for property located at the northwest corner of State and New York Streets (ESRI, applicant), provided all conditions of approval have been met.

CEQA MOU - Sunwest Project - On motion of Councilmember Cunningham, seconded by Councilmember Foster, Council unanimously approved the Memorandum of Understanding between the Cities of Highland and Redlands for the preparation of an Environmental Impact Report for Sunwest Materials, Inc. (formerly Pharris) for a development agreement and mining reclamation plans as recommended by staff.

Tract No. 14999, Phase I - Final Approval - On motion of Councilmember Cunningham, seconded by Councilmember Foster, Council unanimously granted final approval for Phase I of Tract No. 14999, a residential subdivision

of approximately 9.3 acres into 17 lots located at 916 West Olive Avenue (The Smith Family, applicant).

COMMUNICATIONS

Appointment - Mayor Larson moved to nominate Paul Foster for reappointment to the Historic and Scenic Preservation Commission. Motion seconded by Councilmember Cunningham and the nomination was confirmed with Councilmember Foster voting NO noting he wanted to continue this matter to the evening session after the discussion regarding Ordinance No. 2230 which would change the procedure for commissioner appointments.

San Bernardino International Airport - Mayor Larson announced the airport lease has been approved and the Airport Authority has hired a public affairs consultant. He shared a letter from Jo Bognet, Assistant Airport Manager, regarding a B747 which departed from the airport bound for Amsterdam on December 17, 1993. The letter explained the pilot was not aware of the departure procedure nor had he received an IFR clearance prior to departure

JOINT MEETING - CITY COUNCIL AND REDEVELOPMENT AGENCY

Financial Advisor and Underwriter - Finance Director Steve Chapman reviewed recent Finance Committee sessions and last week's City Council meeting at which time proposals were presented for the refunding of the Redevelopment Agency's 1987 Tax Allocation Refunding Bonds, 1989 Subordinate Tax Allocation Bonds, 1989 Refunding Parking Lease Revenue Bonds, the Measure O General Obligation Bonds, Series 1988A, and the Wal-Mart parking facilities lease buyouts. Councilmember Foster moved to select Miller & Shroeder Financial, Inc. as the financial advisor and underwriter for these projects. Motion seconded by Councilmember Gil and carried with Councilmember Cunningham voting NO noting he preferred to continue with Norman McPhail's services.

Recess - The City Council meeting recessed at 3:20 P.M. to continue the Redevelopment Agency meeting and reconvened at 3:21 P.M. to a closed session for the purpose of discussing 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.

PRESENTATIONS

Redlands Police Civilian Volunteer 365 Club - Assisted by Civilian Volunteer Patrolman Jim Stellar and Police Sgt. Tom Fitzmaurice, Mayor Larson presented certificates of appreciation to organizations and individuals who have qualified with their donations to become members of the CVP 365 Club: Redlands Round Table, Emmerson-Bartlett Mortuaries, Inc., San Bernardino Golf Club, Mr. and Mrs. James H. Stellar, Jim Glaze, Inc., Redlands Federal Bank, Mr. and Mrs. Kevin Liebrum, Hatfield Buick-GMC, Redlands Community Hospital, Optimist Club of Redlands, Redlands Elks Lodge No. 583 - B.P.O.E., and Kiwanis Club of Redlands - Morning.

Metrolink Service - A slide show was presented by Mike Bair from SANBAG regarding Metrolink as it is currently operating and future expansion plans; Metrolink service to Redlands is expected in 1995.

PUBLIC HEARING

Ordinance No. 2233 - Transportation Control Measures - Public hearing was advertised for this time and place to consider Ordinance No. 2233, an ordinance of the City of Redlands implementing Transportation Control Measures (TCM) from the 1991 Air Quality Management Plan and 1992 Federal Attainment Plan for Carbon Monoxide by adding Chapter 18.224 to the Redlands Municipal Code. Community Development Director Shaw explained the requirements incorporated into this ordinance came directly from the design standards as development jointly by the TCM Technical Advisory Committee and Policy Committee at SANBAG. Mayor Larson declared the meeting as a public hearing for any questions or comments regarding this matter. None being forthcoming, the public hearing was declared closed. Councilmember Cunningham moved to approve the Environmental Review Committee's Negative Declaration for Ordinance No. 2233 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 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 Gilbreath and carried unanimously. Ordinance No. 2233 was read by title only by City Clerk Poyzer, and on motion of Councilmember Cunningham, seconded by Councilmember Gilbreath, further reading of the ordinance text was unanimously waived. Ordinance No. 2233 was introduced and laid over under the rules on motion of Councilmember Cunningham, seconded by Councilmember Gilbreath, with Councilmember Foster voting NO.

UNFINISHED BUSINESS

Ordinance No. 2232 - Outside City Rate Surcharges - Gini Banda distributed materials challenging Councilmember Foster's denial of a conflict of interest in the matter of voting on outside the City water and sewer charges. Councilmember Foster stated he had consulted with his private attorney as well as the City Attorney and felt comfortable voting on this issue. Ordinance No. 2232, an ordinance of the City of Redlands amending Chapters 3.52 and 3.62 of the Redlands Municipal Code relating to outside City rate surcharges, was given its second reading of the title by City Clerk Poyzer, and on motion of Councilmember Foster, seconded by Councilmember Gil, further reading of the ordinance text was unanimously waived. Ordinance No. 2232 was adopted on motion of Councilmember Foster, seconded by Councilmember Gil, by the following vote:

AYES: Councilmembers Foster, Gil, Gilbreath; Mayor Larson

NOES: Councilmember Cunningham

ABSENT: None

Ordinance No. 2230 - Commission Appointments - Councilmember Foster explained he felt each member of the City Council should be allowed to appoint citizens to the City's advisory commissions with terms running concurrent with Councilmembers' terms of office, and move to adopt Ordinance No. 2230, an ordinance of the City of Redlands relating to the appointment of citizens to City advisory commissions. The motion died for lack of a second. Each Councilmember indicated they could not support this ordinance as present but were willing to investigate other methods of appointment.

Ordinance No. 2234 - Disposition of Property - Ordinance No. 2234, an ordinance of the City of Redlands amending Section 2.60.040 of the Redlands Municipal Code relating to the disposition of property recovered by the Police Department, was given its second reading of the title by City Clerk Poyzer, and on motion of Councilmember Foster, seconded by Councilmember Cunningham, further reading of the ordinance text was unanimously waived. Ordinance No. 2234 was adopted on motion of Councilmember Foster, seconded by Councilmember Cunningham, by the following vote:

AYES: Councilmembers Foster, Gil, Cunningham, Gilbreath;

Mayor Larson

NOES: None

ABSENT: None

NEW BUSINESS

Ordinance No. 2235 Trees in Public Places - Public Works Director Ronald C. Mutter reported the Street Tree Committee of the Parks Commission has been working for several months with staff to amend the Redlands Municipal Code relating to street trees. The primary reasons for the amendment are to update the ordinance to current personnel, operations, and procedures and to ease the procedures established for property owners to plant, trim, remove or otherwise maintain City trees. The provisions for allowing property owners to maintain street trees is due to the City's current inability to provide adequate planting, trimming, and other such maintenance given the current budget limitations. Ordinance No. 2235, an ordinance of the City of Redlands amending Chapter 12.52 of the Redlands Municipal Code relating to trees in public places, was read by title only by City Clerk Poyzer, and on motion of Councilmember Gilbreath, seconded by Councilmember Cunningham, further reading of the ordinance text was unanimously waived. Ordinance No. 2235 was introduced with unanimous Council approval and laid over under the rules on motion of Councilmember Gilbreath, seconded by Councilmember Cunningham.

Street Lighting Assessment District - Public Works Director Ronald C. Mutter reminded Councilmembers Cajon Street is a part of the City's designated historic and scenic street system. The street lighting system along this portion of Cajon Street is the old, antique short pole system that is approximately 80 years old. On November 19, 1991, a request was presented to the City Council from the residents of the 800 and 900 block of Cajon Street asking if an assessment district could be formed for the purpose of replacing the street lighting system. Since that time, staff has been working with the residents towards the establishment of such a district, and Mr. Mutter presented several options for the estimated \$58,860.00 project. Speaking in favor of establishing

this assessment district was Priscilla Rice and James Henry. Opposing the district were Steve Mateljan and Shirley Whyte. Following discussion, Councilmember Foster moved to suspend any further action on a potential street lighting district at this time and directed staff to make only the immediate repairs necessary to place all of the lights back in full operation on the 800 and 900 block of Cajon Street, with authorization to transfer funds from the proceeds of the sales of City-owned housing, if necessary. Motion seconded by Councilmember Gil and carried unanimously.

LATE BREAKING ITEM

Right of Entry - East Valley Resource Conservation District - Councilmember Larson moved to add the following items to the agenda which arose subsequent to the agenda being posted: "Discussion and possible action - Request for right of entry permit by East Valley Resource Conservation District." Motion seconded by Councilmember Gilbreath and carried unanimously. Utilities Manager Mike Huffstutler presented a request from the East Valley Resource Conservation District for a right of entry permit onto City property in the Crafton Hills near the Tate Water Treatment Plant. They are working in conjunction with the Federal Soil Conservation Service to mitigate drainage and erosion problems resulting from the recent fires. Because of time constraints, no plan review process or approved plans for the work to be performed have been prepared. Staff agrees that the work being proposed should be done and requested the City Council consider this request. Councilmember Cunningham moved to waive the normal plan review and permitting procedures with the provision a hold-harmless agreement, acceptable to the City Attorney, is provided. Motion seconded by Councilmember Gilbreath and carried unanimously.

CONSENT CALENDAR

Minutes - Minutes of the regular meeting of December 7, 1993, and the adjourned regular meeting of December 14, 1993, were approved as submitted.

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

Employee Vacancies - On motion of Councilmember Cunningham, seconded by Councilmember Foster, Council unanimously approved the following position be filled: Cemetery Caretaker II.

San Bernardino Regional Airport Authority - On motion of Councilmember Cunningham, seconded by Councilmember Foster, Council unanimously

approved Amendment No. 1 to the "Joint Exercise of Powers Agreement Creating an Agency to be Known as the San Bernardino Regional Airport Authority" which exchanges the word "International" for "Regional" and authorized the Mayor and City Clerk to execute the document on behalf of the City.

Funds - Redlands Bowl - On motion of Councilmember Cunningham, seconded by Councilmember Foster, Council unanimously approved an additional appropriation of \$2,865.00 to complete repairs to the Redlands Bowl doors. The proposed new doors are metal and require locks and frames to be custom fit. The metal doors will be vandal resistant as opposed to the existing wooden doors and will be painted to match the decor at the Bowl.

Senior Nutrition Program - On motion of Councilmember Cunningham, seconded by Councilmember Foster, Council unanimously approved a contract for a Senior Nutrition Program and a Senior Information Program at the Redlands Community Center, pending a final rental agreement, and authorized the Mayor and City Clerk to sign the document on behalf of the City.

Medical Insurance Benefit - Gary Hoover - On motion of Councilmember Cunningham, seconded by Councilmember Foster, Council unanimously authorized lifetime medical insurance coverage be granted to Water Production Supervisor Gary Hoover. Mr. Hoover suffered a severe stroke several months ago, has been off work since, and has used his accumulated sick leave. It has been determined he will not mentally and physically recover from his stroke to the point where he can return to work. Mr. Hoover has a total of 31 plus years of service with the City; however, he will be four months short of 20 years of continuous service which would have made him eligible for the lifetime medical insurance coverage.

Cash Transfer - Downtown Redlands Business Association - On motion of Councilmember Cunningham, seconded by Councilmember Foster, Council unanimously authorized a cash transfer of \$59,413.00 from the Redevelopment Agency to the Downtown Redlands Business Association Fund, which represents the excess of revenues over expenditures for Market Night operations for fiscal year 1992-93.

Resolution No. 5042 - Speed Zones - On motion of Councilmember Cunningham, seconded by Councilmember Foster, Council unanimously approved Resolution No. 5042, 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: establish speed limits on Orange Street between Pioneer Avenue and the traffic signal at Sunwest Materials, Inc. in the Santa Ana Wash.

Subordination Agreement - On motion of Councilmember Cunningham, seconded by Councilmember Foster, Council unanimously approved a subordination agreement for property located at 110 Franklin Avenue.

Subordination Agreement - On motion of Councilmember Cunningham, seconded by Councilmember Foster, Council unanimously approved a subordination agreement for property located at 1511 West Cypress Avenue.

Adjournment - There being no further business, the City Council meeting adjourned at 8:34 P.M. Next regular meeting, January 4, 1994.

City Clerk